



# How to Comply with the Waste Electrical and Electronic Equipment (WEEE) Regulations

## *A Guidance Note for Producers in the Catering, Refrigeration and Air Conditioning (RAC) Sector*

*February 2015*

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## 1. Introduction

This guidance document is for companies supplying catering and Refrigeration and Air Conditioning (RAC) type equipment onto the Irish market for the first time. Some such catering and RAC equipment is in scope of the European Union (EU) (Waste Electrical and Electronic Equipment) Regulations 2014 - [S.I. No. 149 of 2014](#) (the WEEE Regulations) which are in place since 29<sup>th</sup> March 2014 and replace the 2005<sup>1</sup> and 2011<sup>2</sup> WEEE Regulations and amendments. Therefore some companies supplying catering and RAC equipment are considered **producers** and will have specific **obligations** as set out in the remainder of this guidance document.

### What is EEE and what is WEEE?

- **EEE** is Electrical and Electronic Equipment, defined as *“equipment which is dependent on electric currents or electromagnetic fields in order to work properly and equipment for the generation, transfer and measurement of such currents and fields and designed for use with a voltage rating not exceeding 1,000 volts for alternating current and 1,500 volts for direct current”*.

An indicative list of EEE covered by the WEEE Regulation is provided in the First and Second Schedules of the WEEE Regulations. In addition, the WEEE Register Society (the registration body) provides [Category Listings](#) of items of EEE.

- **WEEE** is Waste Electrical and Electronic Equipment and is EEE that has become waste, i.e. the holder discards or intends or is required to discard that EEE item.

The purpose of the WEEE Regulations is to contribute to environmental protection through prevention of waste generation, and by increased reuse, recycling and recovery of WEEE.

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<sup>1</sup> Waste Management (Waste Electrical and Electronic Equipment) Regulations 2005 (S.I. No. 340 of 2005)

<sup>2</sup> European Communities (Waste Electrical and Electronic Equipment) Regulations 2011 (S.I. No. 355 of 2011, as amended by S.I. No. 397 of 2011)

## 2. Scope of Equipment - Catering/RAC

Generally, EEE is any item that relies on electricity or battery power in order to carry out its function (and is listed in the First and Second Schedules of the WEEE Regulations).

Some examples of types of catering/RAC equipment which would be deemed in scope of the WEEE Regulations are listed in Table 1 and examples shown in Figures 1 and 2.

**Table 1: Examples of Catering/RAC Equipment**

<b>Refrigeration and Catering</b>
Blast chillers
Refrigeration topping units
Refrigerated dairy walls
Chest freezers
Refrigerated display units
Soft drink fridges
Combi ovens
Bain-maries
Soup wells
Insectocutors
Temperature probes
Dishwashers/glass washers
<b>Air Conditioning</b>
Split AC units
Mobile AC units

Please note: the scope of this equipment type is large and varied; therefore determination of scope may be made on a case by case basis. Contact the [WEEE Register Society](#) for more information.

From 15<sup>th</sup> August 2018 the following exemption (amongst others) comes into effect - *'large-scale fixed installations, except any equipment which is not specifically designed and installed as part of those installations'*. Some large scale catering/refrigeration units may come under this exemption<sup>3</sup>.



<sup>3</sup> For further information on exemptions for large-scale equipment and equipment designed to be installed therein, please see Section 3.14 of the EU Guidance Document ['Frequently Asked Questions on Directive 2012/19/EU on Waste Electrical and Electronic Equipment \(WEEE\)'](#)

**Figure 1: Split AC (Outdoor) Unit**

**Figure 2: Refrigerated Display Unit**



### 3. How do I know if I am a Producer?

An EEE producer is defined by the WEEE Regulations as an organisation or individual who, irrespective of the selling technique used, including by means of distance communication (telesales, websites etc.) falls under any of the four activities listed in Figure 3.

If the answer to any of the questions in Figure 1 is **YES**, then you are a producer and have obligations under the WEEE Regulations.

