

Requirements, Procedure and Targets for Collection, Return to Producers and Recovery or Disposal of Waste Electrical and Electronic Equipment, and Time Limits for Reaching Targets¹

Regulation No. 65 of the Government of the Republic of 20 April 2009

The Regulation is established on the basis of subsections 26 (3) and 26 (8) of the Waste Act.

§ 1. Scope of application and definitions

(1) This Regulation applies to electrical and electronic equipment specified in subsection 25 (3) 4) of the Waste Act the categories and sub-categories are provided for in the annex to this Regulation, and to the waste resulting therefrom (hereinafter *waste electrical and electronic equipment*).

(2) For the purposes of this Regulation, "the electrical and electronic equipment producer" (hereinafter *producer*) means any person who, irrespective of the selling technique used, including by means of distance communication:

- 1) manufactures and sells electrical and electronic equipment under his own brand;
- 2) resells under his own brand equipment produced by other suppliers, except in cases where the product brand can be attributed to the producer described in subsection 1 (2) 1) of this Regulation;
- 3) imports electrical and electronic equipment on a professional basis into a European Union Member State or exports them from such Member State.

(3) A household electrical and electronic device is a device used commonly in a household, and also an electrical and electronic device used in commerce, industry, offices and elsewhere that due to its type resembles a household electrical and electronic device.

§ 2. Information presented to users of electrical and electronic equipment in order to facilitate collection of waste electrical and electronic equipment

(1) By 25 June 2009 the producer will inform the user of electrical and electronic equipment (hereinafter *the user*) through the points of sale about the location of return facilities for waste electrical and electronic equipment (addresses and phone numbers for receiving relevant information), including the information about the opportunity described in subsection 5 (1) for bringing a waste electrical and electronic device back to its point of sale.

(2) Information about the return facilities must be displayed in the point of sale in a visible position, using a sufficiently large font and on a page of at least A4 format.

(3) The producer shall organize a national information campaign to provide the user with at least the following information:

- 1) the potential effects on the environment and human health as a result of the presence of hazardous substances in electrical and electronic equipment;
- 2) the ban on disposing waste electrical and electronic as unsorted household waste. This must include the call for users to participate in separate collection of waste electrical and electronic equipment in a way that facilitates their recovery and recycling;
- 3) the collection and recycling schemes used;
- 4) user opportunities in helping recovery and recycle waste electrical and electronic

equipment;

5) the meaning of the separate collection mark provided by the Waste Act subsection 25 (4).

(4) A national information campaign must be organized at least once a year through the nationally distributed newspapers, magazines or other means that are accessible to the general public.

(5) Producers are allowed to organize joint information campaigns.

§ 3. Information on waste electrical and electronic equipment to be provided for treatment facilities by producers of equipment

Producers shall make available to the facilities engaged in the treatment of waste electrical and electronic equipment all information related to the reuse and treatment of each new type of electrical and electronic equipment that is placed on the market not later than one year after such equipment is placed on the market, indicating the components and materials of such equipment and specifying the location of dangerous substances and preparations contained therein. The producer will make this data accessible through a manual or paper or in electronic form (*e.g.* on a CD, DVD, web page).

§ 4. Requirements for collection, transport and return to producers of waste electrical and electronic equipment

(1) Upon collection of waste, the user shall keep waste electrical and electronic equipment apart from other waste.

(2) Waste electrical and electronic equipment created from electrical and electronic equipment placed to the market from 13 August 2005 must be collected separately from historical waste electrical and electronic equipment.

(3) If the activity described in subsection 4 (2) of this Regulation is not possible due to technical or economic reasons, the producer must present to a Register of Products of Concern established on the basis of subsection 261 (2) of the Waste Act (hereinafter *the Register of Products of Concern*) the description of methodology that explains how the producer will ensure the fulfillment of collection obligation for the electrical and electronic equipment that the producer has placed to the market from 13 August 2005.

(4) The producer must build collection points for accepting household waste electrical and electronic equipment (hereinafter *the household waste electrical and electronic equipment*) in each county in Estonia, considering the population density and the requirement that handover of the waste electrical and electronic equipment be as convenient as possible. The producer must build a collection point for household waste electrical and electronic equipment on the territory of a local government of at least over 3500 inhabitants.

(5) Upon collection of waste electrical and electronic equipment, breaking up of such equipment and mixing-up of different equipment waste shall be avoided in order to ensure that reusable components and whole appliances can be reused to the fullest possible extent.

(6) Waste electrical and electronic equipment can be collected otherwise than described per categories set in the Regulation annex, if this is economically reasonable. The producer will

present to the Register of Products of Concern the reason for such activity along with the waste treatment plan and the methodology for ensuring that the results from treating waste electrical and electronic equipment collected in such a way will be presented according to the categories set in the Regulation annex.

