

Guidance note for approval as an approved authorised treatment facility (AATF) or approved exporter (AE) for waste electrical and electronic equipment (WEEE)



Environment Agency



Northern Ireland Environment Agency
www.ni-environment.gov.uk



An Agency within the Department of the Environment
www.doeni.gov.uk

The Waste Electrical and Electronic Equipment Regulations 2006, as amended

Please read these guidance notes carefully before you fill in the forms WMP5 and WMP6.

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1 What is an approved authorised treatment facility (AATF)?

An **authorised treatment facility (ATF)** is a waste treatment site that has an environmental permit, waste management licence, or registered exemption¹ for the carrying out of refurbishment or treatment of waste electrical and electronic equipment (WEEE). Treatment activities include:

- depollution
- disassembly
- shredding
- preparation for disposal.

Any operator of an ATF or ATFs receiving WEEE direct from a designated collection facility (DCF), distributor or end-user under a contract with a Producer Compliance Scheme (PCS), can apply to become approved. Operators of AATFs can issue evidence notes for the treatment of WEEE or re-use of whole appliances that is carried out at AATFs and ATFs in the UK. The evidence must relate to treatment being carried out on an AATF, or to further treatment, recovery and recycling carried out at other ATFs.

Evidence notes are required by PCSs on behalf of producers of electrical and electronic equipment (EEE) who need to prove that a certain amount of WEEE has been treated, recovered and recycled.

If you become an AATF and you intend to export WEEE or WEEE materials for further treatment, recovery or recycling, you will also need to apply to be an AE. If you intend for someone else to export WEEE or WEEE materials for further treatment, recovery or recycling you must ensure that they are an AE.

For further information on how to issue evidence notes see Guidance note GN04.

2 What is an approved exporter (AE)?

An exporter is a business that arranges for the export of WEEE overseas for treatment, recovery, recycling or re-use.

Becoming an AE allows you to issue evidence notes on the export of WEEE that consists of whole untreated appliances, for reuse.

In each case, the WEEE that you export must have been supplied to you directly under a contract with a PCS.

You cannot issue evidence notes for treatment, recovery or recycling overseas but you must supply us with information to satisfy us that each overseas treatment or recovery site you use operates to standards that are equivalent to those required in the European Union (EU). (See section 3.5 on equivalent standards.)

Evidence notes are required by PCSs on behalf of producers, who will need to prove that a certain amount of WEEE has been treated, recovered and recycled.

WEEE that was received by an AATF and is to be exported for treatment, recovery, recycling and re-use overseas will have evidence notes issued by the AATF in the UK that initially received the waste. WEEE that is received at an AATF and exported for treatment, recovery, recycling and re-use must be exported by an AE.

For further information on how to issue evidence notes see Guidance note GN04.

3 How to apply to become approved

3.1 Application forms

To become an AATF or an AE you will need to send an application form to one of the UK environment agencies. If your site or place of business is in Scotland you should apply to SEPA, if it is in England and Wales you should apply to the Environment Agency, if it is in Northern Ireland you should apply to the NIEA. Approvals last for a calendar year, unless you apply part way through a year, in which case they run from the date your approval is confirmed.

The regulations set out a determination period of 12 weeks for us to assess your application and inform you of the outcome. For approval to start on 1 January each year you will need to apply by 30 September in the preceding year. If you want to continue your approval you need to make a new application each year.

1 Under the Environmental Permitting Regulations, 2007 (as amended) or the Waste Electrical and Electronic Equipment (Waste Management Licensing) (Northern Ireland) regulations 2006 or the Waste Electrical and Electronic Equipment (Waste Management licensing) (Scotland) Regulations 2006.

To apply to be an AATF you will need to fill in form WMP5 – Application form for approval as an approved authorised treatment facility (AATF) for waste electrical and electronic equipment (WEEE).

To apply to be an AE you will need to fill in form WMP6 – Application form for approval as an approved exporter (AE) of waste electrical and electronic equipment (WEEE).

With your application form you will need to:

- attach a sampling and inspection plan
- tell us about the overseas sites you are exporting WEEE to (AEs only)
- attach evidence of equivalent standards (AEs only)
- pay the correct application fee.

