



Hazardous Waste Regulations and WEEE Regulations

The forthcoming Hazardous Waste Regulations have a number of potential implications for collection of some electrical and non-electrical items through bulky waste collection services. The regulations have not as yet been finalised, but are due to be implemented in July 2005. A number of items, which are not defined as special waste under the current Special Waste Regulations, will be defined as hazardous under the new Hazardous Waste Regulations. These items include televisions, computer monitors and fluorescent lighting tubes (including those used in sunbeds).

Mixed domestic waste will be exempt from the regulations, as it is excluded from the EU Hazardous Waste Directive. Defra's July 2004 consultation document on the proposed regulations states that:

We believe that the intention of the exclusion in the Hazardous Waste Directive is to exclude from its controls the small amount of hazardous waste that individuals dispose of via the normal mixed domestic refuse collection (Defra 2004, 4.3).

However, this exclusion does not apply to "separately collected fractions of domestic waste" (Defra 2004, 4.3). In the absence of further guidance on this subject, which will be issued before the regulations come into force in July 2005, it can be assumed that items such as TVs, computer monitors and sunbeds collected by bulky waste services are to be regarded as "separately collected fractions". Bulky waste services do not appear to fall under the term "normal mixed domestic refuse collection". Items collected by bulky waste services are presented separately by householders and hazardous items should be clearly identifiable, both by call centre staff taking bookings and by collection crews, and should therefore be regarded as hazardous waste. However, it should be noted that hazardous items collected from households will not require consignment notes in order to be transported, as "hazardous waste will not become subject to the provisions of the regulations until it has been delivered to the local authority collection point" (Defra 2004, 4.3).

The new legislation has a number of implications for bulky waste collection services. In brief, from July 2005, local authorities will no longer be able to collect identifiable hazardous items through bulky waste collection rounds and mix with other non-hazardous materials. In the case of waste collection authorities (WCAs), this means that call centre staff cannot accept bookings for collections of hazardous materials, and visible hazardous items that are placed with other bulky waste by members of the public cannot be placed into collection vehicles. There are a number of potential options for modifying the bulky waste collection service to address this new requirement.

- Councils could restrict collections to non-hazardous bulky waste items, ie ban hazardous items from collection services. However, this option may be politically unacceptable, and would also require suggesting an alternative means of disposal to residents. Under the forthcoming Waste Electrical and Electronic Equipment (WEEE) Regulations, it is expected that many household waste recycling centres (HWRCs) will become collection centres (see below). This option would require consultation with waste disposal authorities (WDAs) regarding their plans for upgrading of HWRCs in WCA areas.

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- Councils could continue to collect hazardous items, but in a separate vehicle, possibly using the white goods (ie fridge) collection vehicle on days of spare capacity. Items collected in this way would have to be bulked up at a central council site, and eventually transferred to a designated reprocessor for appropriate treatment. It may be possible to arrange for free-of-charge collection of these items from a central WCA or WDA site under the forthcoming WEEE Regulations (see below).
- Councils could continue to collect hazardous items, but only on payment of a charge. A concessions system could be integrated into this collection so that vulnerable members of the community would still have access to free collections. This could form part of a wider transition towards charging for collections of some items (for councils where charging is not already in operation).

The Hazardous Waste Regulations are not the only regulations affecting management of waste electrical and electronic equipment. The WEEE Regulations, following some delay, now seem likely to be implemented in 2006. Although detailed arrangements are as yet unclear, the main thrust of these regulations is to make producers of electrical and electronic equipment responsible for achieving recycling targets for the components in this material. Producers, or compliance schemes of which they become members, must arrange for free-of-charge collections of WEEE from “designated collection facilities” (DCFs). For sites to become DCFs, the draft criteria indicate that they must have, “impermeable surfaces (with provision for spillage collection facilities and, where appropriate, decanters and cleanser degreasers) and weather-proofing for appropriate areas” (DTI 2004, para.171).

It is expected that many HWRCs will become designated collection facilities. It would be advisable for waste disposal authorities to apply for DCF status for all or some of their HWRCs. Waste collection authorities should consult with the waste disposal authority regarding plans on this issue. It may be possible for items of WEEE collected through a WCA’s bulky waste service to be delivered to HWRCs to await free collections by producers under the regulations’ producer responsibility requirements.

References:

Defra (2004), Review of the Special Waste Regulations 1996 in England. Proposals for replacement Hazardous Waste Regulations and List of Wastes Regulations. A consultation paper, available at www.defra.gov.uk/corporate/consult/wastereg-haz/consult.pdf

DTI (2004), WEEE REGULATIONS Guidance Notes Consultation Draft - July 2004, available at http://www.dti.gov.uk/sustainability/weee/WEEEGuidance_draft.pdf

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