§ 5. Take-back of waste electrical and electronic equipment

(1) The producer shall be responsible for ensuring through the points of sale for the electrical and electronic equipment that such waste can be returned to the producer free of charge on a one-to-one basis as long as the equipment is of equivalent type and has fulfilled the same functions as the supplied equipment.

(2) If there are no collection points of household waste electrical and electronic equipment within the radius of ten kilometers on public roads, the producer shall be responsible for ensuring through the point of sale that such waste can be returned by the natural person free of charge as long as the equipment is of equivalent type and function, and regardless of whether the natural persons has or is going to buy equivalent equipment.

(3) The producer is required to take back waste electrical and electronic equipment from the users free of charge, regardless of the number of devices handed over.

(4) The producer is required to take back free of charge household waste electrical and electronic equipment from the distributor, the local government and the waste handler operating the local government's waste station on the basis of administration contract, regardless of the number of devices handed over.

(5) The producer is required to take back household waste electrical and electronic equipment even when the collection rate described in subsection 7 has been achieved.

§ 6. Special requirement for the take-back of contaminated waste electrical and electronic equipment

(1) The producer is required to take back contaminated waste electrical and electronic equipment.

(2) The producer is not required to take contaminated waste electrical and electronic equipment back through the distributor's point of sale. The producer can direct the owner of contaminated waste electrical and electronic equipment to the nearest waste management facility (waste station, waste collection point).

(3) The owner of contaminated waste electrical and electronic equipment must hand the waste equipment over to the waste electrical and electronic collection point that is located on the territory of some waste management facility (waste station, waste collection point).

(4) Waste electrical and electronic equipment that is contaminated and can therefore hinder further treatment, must be separated from other waste electrical and electronic equipment upon take-back in order to avoid contaminating other waste equipment.

(5) Contaminated waste electrical and electronic equipment must first be cleansed of contamination according to the treatment requirements concerning such hazardous or

common waste types. After the waste electrical and electronic equipment has been cleansed of contamination, the waste equipment must be treated as other waste electrical and electronic equipment of its type.

§ 7. Collection rate for waste electrical and electronic equipment

The producer must ensure that at least 4 kilograms of household waste electrical and electronic equipment is collected per inhabitant per year.

§ 8. Recovery and recycling of waste electrical and electronic equipment

(1) Upon recovery of waste electrical and electronic equipment, priority shall be given to the reuse of whole appliances where possible.

(2) The producer ensures that the waste electrical and electronic equipment collected during the current calendar year is recycled as follows:

- 1) for waste electrical and electronic equipment falling under categories 1 and 10 of the Regulation annex, the target of recovery shall be a minimum of 80 % of the average weight per appliance, and component, material and substance reuse and recycling shall be a minimum of 75 % of the average weight per appliance;
- 2) for waste electrical and electronic equipment falling under categories 3 and 4 of the Regulation annex, the target of recovery shall be a minimum of 75 % of the average weight per appliance, and component, material and substance reuse and recycling shall be a minimum of 65 % of the average weight per appliance;
- 3) for waste electrical and electronic equipment falling under categories 2, 5, 6, 7 and 9 of the Regulation annex, the target of recovery shall be a minimum of 70 % of the average weight per appliance, and component, material and substance reuse and recycling shall be a minimum of 50 % of the average weight per appliance;
- 4) for gas discharge lamps, the target of component, material and substance reuse and recycling shall be a minimum of 80 % per lamp weight.

(3) When calculating recycling targets, batteries and accumulators removed and recycled from waste electrical and electronic equipment are not taken into consideration.

(4) Recovery and recycling of waste electrical and electronic equipment taken outside the European Community and OECD countries is considered in the calculation of targets described in the subsection 8 (2) of this Regulation only when the producer proves that the waste electrical and electronic equipment has been handled according to at least the requirements of the regulation provided by the Waste Act subsection 29 (4) 6).

(5) The producer is required to present the Register of Products of Concern with the methodology for calculating targets described in subsection 8 (2) of this Regulation.

§ 9. Disposal of waste electrical and electronic equipment

Non-recoverable waste generated from electrical and electronic equipment is disposed of according to the Waste Act.

§ 10. Voiding the regulation

The Regulation No. 376 of the Government of the Republic of 24 December 2004 (RT I 2004, 91, 628; 2005, 43, 363) “Requirements and Procedure for Marking Electrical and Electronic Equipment, Requirements, Procedure and Targets for Collection, Return to Producers and Recovery or Disposal of Waste Electrical and Electronic Equipment, and Time Limits for Reaching Targets” is declared null and void.

§ 11. Implementation of regulation

The producer must bring locations of collection points in compliance with the requirements set in the second sentence of the Regulation subsection 4 (4) within 9 months after the Regulation has been enforced.

