

## Regulatory Position Statement – Storage of WEEE under Weatherproof Cover

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### Background- Existing Guidance

Directive 2002/96/EC on waste electrical and electronic equipment (“WEEE”) (as amended) (the “WEEE Directive”) sets standards for the treatment, recycling and recovery of WEEE. In November 2006 Defra produced “Guidance on Best Available Treatment, Recovery and Recycling Techniques (BATRRRT) and treatment of Waste Electrical and Electronic Equipment (WEEE)” (the “Defra Guidance”). It provides guidance on how the standards set out in the WEEE Directive and other relevant legislation for the treatment, recycling and recovery of WEEE are to be interpreted. The Environment Agency, the Scottish Environment Protection Agency (SEPA) and operators of WEEE treatment facilities will refer to the Defra Guidance when considering treatment, recycling and recovery standards.

### Current Issue

Questions have been asked by WEEE treatment facility operators as to the extent that storage of WEEE pending treatment should be under cover.

Article 6(3) and Annex III of the WEEE Directive contains the following technical requirement for establishments and undertakings carrying out WEEE treatment operations:

Sites for storage (including temporary storage) of WEEE prior to their treatment:

- Impermeable surfaces for appropriate areas with the provision of spillage collection facilities and, where appropriate, decanters and cleanser-degreasers,
- Weatherproof covering for appropriate areas.

In Scotland, these requirements are imposed in waste management licences for sites treating WEEE by Regulation 12B of the Waste Management Licensing Regulations 1994.

The Defra Guidance states that *“The purpose of the weatherproof covering for storage at treatment sites is to minimise the contamination of clean surface and rain waters, to facilitate the reuse of those whole appliances and components intended for reuse and to assist in the containment of hazardous materials and fluids. The areas that are likely to require weatherproof covering will therefore include those storing and treating hazardous or fluid containing WEEE or whole appliances or components intended for reuse.”*

**Note** that in terms of the waste hierarchy, reuse is always preferable to recycling or recovery. The WEEE Directive promotes the re-use of WEEE and the Defra Guidance states that to maximise the opportunities for re-use *“selection or screening of items suitable for re-use needs to be carried out at an early stage, normally at the point of collection.”* Whenever possible, WEEE that is deemed capable of reuse should be identified as early in the take-back process as possible in order that it can

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be protected against the elements and/or inappropriate handling/storage practices that would preclude re-use.

### **SEPA Interpretation**

SEPA's interpretation of this requirement is that weatherproof covering will be required for storing WEEE intended for re-use either as whole equipment or components. The decision as to whether it is intended to re-use WEEE, either as whole appliances or components, should be taken before it is moved in order to prevent poor handling and/or lack of weatherproofing adversely affecting its re-use.

WEEE that contains hazardous substances should be provided with weatherproof coverings where exposure to the weather could result in the escape of hazardous substances. For example refrigerator foam when exposed to sunlight could result in the escape of Ozone Depleting Substances; water soluble metals and liquids leaking from WEEE would not be caught by oil interceptors of sealed drainage systems and so would escape into the wider environment.

WEEE that is destined for recycling or recovery operations does not need to be stored under weatherproof cover provided that:

- Refrigeration equipment is examined for leaks, exposed foam etc immediately after acceptance and that any equipment found to be leaking and/or with exposed foam is immediately placed undercover pending treatment;
- Equipment that contains electrolytic capacitors is examined for leaks immediately after acceptance and any equipment found to be leaking is immediately placed undercover pending treatment and;
- Equipment that has CRTs (such as TVs, PCs) is examined immediately after acceptance and any equipment found with a broken CRT is immediately moved undercover pending treatment.
- Fluorescent lamps, gas discharge lamps and other equipment that contains mercury must be kept undercover at all times.