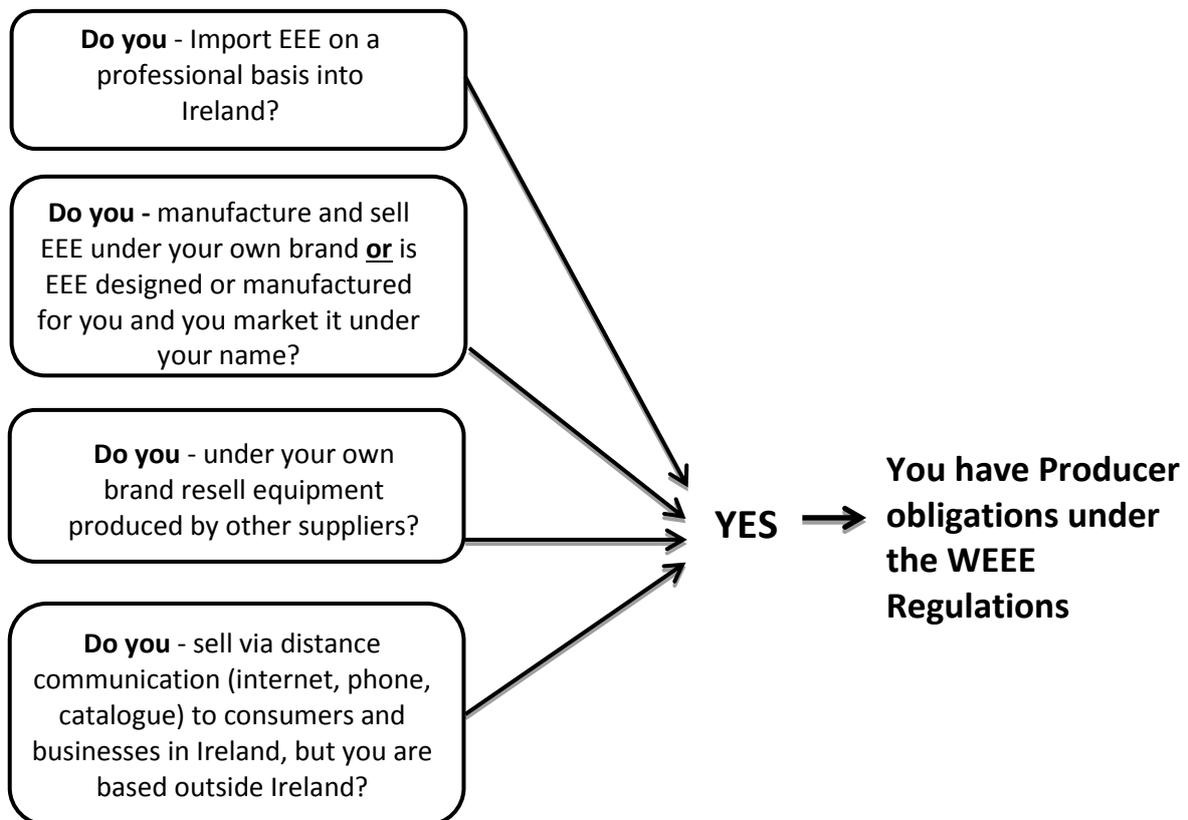


Figure 3: Are you are Producer of EEE?

If the answer to all of the above questions is **NO** - you **do not** have **PRODUCER** obligations

For the avoidance of doubt, if companies place the equipment on the Irish market for the first time, then they **must** take on producer obligations. Placing on the market will include leasing or hire purchase agreements also.

A common scenario in the catering/RAC sectors is the purchasing of equipment (i.e. AC units, blast chillers etc.) by catering suppliers/RAC companies from large manufacturers and then selling the equipment on to ends users within Ireland. If the equipment is sourced from a registered EEE producer then you **do not** have producer obligations. However, if the equipment is purchased from

an unregistered EEE producer then you **have** producer obligations under the WEEE Regulations and the obligations set out in Table 2 apply to you.

**Note:** you may still have B2B EEE **distributor** obligations if you do not qualify as a producer but you make EEE available on the market (e.g. selling on purchased equipment to an end user). In this event you are obligated to ensure that your customers are informed of the take back facilities available to them (i.e. how to return the WEEE to the registered producer - see [Section 6](#)).

**Note:** Companies established in Ireland, who export 100% of EEE produced, and do not import EEE and/or sell EEE in Ireland, **do not** have producer responsibilities in Ireland.

There are three types of producer and the obligations for each vary slightly. These are:

1. **Business to Consumer (B2C)** producers. B2C EEE are all items of EEE that can potentially be used by private households. Even if an EEE item was purchased by a business, if such item can also be used by private household/consumer, for example small printer or a keyboard, then it is considered B2C EEE (i.e. EEE from private households).
2. **Business to Business (B2B)** producers (products are supplied to business end users). B2B WEEE typically does not arise in household waste at end of life and includes equipment such as vending machines, laboratory equipment, medical devices and catering equipment.
3. Producers who supply both **B2B and B2C** EEE.

