

## Cross cutting aspects IED- Waste



Huib van Westen

Senior- Inspector

Human Environment and Transport Inspectorate

The Netherlands



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

## Contents

- Waste inside the IED
- European legislative framework
- Overview European Waste Directive
- European Waste List
- Overview of the Basel Convention
- Overview of the Waste Shipment Regulation



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

## Waste in the IED

### •Definitions in Article 3:

3.31: '**biomass**' means any of the following:

- (a) products consisting of any vegetable matter from agriculture or forestry which can be used as a fuel for the purpose of recovering its energy content;
- (b) the following **waste**:
  - (i) vegetable waste from agriculture and forestry;
  - (ii) vegetable waste from the food processing industry, if the heat generated is recovered;
  - (iii) fibrous vegetable waste from virgin pulp production and from production of paper from pulp, if it is co-incinerated at the place of production and the heat generated is recovered;
  - (iv) cork waste;
  - (v) wood waste with the exception of wood waste which may contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coating and which includes, in particular, such wood waste originating from construction and demolition waste;



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

### •Article 3.37:

'**waste**' means waste as defined in point 1 of Article 3 of Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste



### •Article 3.38

'**hazardous waste**' means hazardous waste as defined in point 2 of Article 3 of Directive 2008/98/EC



This Project is funded by the European Union

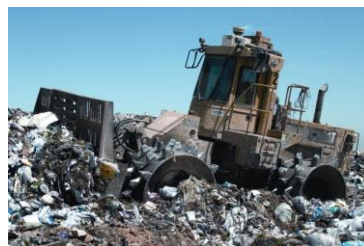


Project implemented by Human Dynamics Consortium



### Article 3.39:

**‘mixed municipal waste’** means waste from households as well as commercial, industrial and institutional waste which, because of its nature and composition, is similar to waste from households, but excluding fractions indicated under heading 20 01 of the Annex to Decision 2000/532/EC



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

## INCINERATION PLANTS

### Article 3.40:

**“waste incineration plant”** means any stationary or mobile technical unit and equipment dedicated to the thermal treatment of waste, with or without recovery of the combustion heat generated, through the incineration by oxidation of waste as well as other thermal treatment processes, such as pyrolysis, gasification or plasma process, if the substances resulting from the treatment are subsequently incinerated;

### 3.41

**‘waste co-incineration plant’** means any stationary or mobile technical unit whose main purpose is the generation of energy or production of material products and which uses waste as a regular or additional fuel or in which waste is thermally treated for the purpose of disposal through the incineration by oxidation of waste as well as other thermal treatment processes, such as pyrolysis, gasification or plasma process, if the substances resulting from the treatment are subsequently incinerated;



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

## General principles governing the basic obligations of the operator

### Article 11

Member States shall take the necessary measures to provide that installations are operated in accordance with the following principles:

- (a) all the appropriate preventive measures are taken against pollution;
- (b) the best available techniques are applied;
- (c) no significant pollution is caused;

**(d) the generation of waste is prevented in accordance with Directive 2008/98/EC;**

**(e) where waste is generated, it is, in order of priority and in accordance with Directive 2008/98/EC, prepared for re-use, recycled, recovered or, where that is technically and economically impossible, it is disposed of while avoiding or reducing any impact on the environment;**



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

## Applications for permits

### Article 12

Member States shall take the necessary measures to ensure that an application for a permit includes a description of the following:

- (a) the installation and its activities;
- (b) the raw and auxiliary materials, other substances and the energy used in or generated by the installation;
- (c) the sources of emissions from the installation;
- (d) the conditions of the site of the installation;
- (e) where applicable, a baseline report in accordance with Article 22(2);
- (f) the nature and quantities of foreseeable emissions from the installation into each medium as well as identification of significant effects of the emissions on the environment;
- (g) the proposed technology and other techniques for preventing or, where this is not possible, reducing emissions from the installation;
- (h) measures for the prevention, preparation for re-use, recycling and recovery of waste generated by the installation;**



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

## BAT reference documents and exchange of information

### Article 13

1.

In order to draw up, review and, where necessary, update BAT reference documents, the Commission shall organise an exchange of information between Member States, the industries concerned, non-governmental organisations promoting environmental protection and the Commission.

2.

The exchange of information shall, in particular, address the following:

(a) the performance of installations and techniques in terms of emissions, expressed as short- and long-term averages, where appropriate, and the associated reference conditions, consumption and nature of raw materials, water consumption, use of energy and **generation of waste**;



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

## Permit conditions

### Article 14

Member States shall ensure that the permit includes all measures necessary for compliance with the requirements of Articles 11 and 18.

