

Cross border shipment rules: waste, hazardous waste, by-products, end-of waste; how to know the difference

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REPUBLIC OF SLOVENIA
MINISTRY OF THE ENVIRONMENT AND SPATIAL PLANNING
INSPECTORATE FOR THE ENVIRONMENT AND SPATIAL PLANNING

Waste Shipment Regulation

- ▶ Rapid growth of the trade in hazardous waste in 1970s (toxic colonialism)
- ▶ Incidents with dangerous wastes from developed to less developed countries



- ▶ Initiative to regulate shipments of waste on international level



Waste Shipments Regulation

Basel Convention on the control of transboundary movements of hazardous wastes and their disposal

OECD Decision C(2001)107/FINAL Control of transboundary movements of wastes destined for recovery operations

Regulation (EU) No. 1013/2006 on shipments of waste (Waste Shipment Regulation WSR)

Basel Convention

- ▶ Wastes that are subject of the Convention:
 - ▶ Listed in Annex I (Y codes)
 - ▶ Exhibit one of the hazardous characteristics (Annex III)
- ▶ Disposal is either disposal or recovery
- ▶ Prohibition - with countries that are not parties of the Basel Convention (exception: bilateral or multilateral treaty)
- ▶ Export, import and transit is allowed only if all the countries involved are informed and agree with a shipment

Waste lists of the Basel Convention

- ▶ List A (Annex VIII) - hazardous waste
- ▶ List B (Annex IX) - non hazardous waste



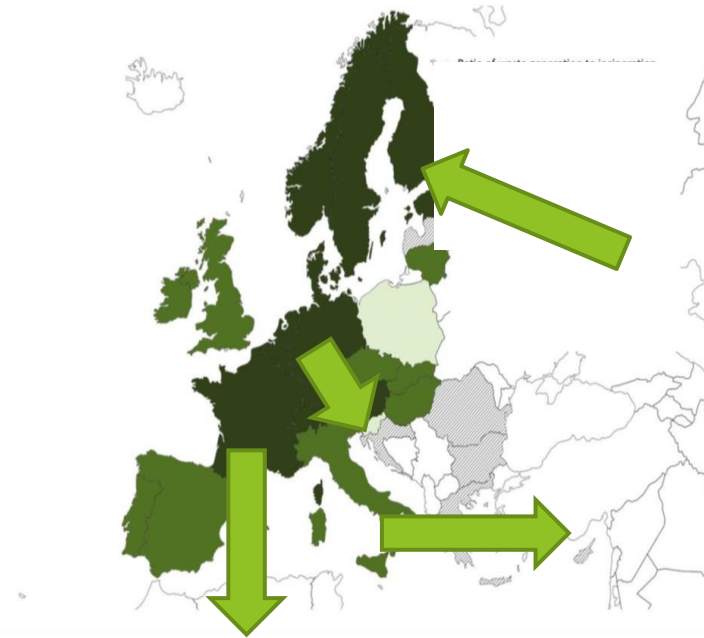
Transferred to Regulation (EC) 1013/2006 as a

- ▶ **Orange** list (Annex **IV**): hazardous waste
- ▶ **Green** list (Annex **III**): non hazardous waste

Regulation (EU) No. 1013/2006 on shipments of waste

▶ Shipments of waste:

- ▶ Within EU
- ▶ Exports from EU to third countries
- ▶ Imports from third countries into EU
- ▶ Between third countries with transit through EU



▶ Excluded:

- ▶ Waste generated on ships
- ▶ Radioactive waste
- ▶ Animal by-products

Review of procedures

Shipments of waste	Within EU	Imports to EU	Transit through EU	Exports from EU to third countries
Wastes for disposal	Consent	Consent	Consent	Prohibited*
Other wastes (Annex IV, IVA or unlisted) - for recovery	Consent	Consent	Consent	Prohibited/Consent***
Green listed wastes for recovery (Annex III, IIIA, IIIB)	Art. 18	Art. 18	Art. 18	Art. 18/Prohibited/Consent**

* Except to EFTA countries (Iceland, Norway, Switzerland, Liechtenstein)

