

Call for “Fast Track Notifications” for pre-consented facilities in EU

Introduction:

Notification processes to transport material within EU are complex. For one notification up to 50 pieces of information need to be supplied, and the way how the competent authorities (CA's) deal with these pieces of information can differ for each notification. More than 100 different Competent Authorities (CA) operate in the EU. The notification requests involve large (paper-) files that need to be completed. Often new questions are formulated by the CA's dealing with the requests before the notification request can be forwarded to the CA in the country of receipt. Until all questions of the CA's involved are answered, a lot of time passes by and during this time the material is not moving to the treatment facilities. It happens that notifications can take up to over one year. Even for the delivery of one truck to try out the processing of a notifiable material (even yellow or not-listed), a full notification process is required. This is not at all in line with pace of today's business life.

On top of this administrative burden and more importantly this loss of business, the notifications are expensive, because of the need for financial guarantees and the administrative costs charged by the authorities.

All in all, notification processes result in a reduced input of materials for recycling in compliant treatment facilities and thus with legislation and therefore is in contradiction with the objectives of the Circular Economy. It creates unfair competition with the non-compliant players in the market (often outside Europe), who are neglecting the notification procedures.

Current situation and what can be done to speed up?

Art 14 of the WSR provides a concept to become a pre-consented recovery facility. Quite a number of conditions have to be fulfilled, which – as it turns out - differ largely per country and even per competent authority. Many countries/regions do not offer pre-consents at this moment. In Europe, there are 244 pre-consented facilities in only 10 countries.

<http://www2.oecd.org/waste/Countries.asp?q=71>.

On the EU website the official response time for a notification request to a pre-consented treatment facility is 7 days. This means that the Competent Authority will not raise objections concerning shipments of certain types of waste to the facility, and as a consequence the time limit for objections by the authorities of dispatch and transit is shortened to 7 working days.

<http://ec.europa.eu/environment/waste/shipments/recovery.htm>

Experience shows that there is no difference in the handling of notifications requests of deliveries to pre-consented facilities. The reality is that notification requests in most cases are handled in exactly the same way as notification requests for deliveries to non-pre-consented treatment facilities. The time saving only exists in theory.

The EERA proposal is the introduction of a “Fast-Track Notification”. This proposal is for input materials for delivery to pre-consented recycling facilities in the EU only. The proposal does not require any change of the WSR. The basis is a pre-consented treatment facility for certain wastes in the country of receipt and an authorized producer, holder, dealer or broker for these wastes in the country of dispatch. In these cases no more extra verification steps are needed.

A concept of electronic data exchange (EDI) or any similar electronic data exchange should be developed in order to guarantee the timely exchange of relevant data between the competent authorities within the EU – all on the basis of the information of Annex VI.

The advantages of “Fast-Track notifications are clear:

- Notified waste shipments can start within one week
- A much reduced procedure can be followed, using electronic exchange of data.
- Nor more paperwork, with the exception of the transport documentation as usual.
- It would make legal exports at least within Europe so much easier
- And it would allow input to compliant recycling plants to move in the pace of business...

EERA survey for Competent Authorities Summer 2016

EERA started a survey amongst all Competent Authorities (CA's) in the EU to find out what are the stumbling blocks for Fast-Track Notifications. 64 Competent Authorities were invited to participate. There was a 34 % participation rate. Only 10% sent in completed questionnaires. Slightly over 50 % of the respondents were CA's from Germany (12 out of 22!).

Link to the results of the survey can be found with this link: <https://goo.gl/PeiY3z>

The main results can be summarized as follows:

- Although the concept of Pre-Consented treatment facilities exists in the EU, the concept is not implemented in a standard fashion and often not even recognized.
- Only 50 % of respondents issue pre-consents (Art. 14 WSR) – it appears that this coincides with much less than 50 % if all CA's are taken into account.
- Requirements for notification requests for deliveries to pre-consented facilities are not at all standard; many CA's require the same documentation as for all other notification requests.
- No standard waste code is being used for pre-consented treatment facilities.
- The treatment process seems to be the most important criterion for issuing pre-consents, but there can be varying different requirements.
- Required response time of one week for notification requests for delivery to pre-consented treatment facilities is not being met (partly because the concepts of Article 14 are not implemented).
- Many CA's do not even seem to be aware of the shorter response time required for notification requests to pre-consented treatment facilities.

Pilot Project for a Fast-Track Notification - Work in progress

EERA was invited to the WSR correspondents on Sept. 12th, 2016. A follow-up meeting with DG ENV with Peter Wessman and George Kiayas took place on October 10th.

EERA proposed to try and set-up a pilot project to set up one or more “Fast-Track” Notifications as a way to work out a workable model, that can be applied throughout Europe. One proposal is now in the process of being turned in to an actual pilot project. This pilot project is proposed within the North Sea Resources Roundabout initiative as a pilot project to set up a “Fast-Track Notification” between a recycling company in the Netherlands delivering notifiable materials to a pre-consented treatment facility in Austria.



October 2016

About EERA

EERA, the European Electronics Recyclers Association, is a non-profit organization that represents the interest of the 36 major recycling companies who are treating waste electrical and electronic equipment WEEE. The EERA members recycle $\pm 2.500.000$ tonnes of WEEE annually and have more than 100 locations in 22 European countries. EERA aims for the harmonization of international and national regulations for WEEE recycling, in order to obtain a free market (level playing field) for demand and supply of services.

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