Environment and Climate Regional Accession Network ECRAN

Environment and Climate Regional Accession Network (ECRAN)

Workshop Report
Trans Frontier Shipment of Waste (Joint workshop WG WASTE, WG IED/Chemicals and WG ECENA)

Izmir, Turkey , 25 –26 May 2016

ENVIRONMENT AND CLIMATE REGIONAL NETWORK FOR ACCESSION - ECRAN

WORKSHOP REPORT

Activity 1.2.6

TRANS FRONTIER SHIPMENT OF WASTE

(Joint Workshop WG WASTE, WG IED/Chemicals and WG ECENA)

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This Project is funded by the European Union

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LIST OF ABREVIATIONS	
CLP	Classification, Labelling and Packaging
ECHA	European Chemical Agency
EFTA	European Free Trade Association
EU	European Union
IED	Industrial Emissions Directive
IP	Inspection Plan
IRAM	Integrated Risk Assessment Method
OECD	Organisation for Cooperation and Development
QA	Questions and Answers
REACH	Registration, Evaluation, Authorisation and Restrictions of Chemicals
RoHS	Restriction of Hazardous Substances
SSTE	Senior Short Term Expert
SEE	South East Europe
IMPEL	The European Union Network for the Implementation and Enforcement of Law
TFS	Transfrontier Shipment of Waste
WEEE	Waste Electrical and Electronic Equipment
WFD	Waste Framework Directive
WSR	Waste Shipment Regulation
WG	Working Group

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I. Background/Rationale

The activities of the ECENA Working Group are based on a Multi Annual Work Plan, covering the following areas:

- Training and exchange;
- Institutional and methodological development;
- Cross border enforcement.

Since the work of inspectors and permit writers has to be more coordinated and connected to other activities within the environmental protection area, it has been decided that ECENA under ECRAN should be of cross cutting nature. This is particularly important as the work of ECENA is dealing with both implementation and enforcement of the EU acquis. Cooperation with policy makers and law drafters has to be strengthened in order to enable developing better implementable legislation.

The work plan covers the full period of ECRAN (i.e. October 2013 – October 2016). Under this ECENA work plan, the following specific activities have been decided to be implemented:

1.2.1 Capacity building on compliance with environmental legislation

1.2.2 External country assessments

1.2.3 Methodological development - application of IRAM/easy Tools

1.2.4 Compliance with REACH/CLP Regulations;

1.2.5 Trans frontier Shipment of Waste (TFS);

1.2.6 Inspection and enforcement in other policy areas;

1.2.7 Inspector's participation in networking activities.

The beneficiaries are the Ministries of Environment of the beneficiary countries (Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Kosovo* , Montenegro, Serbia and Turkey). In addition the other ministries and other bodies and institutions will need to be actively engaged in so far as their work is relevant for the scope of ECRAN.

The overall objective of ECRAN is to strengthen regional cooperation between the EU candidate countries and potential candidates in the fields of environment and climate action and to assist them on their way towards the transposition and implementation of the EU environmental and climate policies, political targets and instruments which is a key precondition for EU accession.

Activity1.2.6 Inspection and Enforcement in other policy areas- Waste

In Europe, we currently use 16 tonnes of material per person per year, of which 6 tonnes become waste. Although the management of that waste continues to improve in the EU, the European economy currently still loses a significant amount of potential 'secondary raw materials' such as metals, wood, glass, paper, plastics present waste streams.

The European Union's approach to waste management is based on the "waste hierarchy" which sets the following priority order when shaping waste policy and managing waste at the operational level:

prevention, (preparing for) reuse, recycling, recovery and, as the least preferred option, disposal (which includes landfilling and incineration without energy recovery).

EU waste management legislation can be subdivided into various levels of which the more important ones are:

1) Framework Legislation: The Waste Framework Directive (WFD) and the Waste Shipment Regulation (WSR);
2) Waste treatment operations: The Landfill Directive;
3) Waste streams: Batteries and accumulators, sewage sludge, end-of-live vehicles, packaging and packaging waste, PCBs/PCTs, Waste electrical and Electronic Equipment (WEEE), Restriction of Hazardous Substances In Electrical and Electronic Equipment (RoHS in WEEE) and mining waste.

The present workshop concentrates on a number of elements in EU waste management and waste management legislation.

The training programme in this activity within ECENA will have to be closely coordinated with the other ones designed for ECENA and ECRAN in general in order to avoid duplication and overlaps.

For this reason the workshop is being organised as a joint workshop of the ECRAN WASTE Working Group, IED/Chemicals WG and the ECRAN ECENA Working Group.

Trainings are delivered in close coordination with TAIEX Unit that is responsible for provision of non-key experts and organisation of logistics (training venue, accommodation and transport of registered participants, etc.). Delivered trainings will be evaluated in order to follow the level of reaching the training objectives

Chapter 2 describes the background and objectives of the ECRAN/ECENA activity 1.2.6. Inspection and Enforcement in other policy areas – Waste, organised as a joint workshop with the ECRAN/IED/Chemicals Working Group and the ECRAN/Waste Working group.

Chapter 3 describes the EU policy and legislation covered by the training, Chapter 4 presents the workshop proceedings and Chapter 5 presents the evaluation. Furthermore the following Annexes are attached:

_ Annex I: the agenda;

_ Annex II: List of participants;

_ Annex III: Power point presentations (downloadable under separate cover):

http://www.ecranetwork.org/ECENA

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II. Objectives of the training

General objective

Increasing the effectiveness of authorities and inspection bodies and promoting compliance with environmental requirements

Specific objectives

Increased capacity in SEE in the field implementation of EU waste legislation, increased insight in related compliance and enforcement mechanisms and knowledge about performing inspections..

Target group

The target institutions and beneficiaries are the environmental inspectors and permit writers of the Ministries of Environment in Albania, Bosnia and Herzegovina, the Former Yugoslav Republic of Macedonia, Kosovo[1]*, Montenegro, Serbia and Turkey.

Training delivery

The training is delivered with subjects covered in two consecutive days:

On day 1: Introductions and evaluations of the general ECENA programme and outcomes of the IED/Chemicals WG, followed by presentations, explanations and exercises on General Waste management and the Waste Shipment Regulation

On day 2: Site visit at the Customs Office and a ship dismantling facility in Izmir Harbour, with evaluation of the findings and presentation on experience of WSR implementation in the region.

The agenda of the training is included in ANNEX 1

Expected results

The following results are expected for this activity scheme:

- Improved knowledge based on the Waste Framework Directive (WFD), the Waste Shipment Regulation (WSR), and legal and institutional requirements with compliance, and enforcement aspects at key staff of the Environment Ministries and institutions on the subject;
- Strengthened regional network of SEE professionals and experts on Waste Legislation with its compliance and enforcement aspects.

Participation from relevant authorities: Environmental Policy makers, Environmental Inspectorate, Environmental permit writers and Customs.

[1] This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

III. EU policy and legislation covered by the training

The training covered mainly the legislation on WFD, WSR, jand WEEE (Ref. http://ec.europa.eu/environment/waste/index.htm). Furthermore the Basle Convention(ref: http://europa.eu/legislation_summaries/environment/waste_management/l28043_en.htm) and the The OECD Decision on transboundary movements of wastes destined for recovery operations (ref http://www.oecd.org/env/waste/42262259.pdf) are of specific relevance.

