

Disposal licensing control and import/export permit control of waste regulated electrical equipment to commence on December 31

Disposal licensing control, import and export control and disposal bans at designated waste disposal facilities of regulated electrical and electronic equipment (REE) (including waste air-conditioners, refrigerators, washing machines, televisions, computers, printers, scanners and monitors) under the Waste Disposal Ordinance (WDO) will come into effect on December 31, 2018 (Monday). The Environmental Protection Department (EPD) today (December 3) reminded relevant practitioners in the recycling industry and second-hand shops to make preparations to avoid contravention of the law.

Starting from December 31 this year, landfills and other designated waste disposal facilities (such as refuse transfer stations) will no longer receive and handle waste REE. Unless with exemptions, any person who is engaged in the storage, treatment, reprocessing or recycling (but not repair) of waste REE must obtain a waste disposal licence (e-WDL) issued by the EPD under the law. A permit issued by the EPD is also required for the import and export of waste REE.

As the recycling industry (including so-called "scrap dealers" or second-hand shops) might need to undertake certain small-scale or simple pre-treatment processes to help facilitate the reuse of electrical and electronic appliances, or assist licensed recyclers to treat waste REE, there are legal provisions to exempt the following operations from obtaining waste disposal licence:

- (1) disposal of waste REE (that is not chemical waste) on land or premises with an area of not more than 100 m²;
- (2) storage of waste REE with a total volume of not more than 50 m³; or
- (3) storage of waste REE on premises located inside a multi-storey building.

The EPD reminds the trade (including second-hand shops) that the above operations must still abide by all other environmental legislation and other applicable legislation. Premises handling the disposal of waste REE which do not qualify for the above-mentioned exemptions should apply for an e-WDL as soon as possible. If they are uncertain whether an e-WDL can be obtained before December 31 this year, they should take immediate action now to properly clear up and stop receiving waste REE, so as to avoid contravening the law then. Upon commencement of the control measures, the EPD will step up inspections and take enforcement actions against non-compliant operations. Under the WDO, any person involved in the disposal (including storage) of REE without a licence, or the import or export of REE without a permit, is liable to a fine of \$200,000 and six months' imprisonment upon first conviction.

The EPD also appeals to those involved in the resale of second-hand REE to properly inspect and repair such appliances, and to ensure that they are operable and label them. Such appliances should also be properly packaged to avoid damage during storage or transportation. For details on how to distinguish between waste REE and second-hand REE, please refer to the EPD website: www.epd.gov.hk/epd/eng/2ndhandREE.

To prepare for the implementation of waste REE disposal licensing control and import/export control, the EPD has since February last year conducted a number of briefings to explain details of the control measures and matters including the application of e-WDLs and the department started to accept applications for e-WDLs in June last year. As regards the import/export permit control of waste REE, the EPD reminded the trade in both April and September this year to put forward their applications for import/export permit as early as possible. Last month, the EPD visited relevant practitioners in the recycling industry to disseminate information documents and remind them to ensure that their operations complied with the relevant regulations.

The implementation of WPRS

The Producer Responsibility Scheme on Waste Electrical and Electronic Equipment (WPRS) covering the REE came into effect on August 1 this year and marks another important milestone in Hong Kong's waste reduction and recycling efforts. Through the WPRS, relevant waste electrical and electronic equipment must be directed to licensed recycling facilities for proper treatment and recycling, turning waste into resources, thus offering a long term solution to potential land contamination and environmental problems arising from mishandling during transfer, storage and dismantling processes. The WEEE-PARK, developed by the Government to underpin the WPRS, began operation in October last year.

The EPD started to accept e-WDL applications in June last year and has so far issued seven licenses, with another 12 applications being processed. The Government has been encouraging licensed recyclers to take part in the recycling and treatment of waste REE themselves, and will continue to keep abreast of market developments, to ensure that Hong Kong has sufficient overall local handling capacity to underpin the WPRS. The Government will continue to encourage the WEEE-PARK operator to collaborate with trade stakeholders to enhance the efficiency of its collection and treatment services.

For members of the public, the WPRS also provides a convenient recycling channel for the proper collection of used equipment requiring disposal. Upon purchase of a new REE item, members of the public are entitled to a statutory free removal service arranged by the seller to collect a used item of the same class. At the same time, the Government also introduced a new and free collection service. Members of the public not purchasing a new REE item can make an appointment with the operator for the Government for a free collection service through the recycling hotline 2676 8888. This service will not only promote recycling, but it will also save members of the public the burden of disposing the used REE on their own or at a cost.

Overall speaking, after fine-tuning of initial teething issues, the WPRS has been running largely smoothly since its implementation:

(1) As at end of November this year, the WEEE-PARK had cumulatively processed over 10 200 tonnes of waste REE. In the first four months following the implementation of the WPRS, the WEEE-PARK processed 5 400 tonnes of waste REE, ensuring these locally generated waste REE to be properly recycled instead of being exported for disposal or sent to the landfills;

(2) Since the implementation of the WPRS, after fine-tuning of some initial teething issues, the Government's WEEE-PARK operator has been able to collect waste equipment from customers in three working days after receiving service requests from sellers or as requested by customers in 99.9 per cent of cases;

(3) As regards the free collection service outside the statutory removal service, the operator is able to collect waste equipment in about a week's time after receiving the telephone appointments. If the booking situation permits, the operator is able to schedule an earlier collection date;

(4) According to the Food and Environmental Hygiene Department, its frontline staff did not observe any major change in the amount of waste REE found at refuse collection points before and after the implementation of WPRS.

The compliance situation of the trade is generally satisfactory. Through various means, including inspections, the EPD has conducted investigation against shops suspected of non-compliance and undertook enforcement actions. So far, the EPD has conducted over 1 160 inspections at points of sales and is investigating 20 suspected non-compliance cases. Enforcement action will be taken if there is sufficient evidence. The EPD will also continue to step up publicity to familiarise the public with the operation of the WPRS, whilst encouraging them to make good use of the statutory free removal service.