

# Classification of Waste

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ECRAN Working Group: Enforcement and Compliance (ECENA)  
Activity 1.2.5 Trans Frontier Shipment of Waste (TFS)

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## Content

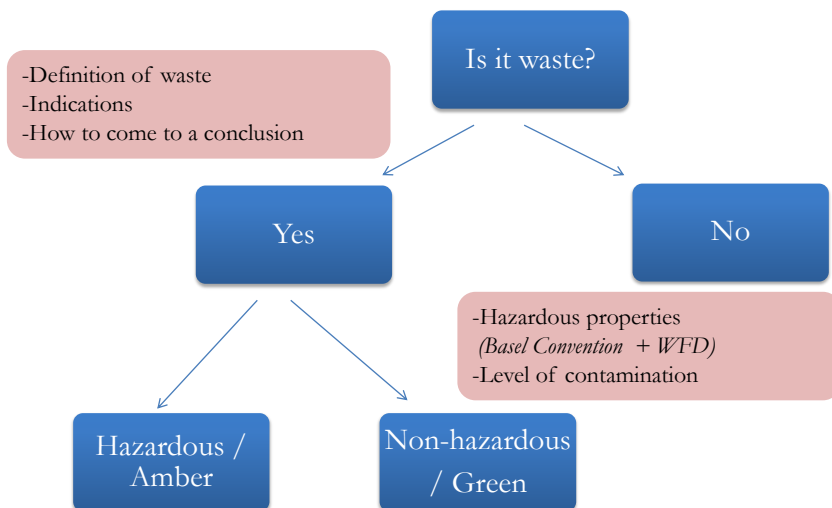
- **Waste codes:**
  - **Basel Convention**
  - **OECD Decision**
  - **Waste Shipment Regulation**
- **Problematic stream: used electronic and electrical equipment versus e-waste**
- **European List of Wastes**



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## **Waste classification according the Basel Convention** **(5 relevant annexes)**

Annex I: Categories of wastes to be controlled (Y 1 – Y45)

Annex II: Categories of wastes requiring special consideration (Y46 – Y47)

Annex III: List of hazardous characteristics (H1-H13)

Annex VIII – List A: Wastes characterized by the BC as hazardous waste (A-codes)

Annex IX – List B: Wastes characterized by the BC as non-hazardous waste (B-codes)



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## OECD Control System for Waste Recovery

Framework for OECD member countries to control transboundary movements and facilitate the trade of recoverable wastes within the OECD area in an environmentally sound and economically efficient manner.

The [OECD Control System](#) is based on two types of control procedures:

**1.Green Control Procedure: for wastes that present low risk for human health and the environment and, therefore, are not subject to any other controls than those normally applied in commercial transactions (Annex IX BC + G-codes);**

**2.Amber Control Procedure: for wastes presenting sufficient risk to justify their control (Annex VIII BC + A-codes)**

In this group Turkey and Croatia are a member to the OECD.

*\* OECD: Organisation for Economic Co-operation and Development*

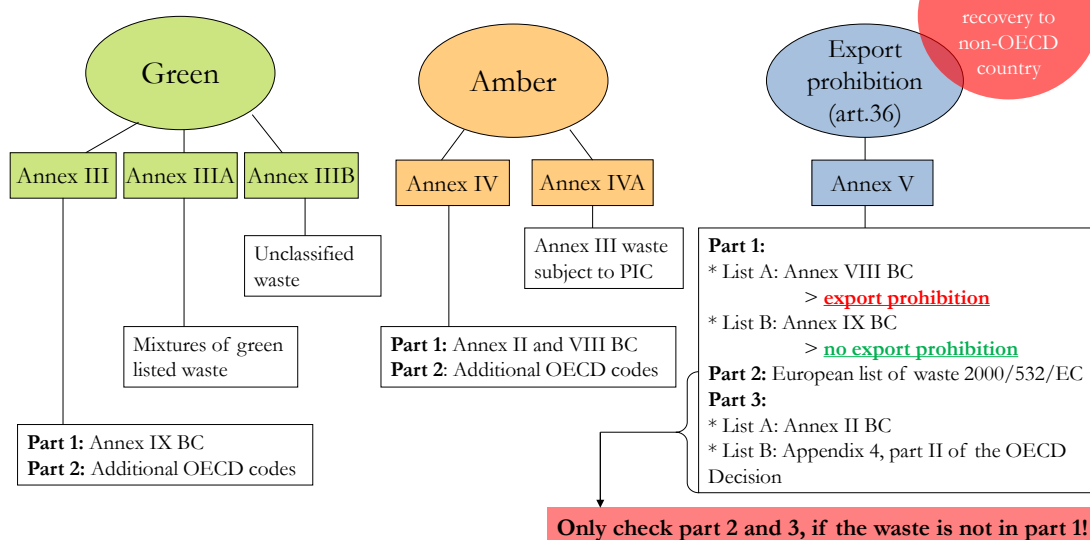


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## Waste annexes to the WSR



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## What to do?