WFD (Waste Framework Directive)

Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste establishes a legal framework for treating waste in the European Union (EU). This is designed to protect the environment and human health by emphasising the importance of proper waste management, recovery and recycling techniques to reduce pressure on resources and improve their use.

WSR (Waste Shipment Regulation)

In 1994 the Council Regulation 259/93 on the supervision and control of shipments of waste within, into and out of the European Community, came into force. One of the main purposes of the European waste regulation is to prevent the shipment of environmentally harmful waste to countries that do not have the provisions to cope with these wastes. Another purpose is to take care of the environmentally sound processing of the waste. The regulation has been replaced by the Waste Shipment Regulation 1013/2006 in 2007. The enforcement of this Waste Shipment Regulation WSR (further referred to as WSR) is a competence of individual Member States. For an effective and efficient enforcement, organisations have to cooperate over their national borders as transboundary movements of wastes exceed these borders.

WEEE (Directive on Waste Electric and Electronic Equipment)

The Directive aims to prevent or reduce the negative environmental effects resulting from the generation and management of WEEE and from resource use.

Its key purpose is to contribute to sustainable production and consumption by, as a first priority, the prevention of WEEE and, in addition, by the re-use, recycling and other forms of recovery of such wastes. The new WEEE Directive 2012/19/EU entered into force on 13 August 2012 and had to be transposed into national law by 14 February 2014. At that time, the old WEEE Directive (Directive 2002/96/EC) is repealed.

The period between 13 August 2012 and 14 August 2018 is a transitional period. During this period the scope of the Directive is identical to the scope of the old Directive (10 categories of electrical and electronic equipment (EEE)) with the exception of photovoltaic panels (PV panels), that have been added to the scope of the Directive with immediate effect.

From 15 August 2018 onwards the scope of the Directive is widened to include all EEE. All EEE shall then be classified within 6 categories instead of the existing 10 categories.

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Basel Convention

The Basel Convention lays down rules to control, at an international level, transboundary movements of wastes hazardous to human health and the environment, and their disposal. The following Acts have been included within the EU:

Council Decision 93/98/EEC of 1 February 1993 on the conclusion, on behalf of the Community, of the Convention on the control of transboundary movements of hazardous wastes and their disposal (Basel Convention).

Council Decision 97/640/EC of 22 September 1997 on the approval, on behalf of the Community, of the amendment to the Convention on the control of transboundary movements of hazardous wastes and their disposal (Basel Convention), as laid down in Decision III/1 of the Conference of the Parties.

Summary

The EEC approved the Basel Convention on the control of transboundary movements of hazardous wastes and their disposal. The Convention came into force for the EEC on 7 February 1994.

The Convention aims, in introducing a system for controlling the export, import and disposal of hazardous wastes and their disposal, to reduce the volume of such exchanges so as to protect human health and the environment.

It defines hazardous wastes. Each party may add to the list other wastes listed as hazardous in its national legislation.

A transboundary movement is any movement of hazardous wastes or other wastes from an area under the national jurisdiction of one State to or through an area under the national jurisdiction of another State, or to or through an area not under the national jurisdiction of any State, provided at least two States are involved in the movement.

General obligations:

- it is prohibited to export or import hazardous wastes or other wastes to or from a non-party State;
- no wastes may be exported if the State of import has not given its consent in writing to the specific import;
- information about proposed transboundary movements must be communicated to the States concerned, by means of a notification form, so that they may evaluate the effects of the proposed movements on human health and the environment;
- transboundary movements of wastes must only be authorised where there is no danger attaching to their movement and disposal;
- wastes which are to be the subject of a transboundary movement must be packaged, labelled and transported in conformity with international rules, and must be accompanied by a movement document from the point at which a movement commences to the point of disposal;
- any party may impose additional requirements that are consistent with the provisions of the Convention.

The Convention establishes notification procedures regarding:

- transboundary movements between parties;
- transboundary movements from a party through the territory of States which are not parties.

It sets out those cases where there is a duty to re-import hazardous wastes, especially if they have been the subject of illegal trafficking.

Parties to the Convention must cooperate with each other in order to improve and achieve environmentally sound management of hazardous wastes and other wastes. The aim is to implement all practical measures to ensure that wastes covered by the Convention are handled in such a way that protection of human health and the environment from their harmful effects is guaranteed.

Parties may enter into bilateral, multilateral or regional agreements or arrangements regarding transboundary movements of hazardous wastes, with parties or non-parties, provided that these do not derogate from the principles defined by the Convention.

A Conference of the Parties is established and is charged with overseeing the effective implementation of the Convention.

Provisions on the settlement of disputes between Parties.

Under Decision II/1 the Parties provided for an amendment to the Convention to immediately prohibit transboundary movements of hazardous wastes destined for final disposal and prohibit as from 01.01.1998 transboundary movements of hazardous wastes destined for recovery operations from States listed in Annex VII to the Convention, namely, "Members of the European Organisation for Cooperation and Development (OECD), the European Community and Liechtenstein", to States not listed in Annex VII to the Convention. This amendment to the Convention and Annex VII have not yet entered into force for lack of sufficient ratification

The OECD Decision on transboundary movements of wastes destined for recovery operations

Since March 1992, transboundary movements of wastes destined for recovery operations between member countries of the Organisation for Economic Co-operation and Development (OECD) have been supervised and controlled according to Council Decision C(92)39/FINAL on the Control of Transfrontier Movements of Wastes Destined for Recovery Operations.

The OECD Decision C(92)39/FINAL provided a framework for the OECD member countries to control transboundary movements of recoverable wastes within the OECD area in an environmentally sound and economically efficient manner. Compared to the Basel Convention, it gave a simplified and more explicit means of controlling such movements of wastes. It also facilitated transboundary movements of recoverable wastes between OECD member countries in the case where an OECD member country is not a Party to the Basel Convention.

The developments under the Basel Convention, in particular the adoption of two detailed lists of wastes as new Annexes VIII and IX to the Convention in November 1998, gave impetus to revise the OECD Decision C(92)39/FINAL in order to harmonise procedures and requirements and to avoid duplicate activities with the Basel Convention. This revision resulted in the adoption of Council Decision C(2001)107/FINAL in May 2002. Provisions of the revised OECD Decision have been harmonised with those of the Basel Convention in particular with regard to the classification of wastes subject to control.

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However, certain procedural elements of the original OECD Decision C(92)39/FINAL, which do not exist in the Basel Convention, such as time limits for approval process, tacit consent and pre-consent procedures have been retained.