B2B producers **cannot** join a compliance scheme and **must** self-comply. A compliance scheme is a non-profit organisation that manages the collection, treatment and recycling of WEEE and batteries from authorised collection points on behalf of its members. There are two compliance schemes in Ireland, run by WEEE Ireland and ERP (European Recycling Platform) Ireland.

The catering/RAC equipment covered by this guidance document is not likely to arise in household waste at end of life and therefore **B2B** producer obligations only are discussed in this document. Further information on B2C obligations is included in the EPA Guidance Document titled "[Step-by-Step Guidance for Producers under the WEEE Regulations \(S.I. No. 149 of 2014\) and the Batteries Regulations \(S.I. No. 283 of 2014\), as amended](#)".

A summary of the key B2B producer obligations is included in Table 2 in Section 4.

## 4. Summary of the Key B2B Producer Obligations

Table 2 outlines the key obligations which apply to B2B producers - such as those supplying catering/RAC equipment. A brief description of each obligation and the relevant section of the WEEE Regulations are also provided for ease of reference.

**Note:** Table 2 only provides a summary of the obligations in relation to the WEEE Regulations. For detailed information on each of the obligations please refer to the EPA Guidance Document titled "[Guidance for B2B Producers of Electrical and Electronic Equipment including Equipment Incorporating Batteries](#)".

**Table 2: Summary of B2B Producer Obligations<sup>4</sup>**

Obligation	Brief Description	WEEE Regulations Section
Register with the WEEE Register Society Limited	<ul style="list-style-type: none"> <li>- Determine the categories of EEE which you place on the market. Schedules I and II of the WEEE Regulations provide the applicable categories and indicative lists respectively<sup>5</sup>; and</li> <li>- Register - by downloading a postal form or online with the <a href="#">WEEE Register Society Limited</a>.</li> </ul>	Regulation 10 (5)(a)
Report Quantities of EEE placed onto the Irish Market	<ul style="list-style-type: none"> <li>- As a producer you are required to report the quantity and exact weight of products placed on the market, per category and subcategory. This is done via a web based reporting system (<a href="#">WEEE Blackbox</a>) that is managed by the WEEE Register Society Limited</li> </ul>	Regulation 29(a)
Finance the environmentally sound management of WEEE	<ul style="list-style-type: none"> <li>- As a producer you are required to declare that you have sufficient resources set aside to finance the environmentally sound management of WEEE.</li> </ul>	Regulation 18 (1)(a),(b)
Ensure that your EEE products are marked with the crossed out wheeled bin symbol	<ul style="list-style-type: none"> <li>- Product placed on the market by your organisation must be labelled with the crossed out wheeled bin symbol. This informs consumers that the item of EEE should not be disposed of as unsorted municipal waste (general waste).</li> </ul>	Regulation 28 (1)(a)

<sup>4</sup> Producers based outside Ireland, placing EEE on the Irish market, must appoint an Authorised Representative (AR) within Ireland. The AR is then responsible for fulfilling the obligations of the WEEE Regulations (as set out in Table 2).

<sup>5</sup> From 15<sup>th</sup> August 2018 there will be six categories of EEE (reduced from ten categories).

Obligation	Brief Description	WEEE Regulations Section
Ensure that EEE placed on the Market complies with the requirements of the Restriction of Hazardous Substances Regulations (RoHS)	<p>- All producers must ensure that their equipment does not exceed the limits of six hazardous substances. The applicable limits are set out in <a href="#">Annex II</a> of the RoHS Directive. More information can be found at: <a href="http://www.rohs.ie">www.rohs.ie</a>.</p>	Regulation 11 (5)
Finance the take-back of WEEE	<p>- B2B producers must finance the take back of WEEE on a one for one, like for like basis. It is the producers' responsibility to ensure that end users of EEE have a route via which WEEE can be returned.</p>	Regulation 18
<p>Meet recovery targets set in Schedule 10</p> <p>Meet collection targets set out in the <a href="#">WEEE Directive</a></p>	<p>- Each B2B producer which finances the environmentally sound management of WEEE must ensure that they, or a third party acting on their behalf, meets the minimum recovery targets for EEE set out in Schedule 10 of the WEEE Regulations.</p> <p>- Collection targets now apply to B2B producers:</p> <ul style="list-style-type: none"> <li>• From 2016, collection target will be 45%;</li> <li>• From 2019, collection target will be 65%.</li> </ul> <p>The collection target is the total weight of WEEE collected in that year / the average weight of EEE placed on the market in the three preceding years</p>	Regulation 23, Schedule 10
Submit three yearly Waste Management Plans to the EPA	<p>- As a B2B Producer you are required to submit a Waste Management Plan to the Environmental Protection Agency (EPA) <b>every 3 years</b>. Your first 3 year Plan must be submitted to the EPA before registration with the WEEE Register Society can be completed;</p> <p>- The Waste Management Plan sets out how the producer intends to manage WEEE arising from EEE placed on the Irish market. The format for these plans is defined, and is available to access from the EPA's online reporting <a href="#">portal</a>. Guidance documents are available to assist you to complete your plan and are available on the <a href="#">EPA website</a>.</p>	Regulation 25 (1)(a)