☑Administrative examination > gather evidence about the good(s) to learn more about the origin, composition and intended treatment or use (e.g. contracts, invoices, data sheets, origin, transport documents)

☑Visual screening > state of the goods, packaging, visual contamination

☑Sampling > level of contamination, composition, testing of equipment

☑Check national law/guidelines/rulings/similar cases in the past

☑EU and international guidelines on certain waste streams



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## Problematic stream: E-waste versus Used Equipment



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## Correspondents guideline on WEEE (1/2)

EEE normally not waste if:

- Fully functioning
- Directly re-used for originally intended use
- Not destined for recovery or disposal operations
- If sent back as defective batches to producer or repair centre for repair (e.g. under warranty) with the intention of re-use

*Based on proof of testing (functionality and hazardous substance), records on each EEE, contract, invoice, declaration and packaging.*



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## Correspondents guideline on WEEE (2/2)

EEE normally waste if:

- Product is not complete – essential parts missing
- Physical damage
- Insufficient packaging
- State of appearance reduced marketability
- Constituent part(s) required to be discarded of
- Destined for disposal or recycling
- No regular market
- Old or out-dated EEE destined for cannibalization (to gain spare parts)



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## Annex VI WEEE Recast Directive – minimum requirements for shipments

- a) Proof of direct re-use and fully functioning
- b) Evidence of testing
- c) Declaration non-waste by the holder
- d) Appropriate protection

a) en b) do not apply in case the shipment is taking place in the framework of a business-to-business transfer agreement and

- EEE is sent back for repair under warranty with the intention of re-use, or
- EEE is sent to OECD country for refurbishment or repair under valid contract with the intention of re-use, or
- EEE for professional use is sent to producer for root cause analysis



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## Technical Guidelines under the Basel Convention

Only adopted on May 15, 2015 during the Basel Convention COP

Exemptions for certain goods to classify them as waste > but owners have to fill out paperwork to proof the intentions:

- destined for direct re-use
- extended use by original owner,
- destined for failure analysis, or for repair and refurbishment

Some elements to be discussed at future meetings (medical devices and countries that do not state whether they allow or not allow repair imports)



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## **Annex III**

### **PROPERTIES OF WASTE WHICH RENDER IT HAZARDOUS**

- H 1 'Explosive':
- H 2 'Oxidizing':
- H 3-A 'Highly flammable':
- H 3-B 'Flammable':
- H 4 'Irritant':
- H 5 'Harmful':
- H 6 'Toxic':
- H 7 'Carcinogenic':
- H 8 'Corrosive':
- H 9 'Infectious':
- H 10 'Toxic for reproduction':
- H 11 'Mutagenic':
- H 12 Waste which releases toxic or very toxic gases in contact with water, air or an acid.
- H 13 (\*) 'Sensitizing':
- H 14 'Ecotoxic':
- H 15 Waste capable by any means, after disposal, of yielding another substance, e.g. a leachate, which possesses any of the characteristics listed above.



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## **European Waste List (2000/532/EC)**

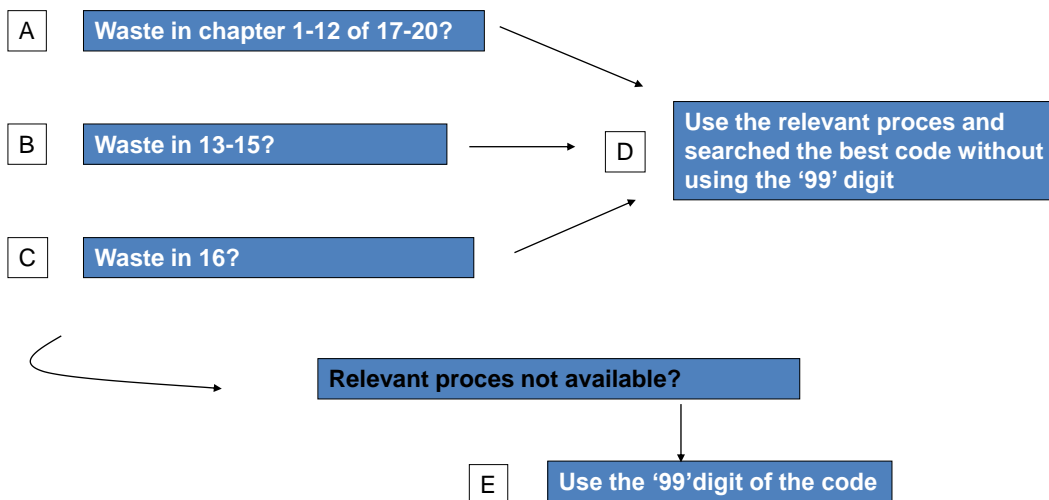
- Identify the source generating the waste in Chapters 01 to 12 or 17 to 20 and identify the appropriate six-digit code of the waste (excluding codes ending with 99 of these chapters). Note that a specific production unit may need to classify its activities in several chapters
- If no appropriate waste code can be found in Chapters 01 to 12 or 17 to 20, the Chapters 13, 14 and 15 must be examined to identify the waste.
- If none of these waste codes apply, the waste must be identified according to Chapter 16.
- If the waste is not in Chapter 16 either, the 99 code (wastes not otherwise specified) must be used in the section of the list corresponding to the activity identified in step one.