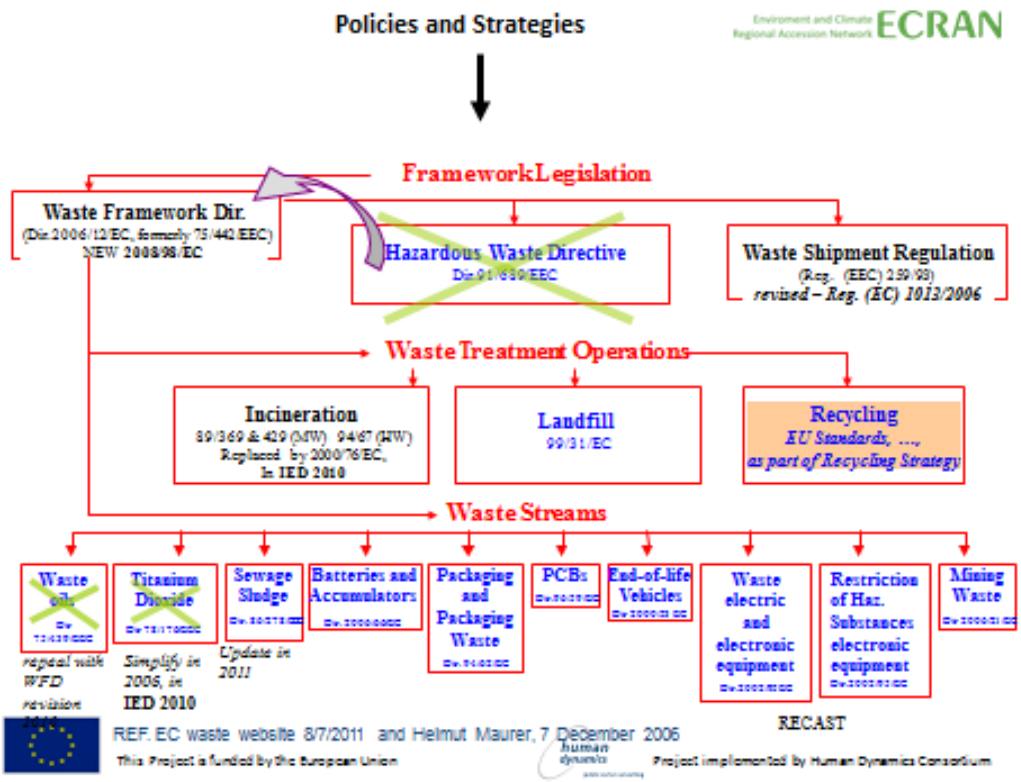
OECD Decisions are legally binding to those member countries who have agreed to them, pursuant to Article 5(a) of the OECD Convention. Decision C(2001)107/FINAL has been agreed by all thirty member countries and is to be implemented and promulgated through national legislation in each member country. For example, in the member states of the European Union, the OECD Decision is implemented through the EC Waste Shipment Regulation N° 1013/2006 as from 12 July 2007.

IV. Highlights from the training workshop

Reference is made to Annex I for the agenda and Annex III for the presentations.

Day 1 – Hotel Best Western – Konak, Izmir , 25 May

1. The workshop was chaired by Ike van der Putte (ECRAN ECENA coordinator and ECRAN IED/Chemicals WG coordinator) and Mr. Nebosja Pokimica (ECRAN SSTE, coordinator Waste WG). A short welcoming was given by Mr. Kemal Dag (Deputy General Director of the Ministry Of Environment and Urbanization, Turkey) with a description of the inspection system in Turkey, electronic systems and databases for inspection, on-line air quality and waste water monitoring systems. The trainers were subsequently introduced with, Mr. Huib van Westen (IMPEL expert, the Netherlands), Ms Magdalena Kwarta (IMPEL expert, Norway), Ms. Vlastica Pasalic (Head of Service for common inspection affairs and enhancement of work of environmental and nature protection inspections Ministry of Environmental and Nature Protection, Croatia) and Mr. Robert Rocek (Senior Environmental protection inspector, Ministry of the Environmental and Nature Protection, Croatia).The meeting was also to be considered as the final meeting of the Waste Working Group and the IED/Chemicals Working Group. Mr. van der Putte thanked Ms. Pinar Topkaya (ECENA national coordinator for Turkey) for organising the study visit. Mr. van der Putte finally gave an overview of ECENA activities and of the European waste legislative framework as an introduction to the workshop.



2. An introductory round was held among the participants with the question on the years of experience in the field of environment (ECENA WG), chemicals/IED WG, Waste WG and policymakers/other fields. The results showed that most of participants have extensive knowledge and experience in inspection (ECENA WG). One person was designated as Policy maker. A number of 11 representatives were present from the ECRAN Waste Working and 11 from ECENA, whereas 3 persons were from the IED/Chemicals Group. The majority had followed at least one TFS course.

	Years of experience		
	1 – 5 years	***5 – 10 years***	***More than 10 years***
Environment (ECENA)	2	1	8
Chemicals/IED	1	1	1
Waste	4	5	2
Others		1	

3. Mr. Ike van der Putte gave an overview of the activities and reached results and impacts of the IED/Chemicals Working Group in the period 2013 – 2016. After a general introduction on REACH and CLP, to be considered as the most ambitious piece of chemicals legislation in the world, the various preparatory activities and training modules were explained with their key outputs:

No.	**Date**	**Key outputs**
1	January 2014	Training Needs Questionnaire and Training Needs Assessment. Proposals for pilot industries to be visited. TNA report
2	February 2014	Training Methodology, Training Programme and Training Materials
3	Training Workshop no. 1. Montenegro May, 13-15, 2014	Training (1) ; General introduction chemicals and procedures REACH/CLP, IED (1) with a site visit to PROGAS in Hercec Novi, plant (IPPC/SEVESO lower tier) produces Acetylene based on the calcium carbide process Training report
4	Training Workshop no.2. Albania 2-4 December,2014	Training (2). Procedures REACH/CLP (2), with a site visit to Bankers Petroleum Albania Ltd.(IPPC/SEVESO plant) oil extraction in Fier, Training Report
5	Training Workshop no3. 1-3 September 2015	Training(3). Technical aspects REACH /CLP, IED with a site visit to MAKPETROL, pilot biodiesel factory. Training Report Skopje, FYR of Macedonia
6	Training Workshop no.4. 8 – 10 December 2015	Training (4). REACH/CLP downstream consequences, interlinkages with IED and other legislation; accession issues with a site visit to UNILEVER HPC Gebze Factory. Training Report

Special attention was given on the downstream consequences and interlinking issues of REACH/CLP with other legislation including IED and Waste and also the accession issues. For the latter aspect use was made especially of the experience of Croatia as one of the newest EU member states. Other

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aspects were covered by ECRAN, ECHA and IMPEL experts. The tools and analyses made by ECHA and IMPEL were important elements in the courses.

The results showed that most of the participants in the courses have **limited knowledge** and experience on chemicals (REACH/CLP) and that the level of experience in the group of countries was very different. It should also be noted that the enforcement of the requirements of the REACH and CLP Regulations involves **many different enforcement authorities and other bodies.** Each country has its own system. Increasing the level of know-how with exchange of experience within the ECRAN beneficiary countries and especially with that in EU member states are important outputs. **Increased level of know-how also includes the required activities needed for accession (e.g. national inventory of chemicals).**

Some countries indicated that follow-up workshops like these are extremely needed. Furthermore, more information on interlinkage between environmental topics and REACH&CLP are requested by the participants.

The ECRAN programme in its set-up with TAIEX also provided a special opportunity to request national assistance specifically from TAIEX. Use of this possibility was made by Albania.

The TAIEX expert missions requested via the ECRAN secretariat provided assistance to the Albanian Ministry of Environment on the compliance checking of the following draft legislation prepared:

1. Framework law on chemicals legislation*
2. Classification, packaging and labeling of substances and chemical mixtures (CLP);
3. Import and export of hazardous substances;
4. Approval of substances and chemicals, manufacture, placing on the market and use of which is restricted or prohibited (Annex XVII of REACH);
5. List of hazardous substances which by their nature pose a serious risk to life, human health and the environment (Annex XIV of REACH).

