

SMART GROUP 25TH ANNIVERSARY SEMINAR

ENVIRONMENTAL SESSION – REVAMPED DIRECTIVES:
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SMART GROUP TECHNICAL COMMITTEE VICE-CHAIR



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WEEE Directive – MarkII?



- A proposal for a “recast” WEEE Directive was made in December 2008

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2008:0810:FIN:EN:PDF>

- This has been further amended in September 2009

<http://register.consilium.europa.eu/pdf/en/09/st12/st12848.en09.pdf>



WEEE – Problems Identified (1)



- Specifies minimum requirements only
 - WEEE is an Article 175 Directive, unlike RoHS which is a Single Market Article 95 Directive
- Lack of clarity on scope and differing interpretations by different member states
- Lack of harmonisation can mean multiple differing registration requirements for each member state
- Less than 50% of separately collected WEEE is handled and reported according to the requirements of the Directive



WEEE – Problems Identified (2)



- The current separate collection target of 4kg per head of population does not account for different member state economies.
- No targets for re-use of whole appliances
- Evidence of lack of enforcement and illegal shipment of waste to developing countries
- Better financing of collection of household WEEE is required and consumers should be made more aware of such costs when they make new product purchases



WEEE – Proposed Changes (1): Scope



- The scope will now derive from the RoHS, rather than the other way round.
 - Intended to ensure the minimum requirements of WEEE Directive are protected by the Single Market nature of RoHS
 - BUT... RoHS revamp has further amended its scope!
- The scope and exemptions will be clarified
 - e.g. *“Equipment which is not intended to be placed on the market as a single functional or commercial unit”* now specifically excluded from scope (new definition in Article 2.3c)



WEEE – Proposed Changes (2): Collection



- Collection targets are re-defined
 - As of 2016, a mandatory 65% collection rate will be set based on the average weight of all reported EEE in the previous 2 years in each member state
 - e.g. Member State X, with an average weight of EEE placed on its own market in 2014-2015 = 100 tonnes, requires 65 tonnes WEEE to be properly collected and handled in 2016



WEEE – Proposed Changes (3): Re-use



- Increase recovery targets by 5% and defines a requirement for whole appliance re-use
 - e.g. Large Household Appliances (Cat.1) and Automatic Dispensers (Cat.10) now required to have 85% recovery, of which 80% must be prepared for re-use
- Medical Devices (Cat. 8) now to be included
 - 75% recovery and 55% re-use

WEEE – Proposed Changes (4): Financing



- Member states should “encourage” producers to finance ALL costs in the collection and handling of household WEEE
 - to reduce consumer disposal of WEEE in normal household waste stream
- Member states may allow producers to show to consumers the cost of collection, treatment and disposal of a product at end of life.
 - effectively allows the display of a “visible fee” as part of purchase price



WEEE – Proposed Changes (5): Monitoring



- A common format for producer registration is to be set up for all Member States, allowing easy exchange of information and to simplify the process for producers that need to register in multiple States
 - The latest amendment in September clarifies this such that a Single Market producer registration for all Member States is NOT the intention, i.e. multiple national registrations still needed
- Member States will be required to have an inspection and monitoring regime in place for collection and treatment facilities, including arrangements for any WEEE exported outside the EC



RoHS Directive – MarkII?



- A proposal for a “recast” RoHS Directive was made in December 2008

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2008:0809:FIN:EN:PDF>

- This has been further amended in September 2009

<http://register.consilium.europa.eu/pdf/en/09/st12/st12847.en09.pdf>



RoHS – Problems Identified

- Harmonisation, clarification and simplification required
- Exemption mechanism needs to be improved
- Medical (Cat.8) and Monitoring & Control (Cat. 9) need to be brought into scope
- Product conformity assessment and market surveillance measures needed



RoHS – Proposed Changes (1): Scope



- NO NEW SUBSTANCES BANNED!
- BUT...
- September amendment has deleted references to Category list and now covers **all EEE unless specifically excluded!**
- Medical (Cat.8) and Monitoring & Control (Cat.9) are now brought within scope - changes to be phased in stages until 2017



RoHS – Proposed Changes (2): Exemptions



- Generic exemptions from scope are detailed
 - Military equipment
 - EEE designed as part of other EEE
 - EEE not intended to be placed on the market as a single/functional unit
 - September amendment adds:
 - Large scale industrial tools
 - Musical pipe organs
- All specific exemptions granted are valid only for 4 years, renewals must be applied for at least 18 months prior to expiry
 - NO automatic renewal



RoHS – Proposed Changes (3): Future Bans



- Any new substances considered for restriction will be assessed in line with REACH regulation methodology
- Four substances for immediate study are:
 - Hexabromocyclododecane (HBCDD)
 - Bis (2-ethylhexyl) phthalate (DEHP)
 - Butyl benzyl phthalate (BBP)
 - Dibutylphthalate (DBP)
- All these substances are already in the Phase 1 list of SHVC for REACH



RoHS – Proposed Changes (4): Conformity Assessment



- RoHS will become a “New Approach” Directive
 - Producers defined separately as Manufacturers, Distributors and Importers
 - Declaration of Conformity must be provided
 - Products to be CE marked indicate conformity with RoHS as well as other applicable Directives
 - i.e - as for EMC, LVD etc.
 - Conformity evidence must be kept for 10 years and provide that on request to the competent authority
 - Systems to be in place to ensure continuity of conformity
 - Products and/or packaging must be marked with brand name, product type and batch/serial number ID
 - Member States must carry out market surveillance to ensure conformity



RoHS and WEEE– Changes Timetable

- Amended texts from September 2009 are due to be discussed again this month and again in December 2009
- Final proposal will go to the European Parliament, with a report scheduled for adoption in the Environment Committee on 23 February 2010
- European Parliament should review at its plenary session on 20 April 2010
- UK Government expects implementation date to be January 2012



ELV Directive – Mark II?



- End of Life Vehicle Directive (2000)
 - “lead in electric circuit boards and other applications” is exempt
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2000:269:0034:0042:EN:PDF>
- Amended (2008)
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:225:0010:0013:EN:PDF>
 - Key amendment for electronics:
 - lead in solder on automotive PCBs now exempt only for vehicles types approved before 2011 and spares for these vehicles
 - to be reviewed again in 2009!

ELV – 2009 review



- Oko Institute commissioned to carry out “Fourth adaptation to technical and scientific progress of Annex II to Directive”
 - i.e. review exemptions
- Specific report on lead exemptions for ELV
 - http://circa.europa.eu/Public/irc/env/elv_4/library?l=/reports/099016_finalpdf/ EN 1.0 &a=d
 - Recommendation summary (16th Sept 2009)
 - Lead in PCB assembly solder to be exempt until 2016
 - Other lead in electronics usages to be aligned with existing RoHS exemptions and review dates, e.g.:
 - high-melting point solder (>85%Pb) - review 2013
 - semiconductor die and flip-chip attach solders – review 2014
 - compliant pin connectors (pressfit) – review 2014

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