¹ Directive 2002/96/EC of the European Parliament and of the Council on waste electrical and electronic equipment (WEEE) (OJ L 037, 13.02.2003, pp. 24–39), last amended by Directive 2004/312/EC of the European Parliament and of the Council (OJ L 345, 31.12.2003, pp. 106–107); Council Decision 2004/312/EC granting the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Slovakia and Slovenia certain temporary derogations from Directive 2002/96/EC on waste electrical and electronic equipment (OJ L 100, 6.04.2004, pp. 33–34); Directive 2006/66/EC of the European Parliament and of the Council on batteries and accumulators and waste batteries and accumulators and repealing Directive 91/157/EEC (OJ L 266, 26.09.2006, pp. 1–14).

Prime Minister Andrus ANSIP

**Minister of the Environment
Jaanus TAMKIVI**

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Annex to Regulation No. 65 of the Government of the Republic of 20 April
“Requirements, Procedure and Targets for Collection, Return to Producers and Recovery or
Disposal of Waste Electrical and Electronic Equipment, and Time Limits for Reaching
Targets”

CATEGORIES OF ELECTRICAL AND ELECTRONIC EQUIPMENT

1. Large household appliances

E.g. large cooling appliances; refrigerators; freezers; other large appliances used for refrigeration, conservation and storage of food; washing machines; clothes dryers; dish washing machines; cooking appliances; electric stoves; electric hot plates; microwave ovens; other large appliances used for cooking and other processing of food; electric heating appliances; electric radiators; other large appliances for heating rooms, beds, seating furniture; electric fans; air conditioners; other fanning, exhaust ventilation and conditioning equipment

2. Small household appliances

E.g. vacuum cleaners; carpet sweepers; other appliances for cleaning; appliances used for sewing, knitting, weaving and other processing for textiles; irons and other appliances for

ironing, mangling and other care of clothing; toasters; fryers; grinders, coffee machines and equipment for opening or sealing containers or packages; electric knives; appliances for hair-cutting, hair drying, teeth brushing, shaving, massage and other body care appliances; clocks, watches and equipment for the purpose of measuring, indicating or registering time; scales.

3. IT and telecommunications equipment

E.g. mainframes; minicomputers; printer units; personal computers (mouse, screen and keyboard included); laptop computers (mouse, screen and keyboard included); notebook computers; notepad computers; printers; copying equipment; electrical and electronic typewriters; pocket and desk calculators; other products and equipment for the collection, storage, processing, presentation or communication of information by electronic means; facsimile; telex; telephones; pay phones; cordless telephones; cellular telephones; answering systems; other products or equipment of transmitting sound, images or other information by telecommunications.

4. Consumer equipment

E.g. radio sets; television sets; video cameras; video recorders; hi-fi recorders; audio amplifiers; musical instruments; other products or equipment for the purpose of recording or reproducing sound or images, including signals or other technologies for the distribution of sound and image than by telecommunications.

5. Lighting equipment

E.g. luminaires for fluorescent lamps with the exception of luminaires in households; straight fluorescent lamps; compact fluorescent lamps; high intensity discharge lamps, including pressure sodium lamps and metal halide lamps; low pressure sodium lamps; other lighting or equipment for the purpose of spreading or controlling light with the exception of filament bulbs.

6. Electrical and electronic tools (with the exception of large-scale stationary industrial tools)

E.g. drills; saws; sewing machines; equipment for turning, milling, sanding, grinding, sawing, cutting, shearing, drilling, making holes, punching, folding, bending or similar processing of wood, metal and other materials; tools for riveting, nailing or screwing or removing rivets, nails, screws or similar uses; tools for welding, soldering or similar use; equipment for spraying, spreading, dispersing or other treatment of liquid or gaseous substances by other means; tools for mowing or other gardening activities.

7. Toys, leisure and sports equipment

E.g. electric trains or car racing sets; hand-held video game consoles; video games; computers for biking, diving, running, rowing, etc.; sports equipment with electric or electronic components; coin slot machines.

8. Medical devices (with the exception of all implanted and infected products)

E.g. radiotherapy equipment; cardiology; dialysis; pulmonary ventilators; nuclear medicine; laboratory equipment for in-vitro diagnosis; analyzers; freezers; fertilization tests; other appliances for detecting, preventing, monitoring, treating, alleviating illness, injury or disability.

9. Monitoring and control instruments

E.g. smoke detectors; heating regulators; thermostats; measuring, weighing or adjusting appliances for household or as laboratory equipment; other monitoring and control instruments used in industrial installations (*e.g.* in control panels).

10. Automatic dispensers

E.g. automatic dispensers for hot drinks; automatic dispensers for hot or cold bottles or cans; automatic dispensers for solid products; automatic dispensers for money; all appliances that deliver automatically all kind of products.

**Minister of the Environment
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