Notes(1)* Is now approved by the Albanian Parliament on 17th March 2016. (2-5)* Is in process of approval as four draft Decisions of the Council of Ministers, also prepared in the framework of TAIEX Expert Missions

Based on the new legislative requirements in Albania, a new Chemicals Office, dealing with Chemicals and Industrial Accidents is established in the Ministry of Environment. An important tool to ensure implementation of the new chemicals legislation in place, is creation of an electronic National Chemicals Register. Chemicals produced, placed on the market or imported must be registered in this Register, which will be maintained by the Chemicals Office. For that reason a request has been made in the framework of the ECRAN Project to have again TAIEX Expert Mission(s) on procedures needed, with creation and maintaining of such a register.

The presentation was finalized with an overview table illustrating that still a lot of work has to be done in the majority of countries in the region considering the requirements of REACH and CLP.

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Country	KS	SR	MN	Mac	TK	AL	BiH
Inventory of chemicals	-	+	- +	-	+	-	+
Helpdesk available	-	+	-	- (+)	+	-	-
Legislation (transposable elements)							
CLP	+	+	+	-	+	-(+)	-
SDS	+	+	+	-	+	-(+)	-(+)
Capacity for implementation	limited	limited	limited	limited	limited	limited	limited

4. Mr. Huib van Westen gave an introduction to international and European legislation on transboundary shipments of waste. A general overview was provided of existing rules concerning the transboundary movements of waste. It included the Basel Convention, the European Waste Framework Directive, the European Waste Shipment Regulation and the OECD Decision on the transboundary movements of non-hazardous waste. Within the beneficiary countries all countries except Kosovo have signed the Basle convention. Turkey is the only country which is an OECD member country.

The given presentation included:

Overall legislative framework on waste management:

- Waste definition
- Hazardous waste
- By products and end of waste
- Treatment operations

Overview of the Waste Shipment Regulation:

- Definitions
- Prior informed consent procedure
- Art 18 information
- Export of waste
- Illegal shipments

The Waste Annexes to the WSR with the Green and Amber list, and the Export Prohibition list were presented and discussed.

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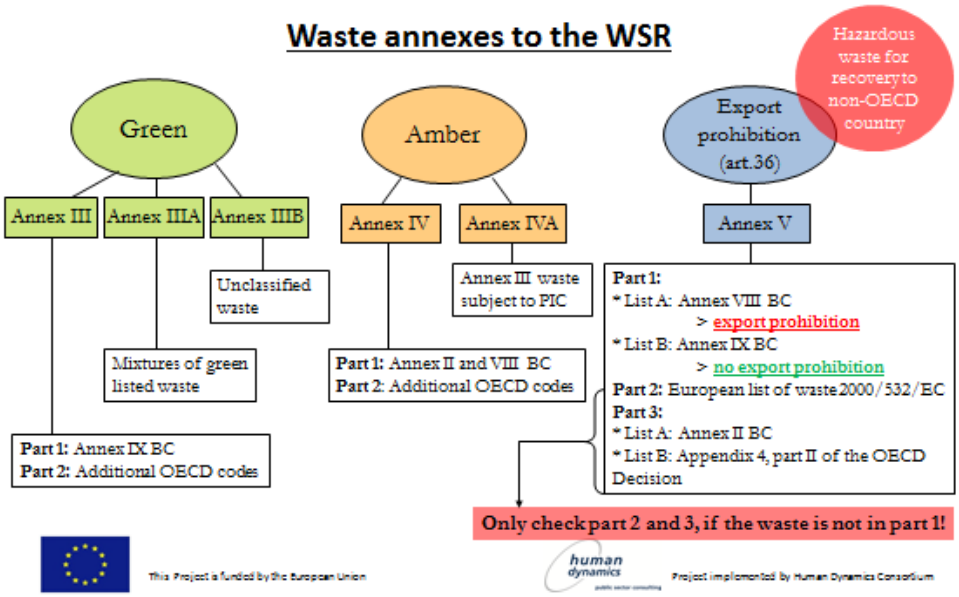
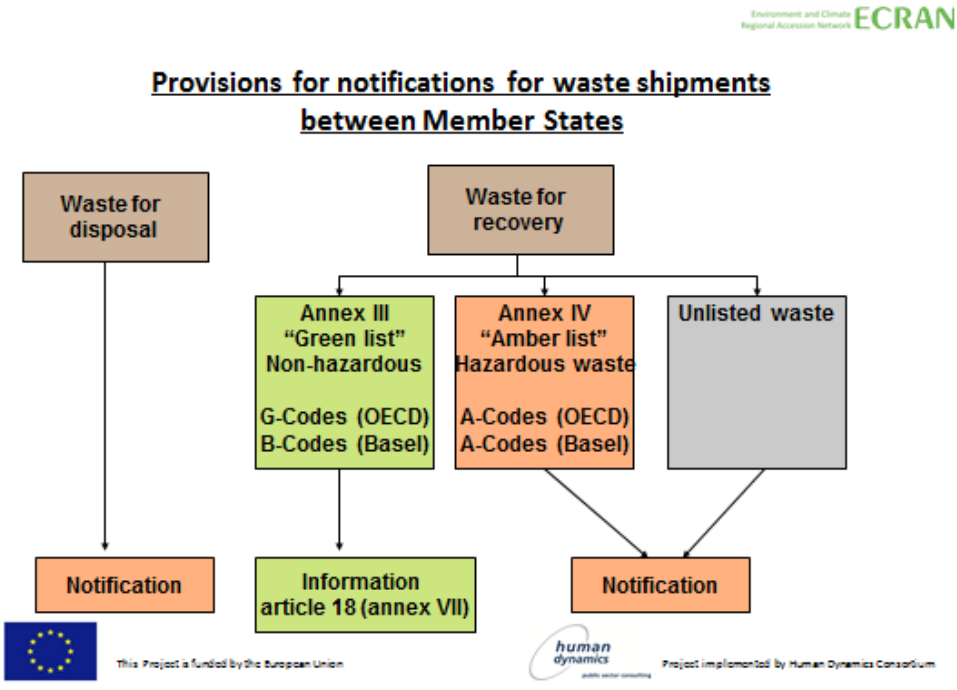


Furthermore the provisions for notifications for waste shipments between the member states were presented and explained, including the provisions and conditions for exports of waste to third countries (EFTA, OECD and non –OECD).