Those measures shall include at least the following:

(a) emission limit values for polluting substances listed in Annex II, and for other polluting substances, which are likely to be emitted from the installation concerned in significant quantities, having regard to their nature and their potential to transfer pollution from one medium to another;

(b) appropriate requirements ensuring protection of the soil and groundwater  
**and measures concerning the monitoring and management of waste generated by the installation;**

.....

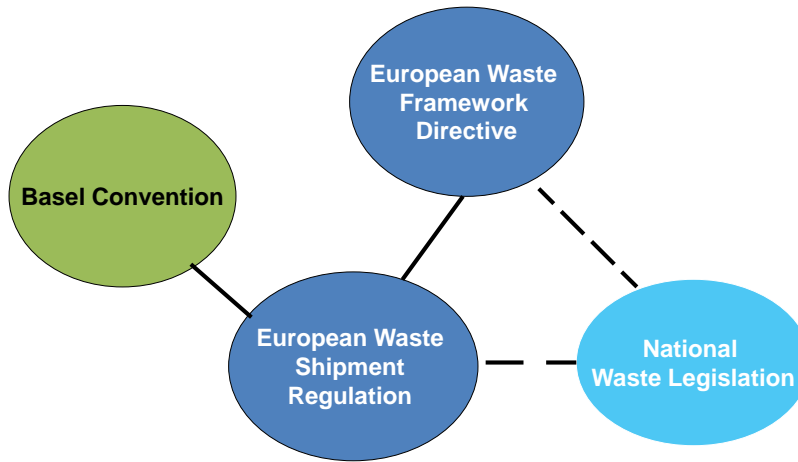


This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

## European Waste Legislative Framework



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

## European Directives and Regulations

### Directives

•A **directive** is a legal act of the European Union which requires member states to achieve a particular result without dictating the means of achieving that result. It can be distinguished from regulations which are self-executing and do not require any implementing measures. Directives normally leave member states with a certain amount of leeway as to the exact rules to be adopted. Directives can be adopted by means of a variety of legislative procedures depending on their subject matter



This Project is funded by the European Union

### Regulations

A **regulation** is a legal act of the European Union that becomes immediately enforceable as law in all member states simultaneously. Regulations can be distinguished from directives which, at least in principle, need to be transposed into national law.

Regulations can be adopted by means of a variety of legislative procedures depending on their subject matter



Project implemented by Human Dynamics Consortium

## Waste Framework Directive

- History
- Exclusions
- Definitions
- Waste hierarchy
- By-products vs end-of-waste
- List of waste



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

## History

- |                              |                              |
|------------------------------|------------------------------|
| •Directive 75/442            | Waste Framework Directive    |
| •Directive 91/689            | Directive on Hazardous Waste |
| •Regulation 259/93           | Waste Shipment Regulation    |
| •Commision Decision 2000/532 | European Waste List          |
| •Directive 2006/12           | Waste Frame Work Directive   |
| •Regulation 1013/2006        | Waste Shipment Regulation    |
| •Directive 2008/98           | Waste Framework Directive    |
| •Regulation 1357/2014        | 'New Annex III 2008/98'      |
| •Commision Decision 2014/955 | Changes 2000/532             |



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

## Exclusions

- ❖ gaseous effluents emitted into the atmosphere;
- ❖ land
- ❖ uncontaminated soil
- ❖ radioactive waste;
- ❖ decommissioned explosives
- ❖ faecal matter
- ❖ waste water,
- ❖ animal by-products, except destined for incineration, landfilling, use in biogas plant or in composting plant
- ❖ carcasses of animals that have died other than by being slaughtered,



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

## Definitions

**'waste'** means any substance or object which the holder discards or intends or is required to discard;

**'hazardous waste'** means waste which displays one or more of the hazardous properties listed in Annex III;

Also definitions for:

- Waste oils and bio-waste
- Holder, producer, dealer, broker, etc.
- Prevention, re-use, recovery, recycling, regeneration and disposal,