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## European Waste List (2000/532/EC)

Any waste marked with an asterisk (\*) is considered as a hazardous waste pursuant to Article 1(4), first indent, of Directive 91/689/EEC on hazardous waste, and subject to the provisions of that Directive unless Article 1(5) of that Directive applies.



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## Chapters of the list

- 01 Wastes resulting from exploration, mining, dressing and further treatment of minerals and quarry
- 02 Wastes from agricultural, horticultural, hunting, fishing and aquacultural primary production, food preparation and processing
- 03 Wastes from wood processing and the production of paper, cardboard, pulp, panels and furniture
- 04 Wastes from the leather, fur and textile industries
- 05 Wastes from petroleum refining, natural gas purification and pyrolytic treatment of coal
- 06 Wastes from inorganic chemical processes
- 07 Wastes from organic chemical processes
- 08 Wastes from the manufacture, formulation, supply and use (MFSU) of coatings (paints, varnishes and vitreous enamels), adhesives, sealants and printing inks
- 09 Wastes from the photographic industry
- 10 Inorganic wastes from thermal processes
- 11 Inorganic metal-containing wastes from metal treatment and the coating of metals, and non-ferrous hydrometallurgy
- 12 Wastes from shaping and surface treatment of metals and plastics
- 13 Oil wastes (except edible oils, 05 and 12)
- 14 Wastes from organic substances used as solvents (except 07 and 08)
- 15 Waste packaging; absorbents, wiping cloths, filter materials and protective clothing not otherwise specified
- 16 Wastes not otherwise specified in the list
- 17 Construction and demolition wastes (including road construction)
- 18 Wastes from human or animal health care and/or related research (except kitchen and restaurant wastes not arising from immediate health care)
- 19 Wastes from waste treatment facilities, off-site waste water treatment plants and the water industry
- 20 Municipal wastes and similar commercial, industrial and institutional wastes including separately collected fractions



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Please classify this waste in the EWL



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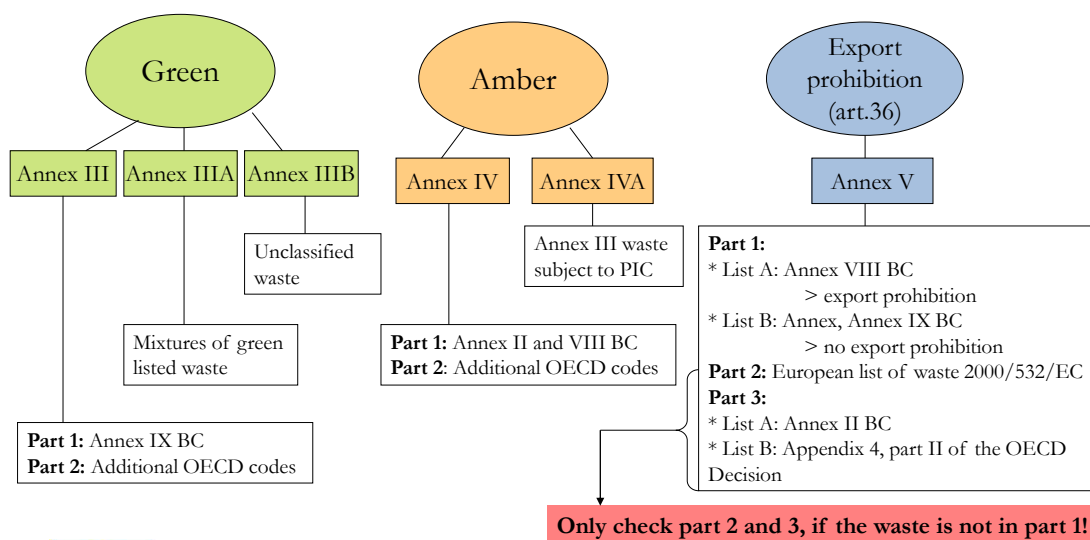