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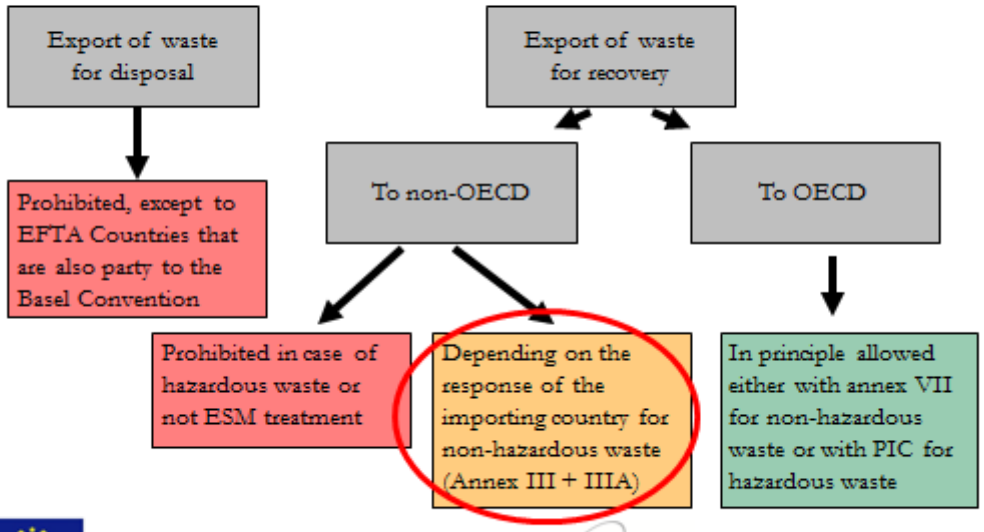
Export of waste to third countries



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The definitions of waste, by-products and end-of waste criteria were explained based on Questions and Answer (QA).

5. After the general introduction and presentations exercises and cases were carried out and presented by Mr. Huib van Westen.

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Exercise/ cases

For which types of waste a prior informed consent procedure need to be followed according the Basel Convention?

In which cases an Annex VII of the WSR is required?

What is illegal traffic according the Basel Convention?

TRUE/ FALSE

If a material has a positive value, it can not be considered as waste

Sampling is always required to proof if something is waste or not

D2 stands for solvent reclamation/ regeneration

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Cases/ examples

Allowed for export from Netherlands to Turkey??

6. Mr. Huib van Westen subsequently presented important issues on risk assessment within the framework of enforcement, with risk assessment and profiling with risk indicators.

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Profiling and risk indicators

- Risk indicators and search parameters are developed following completion of the risk identification and analysis phases of the risk assessment. Risk indicators flag potential problems with a particular shipment. If Customs work with electronic systems, profiles can be built into their electronic systems.

Indicators can relate to

- Object of the trade
- Documents
- Packaging
- Concealment methods
- Routing
- Involved companies /individuals
- Countries concerned

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Examples of HS codes at high risk for illegal transboundary movements of hazardous waste

HS code	Declared as	In fact can be
3915	Plastic scrap	Waste plastic, mixed with other (hazardous) wastes, medical waste,used chemical bottles or municipal solid waste
4707	Waste paper	Waste paper and cardboard which can be mixed or contaminated with other (hazardous)waste and municipal waste
7204	Metal scrap	Waste batteries, cable waste, metal scrap contaminated with hazardous waste or electronic wastes
8528	CRT monitors	Waste CRT monitors

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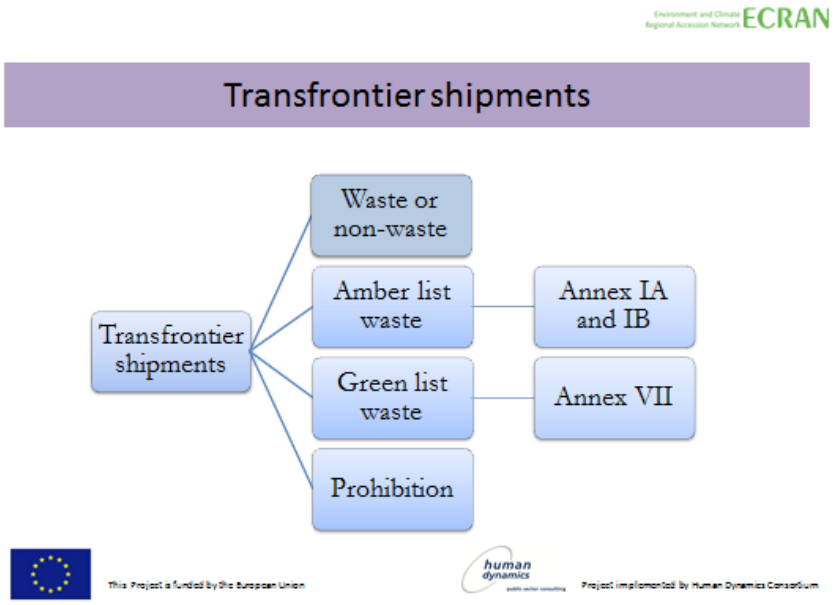
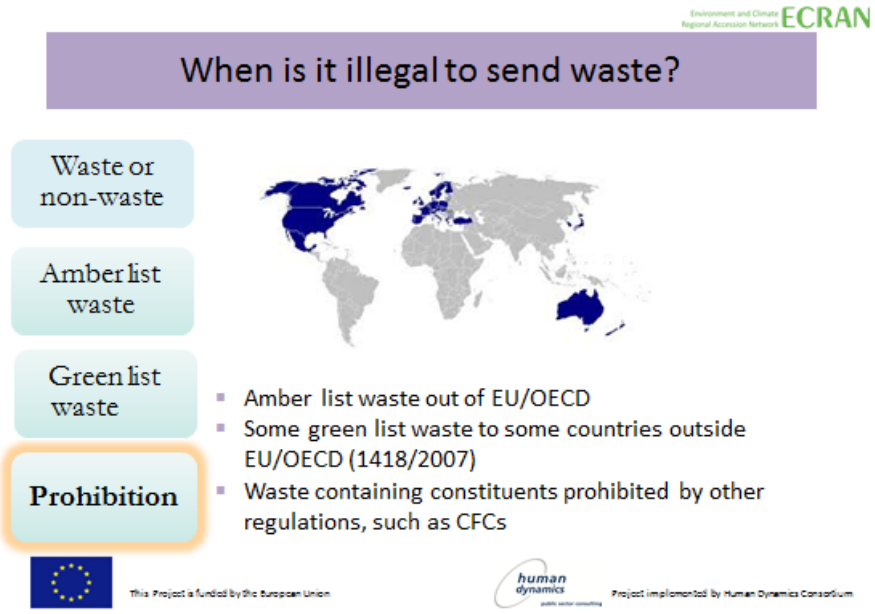
Mr. Huib van Westen also briefly introduced the safety issues with basic safety equipment, monitoring and protection measures.

7. Ms. Magdalena Kwarta introduced the waste classification within the WSR and WFD. The topics handled were:
   - Waste definition;
   - Amber list waste/ notification;
   - Green list waste;
   - Prohibition;
   - Waste vs non-waste;
   - Examples.

Within the WSR and WFD, "Waste'' means any substance or object which the holder discards or intends or is required to discard. A waste holder is responsible for classifying the waste. The TFS legislation obliges the competent authorities to have an overview and control over transboundary waste shipments. Important issues in Trans frontier shipments are: is it waste or non-waste, is it for recovery or disposal, waste type (clean, mixed, hazardous), country of destination and prohibition aspects.



The difference and grey line between waste and non-waste, but also between non-hazardous waste and hazardous waste were discussed. Administrative examination as well as visual screening and sampling have been presented. Also the practical issues on when is it illegal to send waste were discussed.