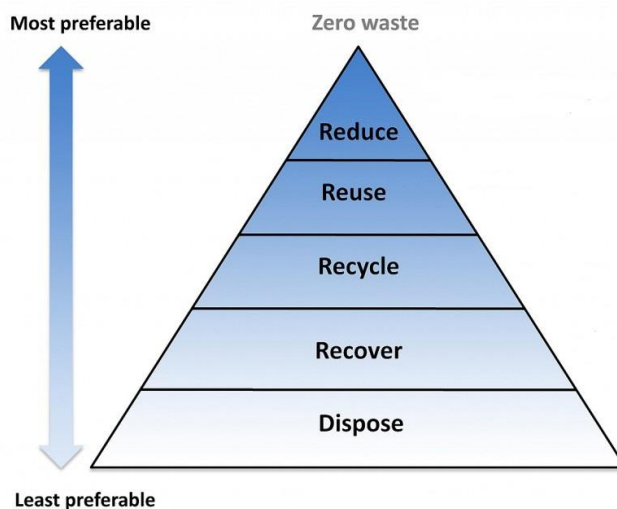
This Project is funded by the European Union



Project implemented by Human Dynamics Consortium



## Waste hierarchy/ pyramid



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

## By- products

A substance or object, resulting from a production process, the primary aim of which is not the production of that item, may be regarded as not being waste but as being a by-product only if the following conditions are met:

- (a) further use of the substance or object is certain;
- (b) the substance or object can be used directly without any further processing other than normal industrial practice;
- (c) the substance or object is produced as an integral part of a production process; and
- (d) further use is lawful, i.e. the substance or object fulfils all relevant product, environmental and health protection requirements for the specific use and will not lead to overall adverse environmental or human health impacts.



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

## End of waste

Certain specified waste shall cease to be waste when it has undergone a recovery, including recycling, operation and complies with specific criteria to be developed in accordance with the following conditions:

- (a) the substance or object is commonly used for specific purposes;
- (b) a market or demand exists for such a substance or object;
- (c) the substance or object fulfils the technical requirements for the specific purposes and meets the existing legislation and standards applicable to products; and
- (d) the use of the substance or object will not lead to overall adverse environmental or human health impacts.

The criteria shall include limit values for pollutants where necessary and shall take into account any possible adverse environmental effects of the substance or object.



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

## Example

In a refinery there is made fuel out of crude oil.

One of the other materials which is 'produced' is bituminous material.

This material can be directly used to make asphalt, no further pre-treatment is necessary.

Is this material waste, a by product or has it reached the end of waste criteria?



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

## Other topics in the Waste Framework Directive

- Producer responsibility
- Waste management
- Control hazardous waste
- ban on the mixing of hazardous waste
- Waste oil and bio waste
- Permits and registration



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

## Waste Framework Directive

### Cooperation

Member States shall cooperate as appropriate with the other Member States concerned and the Commission to draw up the waste management plans and the waste prevention programmes

### Inspections

Establishments or undertakings which carry out waste treatment operations, establishments or undertakings which collect or transport waste on a professional basis, brokers and dealers, and establishments or undertakings which produce hazardous waste shall be subject to appropriate periodic inspections by the competent authorities.

Inspections concerning collection and transport operations shall cover the origin, nature, quantity and destination of the waste collected and transported.



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

## Waste Framework Directive

### Enforcement and penalties

1. Member States shall take the necessary measures to prohibit the abandonment, dumping or uncontrolled management of waste.

2. Member States shall lay down provisions on the penalties applicable to infringements of the provisions of this Directive and shall take all measures necessary to ensure that they are implemented.

The penalties shall be effective, proportionate and dissuasive.



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

## Annex I

### DISPOSAL OPERATIONS

- D 1 Deposit into or on to land (e.g. landfill, etc.)
- D 2 Land treatment (e.g. biodegradation of liquid or sludgy discards in soils, etc.)
- D 3 Deep injection (e.g. injection of pumpable discards into wells, salt domes or naturally occurring repositories, etc.)
- D 4 Surface impoundment (e.g. placement of liquid or sludgy discards into pits, ponds or lagoons, etc.)
- D 5 Specially engineered landfill (e.g. placement into lined discrete cells which are capped and isolated from one another and the environment, etc.)
- D 6 Release into a water body except seas/oceans
- D 7 Release to seas/oceans including sea-bed insertion
- D 8 Biological treatment not specified elsewhere in this Annex which results in final compounds or mixtures which are discarded by means of any of the operations numbered D 1 to D 12
- D 9 Physico-chemical treatment not specified elsewhere in this Annex which results in final compounds or mixtures which are discarded by means of any of the operations numbered D 1 to D 12 (e.g. evaporation, drying, calcination, etc.)
- D 10 Incineration on land
- D 11 Incineration at sea (\*)
- D 12 Permanent storage (e.g. emplacement of containers in a mine, etc.)
- D 13 Blending or mixing prior to submission to any of the operations numbered D 1 to D 12
- D 14 Repackaging prior to submission to any of the operations numbered D 1 to D 13
- D 15 Storage pending any of the operations numbered D 1 to D 14 (excluding temporary storage, pending collection,