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## Waste annexes to the WSR

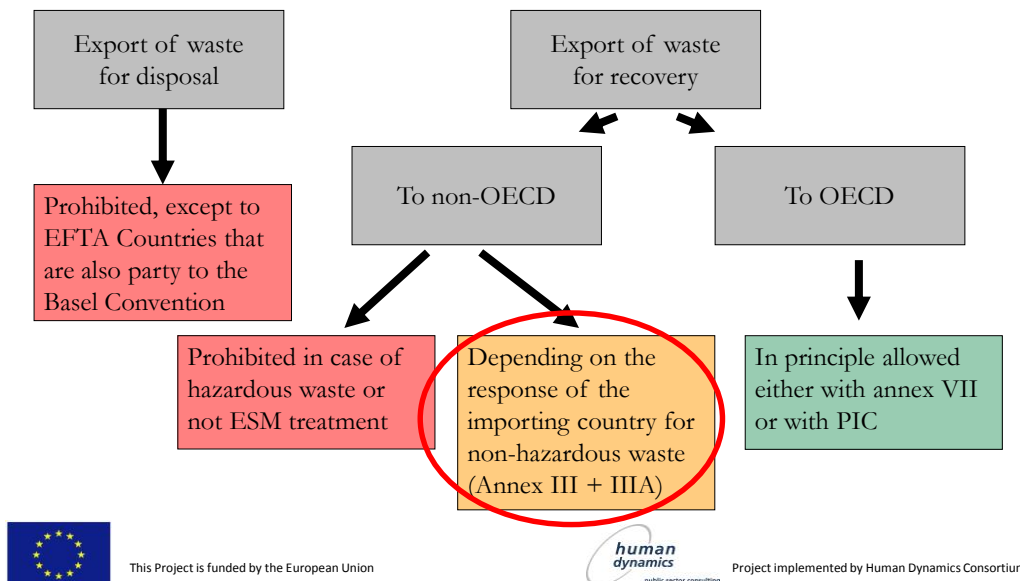


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## Export of waste to third countries



## Export of non-hazardous waste to non OECD countries

Commission Regulation 1418/2007

The Commission sends a [written request](#) to each non OECD country, seeking:

- (i) confirmation in writing that the waste may be exported from the Community for recovery in that country, and
- (ii) an indication as to which control procedure, if any, would be followed in the country of destination.

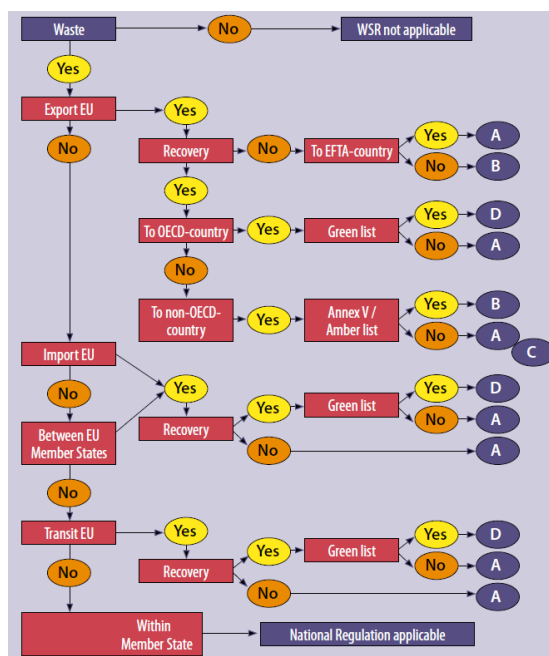
- (a) a prohibition; or
- (b) a procedure of prior written notification and consent; or
- (c) no control in the country of destination (***always art 18 information***), or
- (d) other control procedures in the country of destination



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- A. The shipment of waste must take place with prior written notification and consent of all competent authorities involved. The movement document and copies of the notification document containing the written consents and the conditions of the competent authorities concerned shall accompany each transport.
- B. Shipment is prohibited
- C. Non-OECD-countries can indicate which procedure is applicable for a shipment to their country of green listed waste for recycling:
  - a prohibition; or
  - a procedure of written notification and consent; or
  - no control in the country of destination, movement document (annex VII) and contract are compulsory.
- D. The movement document (Annex VII) shall accompany each transport and there must be a contract between the person who arranges the shipment and the consignee for recovery. The competent authorities can demand a copy of contract. Waste shall be destined for recovery operations within a facility which, under applicable national law, is operating or is authorized to operate in the country of destination.



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## Waste shipment from Croatia to China

Please classify in European Waste List, WSR/ Basel Convention

Is this export allowed?

Use a step by step approach.



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### Summary

### Questions?



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