8. Inspection planning was presented by Ms. Magdalena Kwarta and Mr. Huib van Westen. This presentation was based on the recent amendment to the WSR of 2006 with regulation EC 660/2014. The contents of an inspection plan (IP)were discussed and further developments in the area:

- Member States shall establish Inspection Plans (IP's) by 1/1/2017
- IP's shall be based on a risk assessment

- covering specific waste streams and source of illegal shipments
- considering intelligence-based data, if available and appropriate
- aiming to identify minimum number of required inspections and physical checks

- IP's shall be reviewed at least every 3 years

The required elements to be included in an inspection plan were described as follows:

1) Risk assessment
   a. waste stream
   b. waste sources
   c. intelligence data, if available
   d. minimum number of inspection and physical checks
2) Objectives and priorities
3) Geographical area
4) Authorities involved: tasks and describe the cooperation
5) Information on training of inspectors
6) Information on the human, financial and other resources for the implementation of the IP

9. Group discussion on inspection planning. Based on the required elements mentioned for inspection planning, the participants from the various countries discussed the inspection plans required for the WSR. In general it can be concluded that such plans are integrated or form part of the general inspection plans which are presently made in the countries. The customs are generally primarily responsible for TFS and coordinate with the environmental inspectorate. The latter is in the majority of countries organized by law. Risk assessment is done when possible, through intelligence data. In other cases risk assessment is considered difficult as there are for example no accredited laboratories in the country for analysis of waste. In all countries human resources are limited. It was concluded that under the described situation, next to environmental inspectors also customs are to be trained in TFS.
10. Day 1 was closed with a preview of the activities on day 2 which was firstly a site visit to the Customs office and harbor at the Izmir- Aliaga port, and finally an evaluation and presentation of cases in the region (Croatia).

Day 2 – Customs Directorate- Aliaga Port, Izmir 26 May

The site visit on day 2 started with explanations and presentations at the Customs office in the Aliaga port, Izmir. Presentations were given by the customs officers and the deputy director of the Directorate. The port is used for ship dismantling (ship breaking) and metal scrap import. The waste materials (metal scrap) are recycled and treated in the nearby metal industries (using mostly the arc furnace technology). Worldwide there are only three harbours for such large scale operations, one in China, one in India and one in Turkey.

In the Aliaga harbour there are 25 parcels run by different companies with a total recycling capacity of 900.000 tons of recycling capacity per year providing employment for 2000 employees. A percentage of 95% of the materials of the ships are recyclable scrap steel, with a percentage of 98% being recycled.

The various processes and procedures are described after arrival of a ship to be dismantled:

1. After arrival: 1) control, 2) customs check, 3) survey;
2. Permission for arrival from the port authority;
3. Ship being prepared for ship breaking;
4. Waste management takes place via the waste management centre with control of asbestos and radiation and assessment of materials of economic value;
5. Notification documents of waste are sent to the Ministry of Environment and Urbanization (note: in case of hazardous waste from an EU country notification can be done before the arrival; in case of hazardous waste from a non-EU country notification is done when the ship is still at sea);
6. After approval, harbour directorate gives permission for ship breaking;
7. The Customs office is contacted for the movement;
8. Waste management/waste handling of hazardous wastes (asbestos, oil);
9. Recyclable materials are collected;
10. Permission of harbour directorate for storing of materials.

In the discussion it was mentioned that waste collection is taking place via licensed operators. Radio-activity of materials is checked before and after dismantling.

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After the discussion a visit was made to the port, where specific technical questions were answered by one of the licensed operators. Generally trucks are coming to the ships and empty it within 2 days. These trucks drive to the radiation control area, where the loads are weighed and controlled for radio-activity, and finally drive the materials to the stocking area.

Day 2 – Hotel Best Western – Konak, Izmir , 26 May

1. An evaluation of the site visit was held. With subsequent presentations of experience in the region.

   In the discussion the handling of hazardous waste and the role of inspection were important issues.

   Old ships for dismantling normally contain asbestos. Asbestos as a hazardous waste is not allowed to be exported for disposal from the EU to Tukey. Hazardous waste to be recycled can be exported from the EU to Turkey as an OECD country (under the prior informed consent procedure), but this is not the case for hazardous waste like asbestos.

   Reference was made to the return of the ship “Otopan” from Turkey to the Netherlands as it contained too much asbestos in 2006. After pre-cleaning in the Netherlands the ship was dismantled in 2008 in the Aglia Izmir area.

   The environmental inspectorate in Turkey has performed a check based on their general inspection plan. It was mentioned that the outcome of the inspection was that the inventory of wastes that had taken place was not complete and needed an adaptation.

2. Mr. Robert Rocek presented the situation in the region with specific reference to Croatia. The situation in seaports are discussed with specifics on how to organize inspections, tools for inspections, safety, sources of information and checks of information provided, procedures and actions and the follow-up. Some cases as examples were handled that refer to the shipment of old vehicles to Africa and the shipment of electronic waste.

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Sources of information

Sources that can provide information about the shipment:

- notification and movement document (TFS document)
- weighing slips
- invoices
- custom papers
- safety data sheets
- a statement of the export-authority that there are no objections for the transport
- questions to the captain / driver
- load plan of the vessel / vehicle

Checks based on the information

- compare the TFS document which is in your possession with the document which is in the possession of the lorry driver: do they tally?
- compare the amount of waste filled in block 17 of the TFS document with the amount as described on the weighing slips (if available)
- compare the description of the waste and the quantity on the TFS document with custom papers: do the right items tally?
- compare waste analyses (if available) with the description of the waste as mentioned on the TFS document

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Checks based on the information

- compare the actual route with the route as mentioned on the TFS document
- is the actual date of the shipment reasonable when you look at the actual date of shipment as mentioned in box 21 of the movement document?
- look for changes, alterations, corrections, "Tipp-ex", etc.
- If no TFS document is available, other documents such as custom documents, invoices or safety data sheets can help you to identify the waste. The statement of the lorry driver can also provide you with the information you need.

3. Ms. Vlasta Pasalic continued with cases on illegal shipments of waste in Croatia. The specific case referred to a disagreement whether a shipment is waste or not.

   The case considered a truck load declared as car spare parts from Italy . The Italian owner disagreed with the content being defined by the Croatian Inspectorate as waste and the case is still being handled at the court. The outcome is strongly dependent on the priorities set in the enforcement chain and the interpretation of the articles of the WSR.

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Legal base

Article 28 (WSR)

Disagreement on classification issues

- 1. If the competent authorities of dispatch and of destination cannot agree on the classification as regards the distinction between waste and non-waste, the subject matter shall be treated as if it were waste. This shall be without prejudice to the right of the country of destination to deal with the shipped material in accordance with its national legislation, following arrival of the shipped material and where such legislation is in accordance with Community or international law.

4. The training course and study visit was finalized with a brief discussion on the issues handled and thanking the Turkish representatives for organizing the study visit in such an efficient way.

V. Evaluation

Impacts achieved

The general objective of the training was increasing the effectiveness of authorities and inspection bodies and promoting compliance with environmental requirements. The specific objectives are to contribute to increased capacity in SEE in the field implementation of EU waste legislation, increased insight in related compliance and enforcement mechanisms and knowledge about performing inspections. As participants were from different countries in the region, exchange of experience was an inherent aspect. The contribution of the training course to the defined objectives are strongly linked to the specific outputs. The following outputs and resulting impacts can be identified.