** Export prohibitions stated in art. 36 of WSR

*** Export prohibitions stated in art. 36 of WSR + Regulation 1418/2007

Prior written notification and consent

- ▶ Shipments for **disposal** - all wastes
- ▶ Shipments for **recovery**
 - ▶ wastes listed in Annex IV, IVA
 - ▶ wastes not classified
 - ▶ mixtures of wastes not classified
- ▶ Notifier (original producer, new producer, collector, dealer/broker): submit a prior written notification to competent authority of dispatch
- ▶ Before first shipment: all consents (including tacit consent)
- ▶ Actual shipments with Annex IB



General information requirements (Art. 18)

- ▶ Shipments for **recovery**
- ▶ Waste listed in Annex III, IIIA, IIIB, > 20 kg
- ▶ Shipments of waste explicitly destined for laboratory analysis, < 25 kg

- ▶ Document Annex VII
- ▶ Contract between the person who arranges the shipment and the consignee



Illegal shipments - reasons

- ▶ Requierements for secondary material/products in third countries
- ▶ Prices for recovery in UE bigger than in third countries
- ▶ Not enough knowledge about WSR



- ▶ Wastes are shipped as products (without declaration)
- ▶ Shipments of wastes as green listed instead of orange listed
- ▶ Shipments of mixtures as green listed (e.g. municipal waste shipped as plastics)
- ▶ Wrong destination/process of recovery datas

Classification and shipments of GFRP waste

1. European Waste List

- ▶ Commission Decision 2000/532/EU, 2014/955/EU
- ▶ 6-digit waste classification code (first identify the source generation)
- ▶ Assessment of hazardous properties of waste
 - ▶ HP 1 - HP 15 (explosive, toxic, ...)
- ▶ Waste code with * - hazardous waste

- ▶ Examples:
 - waste originated from moulding process
 - 07 waste from organic chemical processes,
 - 07 02 wastes originated from MFSU of plastics, syntetic rubber and man-made fibres,
 - 07 02 13 plastics waste

Other EWC that are relevant to GFRP waste:

- ▶ 12 01 05
- ▶ 16 01 19
- ▶ 17 02 03
- ▶ 17 02 04*
- ▶ 19 12 04
- ▶ 20 01 39



Classification and shipment of GFRP waste

2. Waste Shipment Regulation

- ▶ **B3010** solid plastic waste, unless
 - ▶ Waste exhibit one or more hazardous characteristics
 - ▶ Environmentally sound management is not possible



A3050, A3120

- ▶ **B2020** glass waste in non-dispersible form
- ▶ **B4020** wastes from production, formulation and use of rasins

Shipments of abandoned vehicles

- ▶ Abandoned vehicles from the canal Sveti Jernej
- ▶ Composition of waste:
 - ▶ Wood 20-25 %
 - ▶ Concrete 5-10 %
 - ▶ GFRP 60 - 65%
 - ▶ Metals .. 5-10 %
- ▶ Wastes classified as **16 01 19** according EWL and **not listed** according WSR
- ▶ Exported to Austria with notification procedure
- ▶ Treatment procedure: R4 - due to predominating value of metals
- ▶ Treatment: separating, GFRC recovered in RDF



End of waste, by-product, waste, used goods - how to know the difference

Directive 2008/98/EC on waste

- ▶ **Waste definition:** *Any substance or object which the holder discards or intends or is required to discard.*

- ▶ **By-products (Art. 5):**
 - ▶ further use is certain
 - ▶ can be used directly
 - ▶ produced as an integral part of a production process
 - ▶ further use is lawful

▶ **End-of-waste status (Art. 6):**

- ▶ commonly used for specific purposes
- ▶ a market or demand exist
- ▶ fulfils the technical requirements
- ▶ the use is not causing environmental or human health impacts

Regulation No 333/2011 establishing criteria determining when certain types of scrap metal cease to be waste

Regulation No 1179/2012 establishing criteria determining when glass cullet ceases to be waste

Regulation No 715/2013 of 25 July 2013 establishing criteria determining when copper scrap ceases to be waste



▶ **Used goods**

- ▶ in functional order (test)
- ▶ highly marketable
- ▶ free of prohibited substances
- ▶ reasonable age
- ▶ external appearance - don't look as a waste
- ▶ sufficient packaging during transport
- ▶ receipt or contract available

Questions?

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