If you are an operator of an AATF and are also seeking approval as an AE, you will need to make a separate application using form WMP6 and pay the appropriate fee.

For details of how to complete forms WMP5 and WMP6, see section 4 below.

3.2 You must meet the following criteria to be approved

You must meet certain criteria in order to be approved as an AATF or AE. We must be satisfied with all the information you supply at the application stage in order to assess the application.

The criteria for becoming approved as an AATF are:

- that you are the operator of an ATF. To be an ATF you must have an appropriate environmental permit, waste management licence, or registered exemption
- that you will be able to comply with the conditions of approval – see section 5
- that your application is on form WMP5
- that your application includes all the information that is specified in Part 1 of Schedule 8 of the Regulations
- that the appropriate fee accompanies your application.

The criteria for becoming approved as an AE are:

- that you are an exporter of WEEE arising in the UK
- where the application includes treatment, recovery or recycling outside the European Economic Area (EEA – European Union plus Iceland, Norway and Lichtenstein) that you provide evidence that any treatment, recovery or recycling will meet equivalent standards to those in the European Union
- that you will be able to comply with the conditions of approval – see section 5
- that your application is on form WMP6
- that your application includes all the information that is specified in Part 1 of Schedule 8 of the Regulations
- that the appropriate fee accompanies your application.

3.3 Operators with more than one ATF site

If you operate more than one ATF site you can apply for approval of each individual site. You must complete a separate form WMP5 for each ATF and pay the correct fee for each application.

3.4 Sampling and inspection plans

ATF operators and exporters must include a sampling and inspection plan with the application. Where you are receiving mixed loads you should detail how you propose to determine the percentage of obligated WEEE in each category. You should also provide details of how you propose to determine the percentage of WEEE in each of the categories for loads going on

for recovery and recycling. You will need to refer to any national or locally agreed protocols you are using – see Section 7.

3.5 Equivalent standards (applies to AEs only)

As part of the application and during compliance monitoring, AEs need to demonstrate that overseas sites to which they are exporting WEEE or WEEE materials for treatment, recovery or recycling are operating under conditions that are equivalent to those required in the EU under the WEEE Directive. This will mean providing us with evidence that the best available treatment, recovery and recycling techniques (BATRRRT) are being used, the appropriate permits are in place for the overseas site, and that the site meets the technical requirements set out in Annex III of the Directive.

We have interpreted this to mean that such overseas sites are operated in a manner that achieves the level of environmental protection required by the Waste Framework Directive 75/442/EEC. This means that the overseas site must operate within a regulatory regime, which requires that:

Necessary measures are taken to ensure that waste is recovered or disposed of without endangering human health and without using processes or methods which could harm the environment, and in particular:

- without risk to water, air, soil and plants and animals,
- without causing a nuisance through noise or odours,
- without adversely affecting the countryside or places of special interest.

The regime should also include necessary measures to prohibit the abandonment, dumping or uncontrolled disposal of waste by the overseas site.

The regulatory regime may require permits to be held, but it need not necessarily do so. The essential factor of the regime is that compliance with the standard specified above can be enforced against the overseas site.

AEs seeking approval will have to provide evidence for each overseas site outside the EEA, demonstrating that they are operating to equivalent standards.

Such evidence can be in one of the following forms:

- evidence from the overseas site that it is a regulated site operating within a regime that ensures equivalent standards. Typically this would be a copy of all relevant permits, licences etc.
- a statement from the competent authority under which the relevant site operates confirming that the site is regulated and operating within a regime that achieves equivalent operating standards.

All documentary evidence submitted must be in English or accompanied by an English translation.

3.6 International Waste Shipments (IWS) (applies to AEs only)

AEs must comply with the provisions of the Waste Shipments Regulation (EC/1013/2006), which apply to the export of wastes from the UK. The regulation provides a range of different control procedures, which are determined by the classification of the waste and the country of destination. Most transboundary shipments of WEEE will be subject to a notification procedure.