- *Improved knowledge based on the Waste Framework Directive (WFD), the Waste Shipment Regulation (WSR), and legal and institutional requirements with compliance, and enforcement aspects at key staff of the Environment Ministries and institutions on the subject*;

In earlier training courses on TFS, road transport, as well as waste shipments via harbours were included. The present course contained an overview of the existing legal requirements as well as the new requirements, including the newly required inspection plans based on risk assessments. The subject is relatively complex as in the region different countries are involved which have different obligations in complying with the EU legislation, international conventions and national legislation considering trans-frontier shipment of waste. Kosovo for example does not fall under the Basle Convention, whereas Turkey is the only OECD country in the region. There are various implications considering the rules for legal transport of waste. With presentations from IMPEL experts, experts from Croatia as a new EU member state, national experts combined with exercises and Q&A sessions, in-depth know-how was transferred on the subject.

As in earlier courses the training with presentations and explanations was combined with a site visit, in which practical issues were demonstrated on how to define waste, on specific treatment requirements and on the requirement of cooperation of various authorities in the field of TFS (inspectors, customs and police). From the practical case studies it is also understood that strengthening of not only the inspection and permitting/notification system is needed but also strengthening of the whole enforcement chain (inspector, prosecutor and judge). The enforcement system is as strong as the weakest element in the link.

In the field of enforcement of the WSR a number of authorities have to cooperate. Different systems of cooperation are possible, for example on the basis of MOUs or based on national legislation. It is clear that in the near future more training is also required for customs and police next to the continued training of environmental inspectors. In some of the earlier ECRAN/ECENA courses customs and police were able to participate. In the present course an exchange of information took place with the customs at the harbour visited.

Cross links of the WSR and WFD with other legislation has also been clarified. The new CLP regulation has down-stream effects on other legislation including the classification system of waste.

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- *Strengthened regional network of SEE professionals and experts on Waste Legislation with its compliance and enforcement aspects.*

The regional network has been strengthened due to a number of reasons. In participating in the training course as in earlier courses, which were held in different beneficiary countries, participants were able to see the strong and weak elements in the implementation and enforcement of the waste legislation, including WFD and WSR. Monitoring and discussing the progress being made in approximation is a regular component in the courses. The present course following the earlier courses and the study visit in Antwerp and Rotterdam harbours provided insight in the systems which can be successfully applied. Important elements are the risk based inspection planning with priority setting that are increasingly used in EU member states. Such an approach might be more feasible considering the limited availability of human resources in the field. Due to contacts in the courses and in the field visits, direct exchange of information is possible and are being made with international experts and also colleagues in the region.

In strengthening the network it is also good to mention that a majority of the beneficiary countries are now member of IMPEL. In the latter network the TFS working group is a priority subject in which representatives of the beneficiary countries are or will participate. The tools and guidance developed by IMPEL have been the basis for the courses provided in the ECENA courses on TFS.

Evaluation

The following summary of the training evaluation report, developed on the basis of analysis of the training questionnaires can be given. A number of 22 out of 22 participants filled the evaluation form. It shows that the expectations of the workshop were met.

Most of the trainees indicated that the training was of a high quality and useful. The trainers were found to be very knowledgeable. The site visit was very helpful for understanding.

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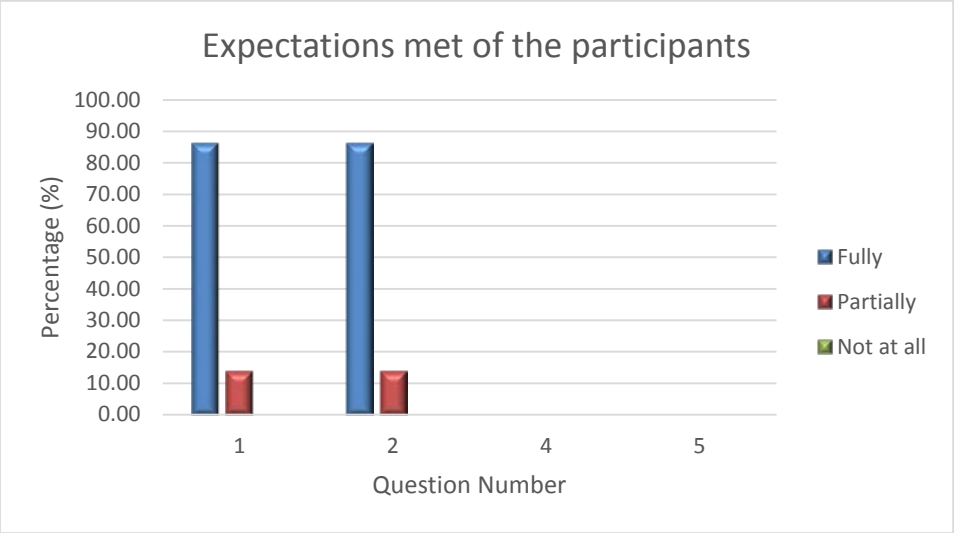
Statistical information

1.1	Workshop Session	Capacity building on compliance with the legislation on Trans Frontier Shipment of Waste, 25-26 May 2016. Izmir, Turkey
1.2	Facilitators name	As per agenda
1.3	Name and Surname of Participants (evaluators) optional	As per participants' list

Your Expectations

Please indicate to what extent specific expectations were met, or not met:

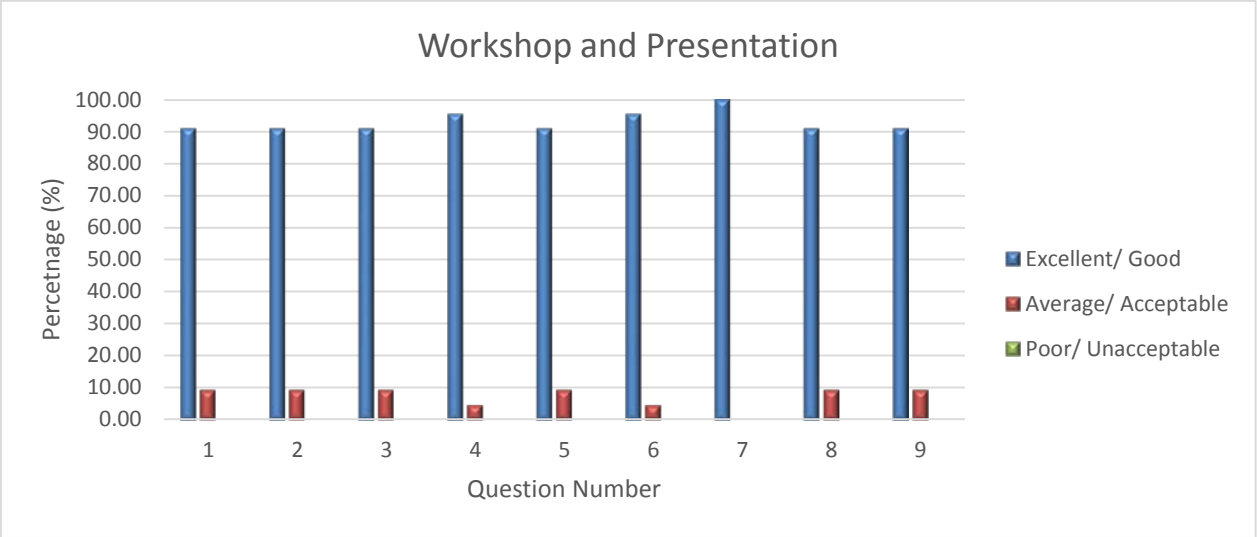
My Expectations	My expectations were met		
	Fully	Partially	Not at all
1. Filling gaps in knowledge (several TFS, Inspection management, Waste Legislation issues), general and specific.	IIIII IIIII IIIII IIII (86%)	III (14%)	
2. Practical experience of the new Member States and Candidate Countries.	IIIII IIIII IIIII IIII (86%)	III (14%)	