Submit annual Waste Management Reports to the EPA	- Each B2B producer must submit a WEEE Waste Management Report to the EPA by the <b>31<sup>st</sup> of January</b> each year outlining how much WEEE was returned to your organisation, arising from EEE placed on the market (not including equipment under warranty) and how it was managed and treated.	Regulation 25 (3)(a)
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Obligation	Brief Description	WEEE Regulations Section
Record keeping related to WEEE	<ul style="list-style-type: none"> <li>- Each B2B producer is required to maintain the following records:               <ul style="list-style-type: none"> <li>• Quantities of EEE, by weight or number of units, per category, placed on the market for each EU country and also other countries.</li> <li>• The weight of WEEE (including components, materials and substances) entering and leaving the recovery facility after treatment.</li> </ul> </li> </ul>	Regulation 24
Provide information to consumers related to recycling of WEEE	<ul style="list-style-type: none"> <li>- When selling a new EEE product, producers must ensure that users are informed of their role in contributing to recycling/reuse, the take back options available to them, the required disposal arrangements, the potential environmental/health effects as a result of hazardous substances in EEE and the meaning of the crossed out wheeled bin symbol.</li> </ul>	Regulation 28 (1)(b)
Statutory Notices are required to be displayed at the premises	<ul style="list-style-type: none"> <li>- B2B EEE producers have a requirement to display notices at their production premises, as specified in <a href="#">Schedule 6</a> of the WEEE Regulations.</li> </ul>	Regulation 25 (1) and (3), Schedule 6 Parts 3 and 4

WEEE storage, transport and treatment requirements	<ul style="list-style-type: none"> <li>- Any B2B producer which is temporarily storing WEEE must ensure that the storage area has a weatherproof covering;</li> <li>- Collected WEEE must be disposed/recovered by authorised treatment facilities, unless the producer wishes to reuse equipment (in whole or part).</li> <li>- Treatment must include, as a minimum, the removal of certain materials or components including but not limited to; fluids, batteries, hazardous materials, printed circuit boards, mercury containing components and cathode ray tubes - outlined in Schedule 9 of the WEEE Regulations</li> <li>- The producer must ensure that the sites for storage and proposed treatment operations are in accordance with the WEELABEX<sup>6</sup> requirements and requirements of the WEEE Regulations (<a href="#">Sch 8</a>).</li> <li>- B2B producers transporting WEEE taken back from their customers are exempt from the requirement for a Waste Collection Permit, as long as this is incidental to their main business activity.</li> </ul>	Regulations 21, 22, 23
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<sup>6</sup> WEELABEX standards lay down measures related to the protection of the environment and human health and safety through the prevention and mitigation of the adverse impacts of collection, storage and handling of waste electrical and electronic equipment (WEEE).

## 5. If Equipment Contains Batteries

If your equipment contains batteries and you do not distribute from a registered EEE producer then you will also have producer obligations under the [Battery Regulations](#) (S.I. No 283 of 2014), as amended<sup>7</sup>. If you distribute from a registered EEE producer you **do not** have producer obligations but you do have distributor obligations. In this event you are obligated to ensure that your customers are informed of the take back facilities available to them (i.e. how to return the B2B WEEE (incorporating waste batteries to the registered producer)).