For further information on IWS permits or specific questions, contact:

the Environment Agency IWS team on 01925 542265 or visit <http://www.environment-agency.gov.uk/wasteshipments>

for Northern Ireland, the Northern Ireland Environment Agency on 028 9056 9742

for Scotland, the Scottish Environment Protection Agency (SEPA) on 01786 457700 or visit <http://www.sepa.org.uk/weee>.

3.7 Payment of fees

The fees you need to include in your application are dependent on the number of tonnes of WEEE on which you expect to issue evidence notes:

- ‘Small’ AATFs and AEs
If you expect to issue evidence on 400 tonnes or less your application fee will be £500.
- ‘Large’ AATFs and AEs
If you expect to issue evidence for more than 400 tonnes your application fee will be £2,590.

If you are approved as a small AATF or exporter and you issue evidence for more than 400 tonnes, you must pay the balance of the higher charge, £2,090, to the appropriate agency within 28 days.

Additional overseas sites (AEs only)

AEs wishing to add an additional overseas treatment, recovery or recycling site after approval has been granted must apply to have this site added to the approval, and must submit a fee of £110 for each extra overseas site.

3.8 Where to send your completed application

If your site or place of business is in England or Wales

Producer Responsibility Regulatory Services (PRRS)
Environment Agency
Quadrant 2
99 Parkway Avenue
Parkway Business Park
Sheffield, S9 4WF
Phone 08708 506506

If your site or place of business is in Scotland

Producer Compliance and Waste Shipment Unit
Scottish Environment Protection Agency (SEPA)
Castle Business Park
Stirling, FK9 4TR
Phone 01786 457700
Fax 01786 446885

If your site or place of business is in Northern Ireland

Producer Responsibility Unit
Northern Ireland Environment Agency
Klondyke Building
Cromac Avenue
Gasworks Business Park
Lower Ormeau Road
Belfast, BT7 2JA
Phone 028 9056 9387
Fax 028 9056 9376

If you are applying as an operator of more than one UK ATF site, send your application to the agency where your site is located.

3.9 What happens once you have submitted an application?

We will assess your application. This will involve a series of checks and may also involve a site inspection visit. You will be notified of our decision no later than 12 weeks after the application was made.

4 How to complete the application form

4.1 Application form for approval as an AATF

The application form WMP5 consists of the following sections:

- Part A – applicant and site details.
- Part B – environmental registrations and permits, and processes carried out on site.
- Part C – checklist and data protection.

If you need more space to give us details you can continue on a separate sheet. Please number the sheets so we know what section they refer to.

Part A

- Section 1: In this section you must give us details about your type of business, registered office and how we can contact you.
- Section 2: We need the details of someone we can contact to discuss your application and your approval.
- Section 3: Enter details of the address and contact details for the site that you are applying to be approved.
- Section 4: You should inform us if you have applied, or intend to apply, to be an approved exporter of waste electrical and electronic equipment.

Part B

- Section 5: In this section you must enter details of any environmental registrations and permits that you hold for the site.
- Section 6: This section requires you to enter details of the WEEE that you are receiving on site. This includes the category and source of WEEE, and whether it is B2C or B2B.
- Section 7: We need you to provide details of the processes that are carried out on WEEE received at the site.

Part C

- Section 8: In this part you should use the checklist to ensure that you have enclosed all the relevant information and fee. You will also need to tell us about any previous convictions under the WEEE regulations.
- Section 9: You should read and make yourself familiar with the data protection and public register information in this section.
- Section 10: Ensure that the form is signed and dated.

4.2 Application form for approval as an AE

The application form WMP6 consists of the following sections:

- Part A – applicant’s details.
- Part B – environmental registrations and data management.
- Part C – details of overseas sites used for treatment, recovery and recycling of WEEE.
- Part D – checklist and data protection.

If you need more space to give us details you can continue on a separate sheet. Please number the sheets so we know what section they refer to.

Part A

- Section 1: In this section you must give us details about your type of business, registered office and how we can contact you.
- Section 2: We need the details of someone we can contact to discuss your application and your approval.