Expectations met of the participants
100.00
90.00
80.00
70.00
60.00
50.00
40.00
30.00
20.00
10.00
0.00
Percentage (%)
1
2
4
5
Question Number
Fully
Partially
Not at all

Workshop and Presentation

Please rate the following statements in respect of this training module:

Aspect of Workshop	Excellent	Good	Average	Acceptable	Poor	Unacceptable
1 The workshop achieved the objectives set	IIIII IIIII IIIII I (73%)	IIII (18%)	I (5%)	I (4%)		
2 The quality of the workshop was of a high standard	IIIII IIIII IIII (64%)	IIIII I (27%)	II (9%)			
3 The content of the workshop was well suited to my level of understanding and experience	IIIII IIIII IIIII I (73%)	IIII (18%)	II (9%)			
4 The practical work was relevant and informative	IIIII IIIII IIIII (68%)	IIIII I (27%)	I (5%)			
5 The workshop was interactive	IIIII IIIII IIII (64%)	IIIII I (27%)	II (9%)			
6 Facilitators were well prepared and knowledgeable on the subject matter	IIIII IIIII IIIII (68%)	IIIII I (27%)	I (5%)			
7 The duration of this workshop was neither too long nor too short	IIIII IIIII IIII (64%)	IIIII III (36%)				
8 The logistical arrangements (venue, refreshments, equipment) were satisfactory	IIIII IIIII IIII (64%)	IIIII I (27%)	I (5%)	I (4%)		
9 Attending this workshop was time well spent	IIIII IIIII IIII (64%)	IIIII I (27%)	II (9%)			



Comments and suggestions

I have the following comment and/or suggestions in addition to questions already answered:

Workshop Sessions:

- Excellent
- OK

Facilitators:

- Quite impressive.
- All team Good

Workshop level and content:

- Excellent; OK; Good

ANNEX I – Agenda

Day 1 : Wednesday, 23 March 2016

Topic: Application of IRAM/Easy Tools

Chair and Co-Chairs: Ike van der Putte/Horst Buether

Venue: Sarajevo, Bosnia and Herzegovina

Start	Finish	Topic	Speaker	Sub topic/Content
08:30	**09:00**	***Registration***		
08:45	09:00	Opening	Representative from the Ministry of Environment and Tourism.Mr. Ike van der Putte, ECRAN ECENA Coordinator Mr Horst Buether IMPEL, TAIEX expert 1	Welcome remarks Explanation of background, objectives and expected results of the workshop
09:00	09:15	Introduction round	Mr. Ike van der Putte, ECRAN ECENA Coordinator	Introduction of the participants and experts
09:15	09:45	Why risk assessment in inspection planning?	Mr. Vladimir Kaiser, Inspectorate of the Republic of Slovenia for Agriculture and the Environment, TAIEX Expert 2	Method : PPP and Q&A Materials provided: Doing the right things guidance book
09:45	10:15	Risk assessment methods used in Europe	Mr. Florin Homorean, National Environmental Guard, Romania, TAIEX Expert 3	Method : PPP and Q&A Materials provided: Results of questionnaire
10:15	10:45	Development of IRAM	Mr Horst Buether IMPEL, TAIEX expert 1	Method : PPP and Q&A Materials provided: easyTools guidance book
10:45	11:00	***Coffee Break***		

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11:00	12:00	The IRAM web app	Mr Horst Buether	Method : PPP and Q&A Materials provided: easyTools guidance book
12:00	12:30	Preparation of the exercise	Mr Horst Buether Mr. Vladimir Kaiser, Mr. Florin Homorean	Method: Work with computer and internet ▪ Registration in the web app ▪ Log on ▪ Change of password ▪ Assignment to a coordinator
12:30	13:30	***Lunch Break***		
13:30	14:30	Exercise: risk assessment with the web app	Mr.Vladimir Kaiser Mr. Florin Homorean Mr. Horst Buether	Method: Work with computer and internet ▪ Assessment of example installations ▪ Assessment of real installations from the inspectors
14:30	15:00	Discussion of Results	Mr.Vladimir Kaiser Mr. Florin Homorean Mr. Horst Buether	How to use the flexibility of IRAM if there are problems to get the needed data for assessment or if nearly all assessment end up in mainly one risk category
15:00	15:15	***Coffee Break***		
15:15	16:15	Case study from Serbia	Representative from the Ministry of Environment and Tourism (TBC)	How Inspection planning and execution is applied in Bosnia and Herzegovina. Method: PPP and Q&A
16:15	16:45	Open discussion	Mr. Ike van der Putte and Mr. Horst Buether	On lesson learned from this and previous trainings, This session is proposed to offer the opportunity for detailed questions and discussions.
16:45	17:00	Closure		

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Day 2 : Thursday, 24 March 2016

Topic: Application of IRAM/Easy Tools

Chair and Co-Chairs: Ike van der Putte/Horst Buether

Venue: Sarajevo, Bosnia and Herzegovina

Start	Finish	Topic	Speaker	Sub topic/Content
08:30	**09:00**	***Registration***		
09:00	09:30	Word of welcome and briefing	Host country representative	
09:30	10:00	Summary and questions from first day	Mr. Ike van der Putte, Mr Horst Buether	Introduction of the participants and experts
10:00	10:30	How to be an IRAM coordinator	Mr Horst Buether	Practical suggestions
10:30	10:45	***Coffee Break***		
10:45	12:30	Drawing up risk assessment forms for Serbia with the IRAM web app	Mr Horst Buether Mr. Vladimir Kaiser, Mr. Florin Homorean	Drawing up risk assessment forms ▪ For IED inspections ▪ For Seveso inspections ▪ For other inspection tasks
12:30	13:30	***Lunch Break***		
13:30	15:00	Exercise: coordinator tasks and drawing up risk assessment forms exercise	Mr.Vladimir Kaiser Mr. Florin Homorean Mr. Horst Buether	Method: Work with computer and internet ▪ Drawing up example forms ▪ Drawing up forms for real inspection tasks
15:00	15:15	***Coffee Break***		
15:15	16:00	How to use the web app inspection programme	Mr Horst Buether	Method: PPP and Q&A Materials provided: easyTools guidance book extension
16:00	16:30	Feedback	Led by Mr. Horst Buether	Open discussion
16:30	17:00	Evaluation and Closure		

ANNEX II – Participants

Name	Surname	Institution	Country	Email
Daniel	Sheti	Ministry of Environment	Albania	d_sheti@yahoo.com
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ANNEX III – Presentations (under separate cover)

http://www.ecranetwork.org/Files/Workshop_Presentations_TFS_May_2016_Izmir.zip