The Battery Regulations are a Producer Responsibility Initiative (similar to WEEE, RoHS and packaging), whereby the person who places the product on the Market has responsibility for financing the collection, storage, recycling and treatment of the product when it becomes waste. There are three types of batteries in scope of the Battery Regulations; portable, industrial and automotive. Examples of applications of these battery types include:

- Portable batteries (e.g those in battery blister packs, toys, mobile phones, IT equipment, remote controls, button cells used in cameras, watches);
- Industrial batteries (those in fork lift trucks, electric bikes, mobility scooters, farm fence and golf buggies); and
- Automotive batteries (ignition/starter batteries in cars, vans and trucks).

The registration and compliance process is similar to the registration process for WEEE. There is no distinction between B2B and B2C for batteries, so producers do have the option of joining a compliance scheme for the battery element of their business. However, the option to self-comply is also available. Separate EPA Guidance for Battery Producers is also available on the [EPA website](#) and should be referred to for further information.

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<sup>7</sup> European Union (Batteries and Accumulators) (Amendment) Regulations 2014 (S.I. No. 349 of 2014)

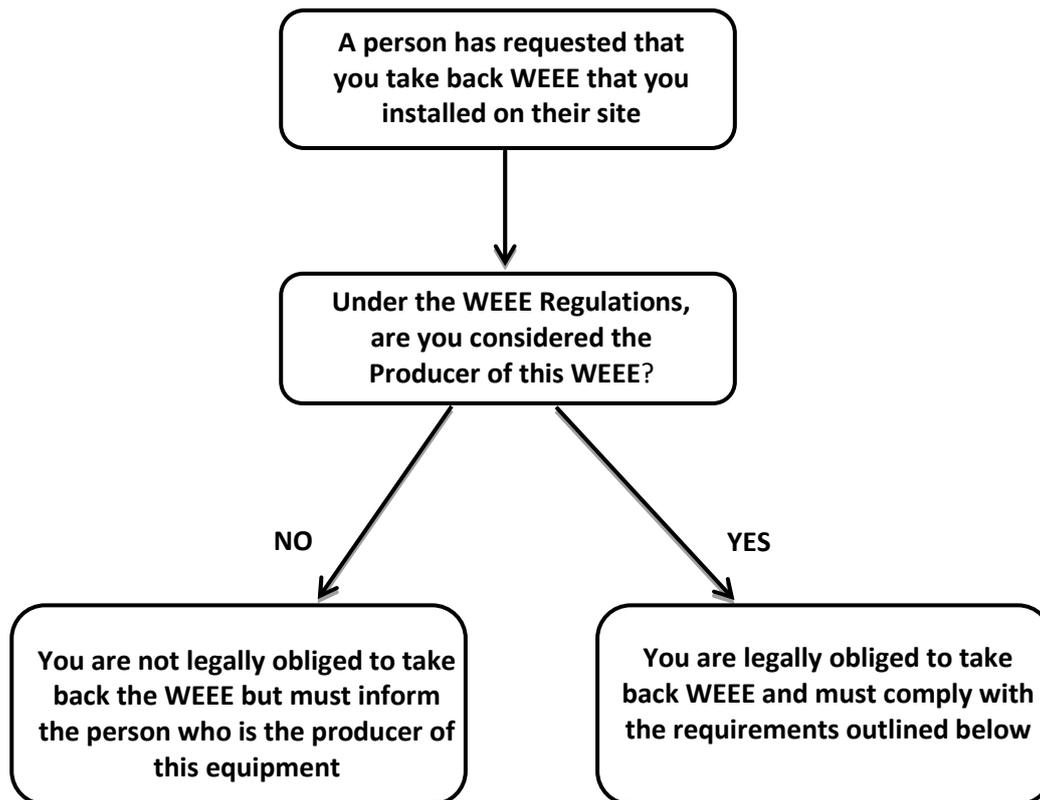
## 6. Take-back requirements for B2B Producers

Producers of EEE must take back WEEE from customers as follows:

- For equipment placed on the market prior to 13<sup>th</sup> August 2005 that is now waste, the EEE producer is obliged to take back WEEE of a similar type and function (irrespective of brand) when a business end user is purchasing new equipment from him/her. The EEE producer is then responsible for the environmentally sound management of the WEEE; and
- If the business end user is simply discarding the WEEE (where the unit was placed on the market originally prior to 13<sup>th</sup> August 2005) and not replacing it, the responsibility for ensuring the environmentally sound management of the WEEE remains with the business end user.
- For equipment placed on the market after August 2005 that will become waste, the EEE producer must take back and manage WEEE from the business end user or make alternative financing arrangements with the business user i.e. there must be a formal agreement between both parties on how and who will finance the management of the WEEE

## 7. Reuse of Equipment Taken back

WEEE take-back is discarded equipment that is returned to your company. This will include equipment that is re-usable (in whole after repair or as spare parts), as well as equipment that is destined for disposal/treatment. Figure 4 below sets out the obligations in relation to the take back of WEEE as it may apply to RAC/catering suppliers.