Part B

- Section 3: If you buy and sell waste you must be registered as a waste broker. You may also need to be registered as a waste carrier if you carry other people's waste. Give us details of your registration number.
- Section 4: Attach a copy of your sampling and inspection plan – see 3.4 above.
- Section 5: In order to assess your application we need details of the record keeping systems used to:
 - record the receipt of waste
 - establish the weight of WEEE
 - record the movement of WEEE within and outside the UK
 - classify WEEE into the 13 categories prescribed in schedule 1 of the WEEE regulations
 - classify WEEE into household or non-household
 - maintain export logs
 - complete quarterly returns that are sent to us.

Part C

In part C of the form you must provide us with details of each overseas site to which you export WEEE. You should use one copy of part C for each site.

If you want to include additional overseas sites after your approval has been granted, there will be an administrative charge of £110 for each part C you send us.

- Section 6: Number of sites: tell us how many overseas treatment, recovery and recycling sites you will be exporting to. This will be the same as the number of part Cs you submit with your application.
- Section 7: Overseas site details: complete the business and site address details for each site. If you do not submit at least one fully completed Part C for a recovery site we will be unable to progress your application. You need to include details of sites additional to the ones you directly ship to, if your WEEE or WEEE materials are treated, recovered and/or recycled at further sites.

Where you are exporting un-treated WEEE for re-use you must send us full details of the receiving site.

You must also tell us which Producer Compliance Scheme you are exporting the waste on behalf of.

- Section 8: WEEE exported: use the checklist to describe the WEEE you are exporting to this site.
- Section 9: Description of treatment, recovery and recycling: please describe the treatment, recovery and recycling processes that will be undertaken on WEEE at this site.
- Section 10: Rejected loads: please tell us your arrangements for loads rejected by this site. Include arrangements that the site or importing country have implemented – for example, financial bonds.

Part D

- Section 11: In this part you should use the checklist to ensure that you have enclosed all the relevant information and fee.
- Section 12: You will need to tell us about any previous convictions under the WEEE regulations.
- Section 13: You should read and make yourself familiar with the data protection and public register information in this section.
- Section 14: Ensure that the form is signed and dated.

5 What are the conditions of approval?

Once you are approved as an AATF or an AE, you must comply with the conditions set out in Schedule 8 of the regulations.

- If you are an approved AATF, the conditions of approval are set out in Part 2 of Schedule 8.
- If you are an approved exporter, the conditions of approval are set out in Part 3 of Schedule 8.

The conditions describe what you must do in order to issue evidence notes and what kind of evidence you can issue. AATFs and AEs can only issue evidence notes on obligated WEEE. That is WEEE that they have obtained from a DCF, distributor or PCS as part of a contract with a PCS.

You must also:

- meet the recovery and recycling targets set for categories of WEEE
- provide the agencies with the reports described in section 6 of this document.

If you fail to comply with your conditions of approval your approval may be suspended or cancelled – see section 8 below.

For further information on how to issue evidence notes see **Guidance note GN04**.

6 Records and reporting

The operator of the AATF or AE should retain records to support the evidence notes issued for a period of four years. This could include waste transfer notes, contract details, weighbridge tickets, photographs and invoices or any other documents held that prove the activities represented on evidence notes.

6.1 Quarterly reports

Quarterly reports are required to provide the agencies with data on the amount of obligated WEEE that has been received for treatment and that has been re-used as a whole appliance, treated, recovered, recycled and/or exported. AATFs and AEs also need to report on the amount of non-obligated WEE received and exported. AATFs and approved exporters will be sent a template spreadsheet to complete and return.

6.1.1 AATFs need to provide us with quarterly reports containing the following information

- the tonnage of obligated WEEE received for treatment in that quarter
- the tonnage of non-obligated WEEE received in that quarter
- the tonnage of obligated WEEE delivered to another ATF for treatment in that quarter
- the tonnage of obligated WEEE in respect of which evidence for re-use as a whole appliance was issued
- the tonnage of obligated WEEE delivered to an approved exporter for treatment, recovery or recycling outside the UK in that quarter
- a breakdown of the above information by the 10 categories including separate tonnages of display equipment, cooling appliances containing refrigerants and gas discharge lamps
- the tonnage of obligated WEEE in each category which was for household use
- the tonnage of obligated WEEE in each category which was for non-household use
- names and addresses of all facilities or approved exporters to whom obligated WEEE was delivered for the above purposes

- the tonnage of obligated WEEE received on behalf of each PCS
- the total number of evidence notes issued.

