

Direct Questions posed by Waterman environmental to the DTi with responses

Question 1

How is the overlap between WEEE and hazardous waste being handled? As some items of WEEE will also be classed as hazardous waste, does a producer of such waste still register as a hazardous waste producer? What paper work do they need – can they chose to dispose of the item as hazardous waste or WEEE? Or does one take precedence over the other?

DTi Answer

The WEEE Regulations apply in addition to the Hazardous Waste Regulations (HWR). If an item of WEEE is also hazardous waste, for example a pc monitor containing a cathode ray tube, it will have to be collected and handled in accordance with the HWR, and then treated and recycled as required by the WEEE Regulations. One does not take precedence over the other. You can contact the Environment Agency for more details as to precisely what the controls on hazardous waste are, their website is www.environment-agency.gov.uk/weee.

Question 2

If a company goes out of business, who picks up the bill for items they placed on the market? Are compliance schemes obliged to recycle all goods that their member placed on the market? Or will the end user be responsible in this instance? What should an end user do if its original supplier no longer exists?

DTi Answer

Under Schedule 7 Part 3 it states information to be included in the scheme's operational plan - this must include details of the financial resources available to meet members' obligations.

Question 3

In relation to 'placed on the market'. Is there any more guidance on how this should be determined, or should companies make a 'common sense' decision based upon when goods changed hands? Should it at all take into consideration the markings on the equipment? Can businesses use their own purchasing systems (i.e. invoices) as evidence of when an item was paced on the market? I am thinking specifically here of an end user trying to determine whether they, or the producer is responsible for recycling. What constitutes the correct evidence for when something was 'placed on the market'?

DTi Answer

The meaning of "putting on the market" according to the EU Commission's Guide to the implementation of directives based on the New Approach and the Global Approach" This can be downloaded from <http://ec.europa.eu/enterprise/newapproach/legisaltion/guide/index.htm>.