**Figure 4: WEEE Take Back**

All WEEE taken back should be weighed and recorded. Collected equipment can be reused (as opposed to transfer for recycling to an authorised treatment facility). A record of the quantity (kgs) and type of equipment (description, make and model) reused must be kept on file by the producer. If this equipment is placed on the Irish market again by the producer, then this does not have to be recorded in the WEEE Blackbox, however it should be included in the annual WEEE Waste Management Report to the EPA. A record must also be kept of all collected equipment (including quantity in kgs and equipment type - e.g. 3,550 kgs of Manufacturer ABC, model XYZ refrigeration units collected in 2011). Only that WEEE that has originated from B2B customers is to be reported to the EPA in the annual WEEE Waste Management Report.

Records of all collected equipment should be available for inspection by the EPA. A sample log for on-site tracking of WEEE reuse is provided below. This spreadsheet can be expanded to track both reuse and WEEE sent a recovery operator. A sample template is provided in Appendix 1.

REUSE WEEE											
NAME OF											
DATE	SUPPLIER	MAKE/MODEL OF MACHINE	SERIAL NO	WEIGHT WEEE	CAT NO.	COST	DATE SOLD	INVOICED TO	WEIGHT	INVOICE NO.	SELLING PRICE
06/02/2011	Super Co. Ltd		XYZ1234	52 YES	EEEE01		07/06/2011	Receiving Company	52	12456	
06/03/2011	Super Co. Ltd		XYZ1235	56 YES	EEEE02		08/06/2011	Receiving Company	56	12456	
06/04/2011	Super Co. Ltd		XYZ1236	90 YES	EEEE03		09/06/2011	Receiving Company	90	12456	
06/05/2011	Super Co. Ltd		XYZ1237	52 YES	EEEE04		10/06/2011	Receiving Company	52	12456	
01/10/2011	Super Co. Ltd		XYZ1238	29 YES	EEEE05		11/06/2011	Receiving Company	29	12456	
01/10/2011	Super Co. Ltd		XYZ1239	43.55 YES	EEEE06		12/06/2011	Receiving Company	43.55	12456	
01/10/2011	Super Co. Ltd		XYZ1240	14 YES	EEEE07		13/06/2011	Receiving Company	14	12456	
01/10/2011	Super Co. Ltd		XYZ1241	81 YES	EEEE08		14/06/2011	Receiving Company	81	12456	
01/10/2011	Super Co. Ltd		XYZ1242	29 YES	EEEE09		15/06/2011	Receiving Company	29	12456	
01/10/2011	Super Co. Ltd		XYZ1243	14 YES	EEEE10		16/06/2011	Receiving Company	14	12456	
01/10/2011	Super Co. Ltd		XYZ1244	19 YES	EEEE11		17/06/2011	Receiving Company	19	12456	
01/10/2011	Super Co. Ltd		XYZ1245	10 YES	EEEE12		18/06/2011	Receiving Company	10	12456	
01/10/2011	Super Co. Ltd		XYZ1246	9.5 YES	EEEE13		19/06/2011	Receiving Company	9.5	12456	
01/10/2011	Super Co. Ltd		XYZ1247	10 YES	EEEE14		20/06/2011	Receiving Company	10	12456	
01/10/2011	Super Co. Ltd		XYZ1248	10 YES	EEEE15		21/06/2011	Receiving Company	10	12456	
01/10/2011	Super Co. Ltd		XYZ1249	73 YES	EEEE16		22/06/2011	Receiving Company	73	12456	
01/10/2011	Super Co. Ltd		XYZ1250	10 YES	EEEE17		23/06/2011	Receiving Company	10	12456	
01/10/2011	Super Co. Ltd		XYZ1251	81 YES	EEEE18		24/06/2011	Receiving Company	81	12456	
01/10/2011	Super Co. Ltd		XYZ1252	10 YES	EEEE19		25/06/2011	Receiving Company	10	12456	
01/10/2011	Super Co. Ltd		XYZ1253	81 YES	EEEE20		26/06/2011	Receiving Company	81	12456	
TOTALS SOLD FROM JAN-DEC 2011									774.05		

Figure 5: Sample Log of B2B WEEE Product take-back; materials and components stored on-site

## 8. Treatment of WEEE

WEEE treatment typically involves sorting, removal of hazardous materials for treatment or disposal and the separation of fractions (i.e. metals, plastics, circuit boards etc.) which are then either recovered or recycled.