6.1.2 Approved exporters need to provide us with quarterly reports with the following information

- the tonnage of whole items of obligated WEEE exported for re-use, treatment, recovery or recycling in that quarter
- the tonnage of non-obligated WEEE exported in that quarter
- a breakdown of the above information by the 10 categories including separate tonnages of display equipment, cooling appliances containing refrigerants and gas discharge lamps
- the tonnage of obligated WEEE in each category which was for household use
- the tonnage of obligated WEEE in each category which was for non-household use
- the tonnage of obligated WEEE exported on behalf of each PCS
- the total number of evidence notes issued.

6.1.3 Quarterly reporting dates

For both AATFs and approved exporters, the quarterly reports must reach us by the following dates:

- Quarter 1 – January, February, March – 30 April
- Quarter 2 – April, May, June – 31 July
- Quarter 3 – July, August, September – 31 October
- Quarter 4 – October, November, December – 31 January

6.2 Independent audit reports

All operators of AATFs or AEs need to give us an independent auditors report by 31 March following each approval year.

Further information on independent audit reports is in guidance note GN03 Independent Audit Reports.

7 Protocols for mixed WEEE

Defra has developed two protocols to assist businesses in the recording and reporting of WEEE recycling. The protocols will enable you to establish the category percentages and the composition of WEEE entering the site. There is an agreed protocol applicable to small mixed WEEE (SMW) from local authority run DCFs. There is also a protocol for mixed large domestic appliances (LDA). Further information and protocols documents can be found on the Defra website at: www.defra.gov.uk/environment/waste/topics/electrical/index.htm and see also Guidance note GN04.

8 Suspension and cancellation of approval

We may suspend or cancel your approval if we believe that you have:

- failed, or are likely to fail, to comply with any of the conditions of approval specified in Schedule 8 of the Regulations
- knowingly or recklessly supplied false information in your application for approval
- knowingly or recklessly supplied false information in order to comply with any of the conditions of approval specified in Schedule 8
- issued evidence notes improperly

- in the case of an exporter, where the appropriate authority is no longer satisfied that an overseas site is meeting equivalent standards to those applied in the EU
- failed to provide us with a quarterly return
- failed to supply an independent audit report.

In addition to suspending an approval we may also take enforcement action.

Your approval will be cancelled if you:

- cease to be an ATF or exporter
- ask us to cancel it (from the date you specify).

8.1 Notification of intent to suspend or cancel an approval

Before suspending or cancelling an approval we will serve you a written notification explaining:

- our decision to cancel or suspend the approval
- the reasons for the decision
- your right of appeal
- the date when the suspension or cancellation will take effect.

If we tell you that we intend to suspend your approval, we will tell you the length of time of the suspension and explain what you need to do in order to have the suspension lifted.

During suspension, you are not able to issue any evidence notes. Once suspension is lifted, you cannot issue evidence notes against WEEE received or exported during the period of suspension.

9 Where to find out further information

- You can find further information on the approval of AATFs and AEs in the guidance issued by BIS at www.bis.gov.uk/weee
- Environmental Permitting Regulations for England and Wales – www.netregs.gov.uk/netregs/63143.aspx
- Waste management licensing in Scotland – www.sepa.org.uk/waste.aspx
- Waste management licensing in Northern Ireland – www.ni-environment.gov.uk/waste-home/authorisation/license.htm
- BATRRRT guidance and WEEE protocols – www.defra.gov.uk/environment/waste/producer/electrical/index.htm
- Settlement Centre – www.weee-sc.org.uk
- Application forms WMP5 and WMP6 and Guidance notes GN03 – Independent Audit Reports and GN04 – WEEE Evidence can be found at: www.environment-agency.gov.uk/weee
- You can also contact the following for guidance and advice:
 - Environment Agency phone: 08708 506506
 - Northern Ireland Environment Agency phone: 028 9056 9387
 - Scottish Environment Protection Agency phone: 01786 457700