

Paragraph 43 and 48 Exemptions

Crushing waste gas discharge lamps and the storage of WEEE pending recovery elsewhere

1 INTRODUCTION

This document provides guidance, definitions, operational policy and strategy with regard to registering paragraph 43 and 48 exemptions to crush gas discharge lamps or store Waste Electrical and Electronic Equipment (WEEE) for recovery elsewhere.

Paragraphs 43 (crushing of gas discharge lamps such as fluorescent tubes) and paragraph 48 (storage pending recovery) complement paragraph 47 (repair and refurbishment of WEEE with view to its reuse in original form) and facilitate the implementation of the WEEE Directive.

It should be noted that the registration of **paragraphs 43 and 48 are free of charge**, unlike paragraph 47, and therefore can be registered using the simple exemption notification form.

2 PARAGRAPH 43

Gas discharge lamps, mostly but not exclusively fluorescent tubes, are deemed to be absolute hazardous wastes (EWC 20 01 21) due to their mercury content. Care must be taken to ensure the lamps are kept intact until fed into the crushing machine – failure to do so will render the activity licensable.

The exemption requires that **pre-crushing storage facilities are weatherproof** (a tarpaulin over an open skip at minimum). **Note** that paragraph 48 (storage) requires gas discharge lamps to be stored in **leak-proof** as well as weatherproof containers. It is recommended that pre-crushing storage in terms of paragraph 43 should also meet these standards as failure to do so could mean an activity does not comply with the ‘relevant objectives’.

Crushing has to take place in **purpose built plant** which can limit mercury emissions to **50µg/m³ maximum**. Proof (manufacturers certificate or similar) that the plant can meet these standards and that this level of performance can be maintained – an annual engineer’s report or similar is suggested – is required. The **maximum throughput is 3 tonnes per 24 hours** so some form of estimating/verifying weights and throughputs should be agreed if there is any question of throughput being near or above the limits.

Post-crushing storage must be in **secure containers** not simply weatherproof. This implies a superior container to pre-crushing, e.g. a leak-proof container with close fitting lid, possibly lockable depending on the overall security of the facility.

3 PARAGRAPH 48

Paragraph 48 allows the **storage only** of different categories of WEEE (including hazardous/special) in a **secure place provided the WEEE is destined for recovery** (including recycling) elsewhere.

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In general either **50m³** or **80m³** of WEEE is allowed to be stored for a **maximum of 3 months**. It should be noted that the containment requirements vary depending on the type of waste (see the exemption for full details) with some requiring the storage facility to have an **impermeable surface** whereas others require the leak-proof container to have the impermeable surface. It appears the variable nature of the containment in part reflects the physical size and nature of the WEEE.

It is anticipated that this exemption will be used to allow the collection of WEEE at retail parks etc as part of the take-back of WEEE. It could also be used by local authorities as an alternative to modifying and/or enlarging existing Civic Amenity / Recycling sites.