The producer must ensure:

1. Collected WEEE is treated/recovered by authorised facilities, unless the producer wishes to reuse equipment (in whole or part). If components are removed for future use as spare parts, detailed records should be kept;
2. Treatment must include, as a minimum, the removal of certain materials or components including but not limited to; fluids, batteries, hazardous materials, printed circuit boards, mercury containing components and cathode ray tubes - outlined in Schedule 9 of the WEEE Regulations;
3. Relevant recovery and recycling targets are achieved. Proof of meeting recovery and recycling targets is required (records from authorised treatment facilities must be kept on file); and
4. The producer must ensure that the sites for storage and proposed treatment operations are in accordance with the WEELABEX requirements and the requirements of the WEEE Regulations (Schedule 8).

Some producers remove metal from catering and RAC equipment for separate recycling by an authorised metal merchant. However, producers are required to demonstrate achievement of the recovery and recycling targets comparable to the weight of the product placed on the market. Therefore, the quantity of metal from B2B WEEE take-back should be included in the annual B2B WEEE Waste Management Report submitted to the Agency.

You must maintain a record of all WEEE take-back and all WEEE sent off site for treatment or recovery for the last 6 years. This includes:

- I. Within Ireland: Waste collection dockets detailing the waste type, EWC code, quantity and destination. Waste Transfer Form (WTF) required for hazardous WEEE;
- II. Certificates of destruction from the WEEE treatment facility;
- III. Evidence that the targets of 80% for rate of recovery and 75% for component, material and substance recycling targets for Category 1 WEEE, are met on your behalf<sup>8</sup>;
- IV. Valid Transfrontier Shipment (TFS) of Waste documentation for WEEE shipped outside the State.

### 5.1 Equipment Containing Refrigerant Gases

Some catering/RAC equipment which falls under the scope of the WEEE Regulations (such as AC units, refrigerators, freezers and refrigeration units) contains refrigerant gases. Common refrigerants used are hydrochlorofluorocarbons (HCFCs), chlorofluorocarbons (CFCs) and hydrofluorocarbons (HFCs).

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<sup>8</sup> These rates are applicable until 14<sup>th</sup> August 2015. From 15<sup>th</sup> August 2015 targets of 85% for rate of recovery and 80% for preparation for reuse and recycling.

HCFCs and CFCs are Ozone Depleting Substances (ODS). ODS are chemicals that can damage the earth's ozone layer if they escape into the upper atmosphere. HFCs are Fluorinated Greenhouse Gases (F-Gases). F-gases are very powerful greenhouse gases that contribute to climate change if emitted to the atmosphere.

These refrigerant gases are contained within the cooling circuits of the catering/RAC equipment and in some occasions in the insulating foam (CFCs, HCFCs or HFCs may have been used as a blowing agent).

Equipment containing ODS is subject to the requirements of [Regulation \(EC\) No. 1005/2009](#) (the ODS Regulation) whilst equipment containing F-gas is subject to the requirements of [Regulation \(EU\) No. 517/2014](#) (the F-gas Regulation).

### **5.1.1 Refrigerant Recovery**

Where refrigerant gas recovery (i.e. the removal of the gas from the equipment) is possible (i.e. in equipment which is not hermetically sealed<sup>9</sup>), this should be carried out **before** the equipment is physically decommissioned and removed from your site. This can be completed by RAC technicians or in house personnel who are appropriately qualified. Qualifications include relevant categories of City and Guilds 2079/FETAC 5S0108. Detailed information on training requirements is available in the EPA Guidance Document titled "[A Guidance Note for Operators of Equipment Containing F-gases and ODS](#)".

This is important to ensure that inadvertent leaks of refrigerant gas do not occur when the item of WEEE is transferred to a WEEE treatment facility (i.e. when the WEEE is being dismantled and sorted). Also, the WEEE treatment facility may not be appropriately authorised to accept waste refrigerant (contained within the item of WEEE).

#### **Important considerations:**

- Recover refrigerant gases before equipment decommissioning, where possible. Recovery must be carried out by an appropriately qualified personnel and all care must be taken to prevent leaks/emissions;
- Ensure that cylinders of recovered refrigerant gas are labelled to indicate their contents;
- Keep records of the amount of refrigerant gas recovered, the measures taken to recover and dispose of the refrigerant and the identity of the personnel/company who decommissioned the equipment and recovered the refrigerant gas. Records must be retained by the operator of the equipment and the company/personnel who worked on the equipment for a period of 6 years;
- Options for dealing with recovered F-gas refrigerant include reuse, recycling, reclamation or destruction;
- Recovered ODS gas **must be destroyed** due to a ban on the use of ODS (effective 1<sup>st</sup> January 2015);
- Where recovery of gas is not possible (i.e. in hermetically sealed equipment such as fridges) then the WEEE must be degassed in an authorised gas recovery plant/facility; and
- If the equipment contains insulating foam where refrigerant gas is used as the blowing agent then the blowing agent must be extracted from the insulating material. If not the equipment is considered hazardous waste.

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<sup>9</sup> Equipment with an airtight seal.

EPA Guidance Document titled "[A Guidance Note for Operators of Equipment Containing F-gases and ODS](#)" provides more information on training/certification requirements for personnel recovering ODS/F-gas refrigerant, the records to be maintained and other relevant information.

### **5.1.2 Waste Refrigerant**

Refrigerant gas destined for destruction/disposal must be treated as a **hazardous waste**. Waste producers (i.e. the operators of the equipment) have a "duty of care" for the waste they handle and must ensure they use the right documentation and move waste appropriately.

The collection and transport of waste refrigerant gases can only be carried out by a person that either holds an appropriate waste collection permit or by the contractor that generated the waste while working on the equipment and who has submitted a [Prior Annual Notification \(PAN\)](#) to the EPA. Waste refrigerant gases must be brought to an appropriately authorised waste facility when taken from an end-user site i.e. a facility that has either a licence from the Environmental Protection Agency, or a Waste Facility Permit or Certificate of Registration from the relevant local authority.

The following options apply for the movement and management of waste refrigerant gases:

1. A contractor (who can also be the WEEE producer in certain cases) who has submitted a PAN to the EPA can transport the waste refrigerant gas from the end-user site to an authorised waste management facility, as outlined in their PAN and in accordance with Article 30 of the Waste Management (Collection Permit) Regulations 2007 ([S.I. No. 820 of 2007](#)). In this instance, the contractor becomes the holder of the waste and must fulfil the general duty on the holder of waste set out in [Section 32](#) of the Waste Management Act, as amended. A list of PANs received and accepted by the EPA is available on [www.ozone.ie](http://www.ozone.ie). Waste Transfer Forms (WTFs) are not required for the movement of waste refrigerant gases within Ireland, under a PAN. However, any transfer of hazardous waste outside the State must be in accordance with the requirements of Transfrontier Shipment of waste (TFS requirements); and
2. The operator of the equipment can make its own arrangements for the proper management of the waste refrigerant. In this instance, the operator remains the holder of the waste and must fulfil the general duty on the holder of waste set out in [Section 32](#) of the Waste Management Act, as amended. The collector of the waste refrigerant gas must hold a valid Waste Collection Permit for the area(s) in which collections are taking place, and for the waste types that cover these waste gases (relevant EWC codes may include: 140601\*, 160504\*, among others).

The storage of waste refrigerant gases is not permitted on any site (other than temporary storage (i.e. up to 6 months) at the site of generation), unless that site is specifically authorised to do so.

EPA Guidance Document titled "[A Guidance Note for Operators of Equipment Containing F-gases and ODS](#)" provides more information on waste refrigerant recovery, handling, collection and storage and should be referred to for further information.



# Appendix 1: Reuse and Treatment of WEEE

The table below shows a sample log for capturing information on reuse of WEEE taken back and passed to recovery operator. Keeping such a log is not a mandatory requirement of the WEEE Regulations. However, it can be useful to compile such information during the year, in order to make your annual reporting to the EPA easier.

DATE	NAME OF SUPPLIER	MAKE/ MODEL OF MACHINE	SERIAL NO	WEIGHT	Whole appliance (reuse)	SPARE PARTS reused (weight)	OUR CAT NO.	COST	DATE SOLD	INVOICED TO	WEIGHT	WEEE TO RECOVERY OPERATOR (kgs)
		TOTAL TAKEN BACK JAN-DEC						TOTAL ON PREMISES AT END OF DEC				