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

## Annex II

### RECOVERY OPERATIONS

- R 1 Use principally as a fuel or other means to generate energy
- R 2 Solvent reclamation/regeneration
- R 3 Recycling/reclamation of organic substances which are not used as solvents (including composting and other biological transformation processes)
- R 4 Recycling/reclamation of metals and metal compounds
- R 5 Recycling/reclamation of other inorganic materials
- R 6 Regeneration of acids or bases
- R 7 Recovery of components used for pollution abatement
- R 8 Recovery of components from catalysts
- R 9 Oil re-refining or other reuses of oil
- R 10 Land treatment resulting in benefit to agriculture or ecological improvement
- R 11 Use of waste obtained from any of the operations numbered R 1 to R 10
- R 12 Exchange of waste for submission to any of the operations numbered R 1 to R 11
- R 13 Storage of waste pending any of the operations numbered R 1 to R 12 (excluding temporary storage, pending collection, on the site where the waste is produced)



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

## Annex III

### PROPERTIES OF WASTE WHICH RENDER IT HAZARDOUS (in the Annex of Decision 2014/955/EU)

The properties are for example:

‘Explosive’:

‘Oxidizing’:

‘Flammable’:

‘Irritant’:

‘Harmful’:

‘Toxic’:

‘Carcinogenic’:

‘Corrosive’:

‘Infectious’:

‘Mutagenic’:

Waste which releases toxic or very toxic gases in contact with water, air or an acid.

‘Sensitizing’:

‘Ecotoxic’:

Waste capable by any means, after disposal, of yielding another substance, e.g. a leachate, which possesses any of the characteristics listed above.



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

## European Waste List (2014/955/EU)

replaces 2000/532/EC

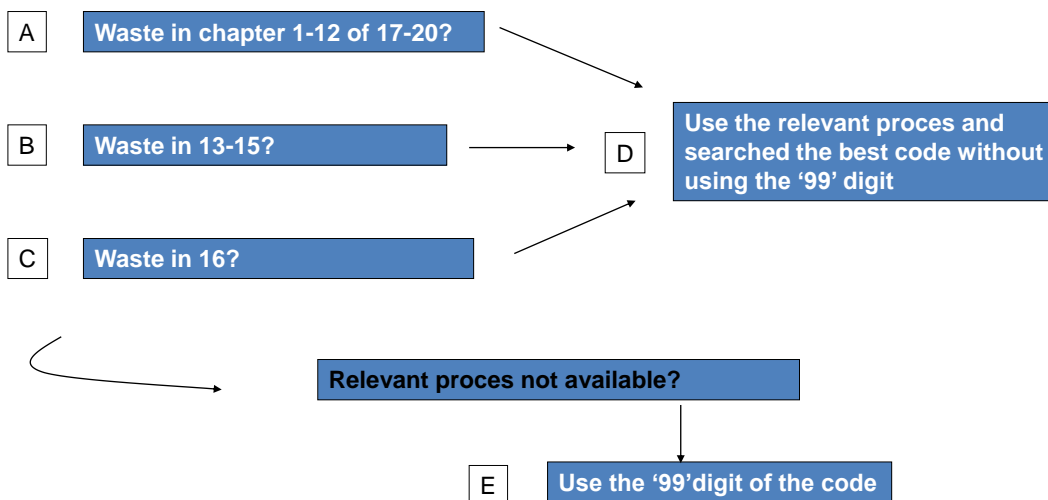
- Identify the source generating the waste in Chapters 01 to 12 or 17 to 20 and identify the appropriate six-digit code of the waste (excluding codes ending with 99 of these chapters). Note that a specific production unit may need to classify its activities in several chapters
- If no appropriate waste 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.



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

## European Waste List (2014/955/EU)

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.



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

## 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



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

## 10 WASTES FROM THERMAL PROCESSES

### 10 01 wastes from power stations and other combustion plants (except 19)

- 10 01 01 bottom ash, slag and boiler dust (excluding boiler dust mentioned in 10 01 04)
- 10 01 02 coal fly ash
- 10 01 03 fly ash from peat and untreated wood
- 10 01 04\* oil fly ash and boiler dust
- 10 01 05 calcium-based reaction wastes from flue-gas desulphurisation in solid form
- 10 01 07 calcium-based reaction wastes from flue-gas desulphurisation in sludge form
- 10 01 09\* sulphuric acid
- 10 01 13\* fly ash from emulsified hydrocarbons used as fuel
- 10 01 14\* bottom ash, slag and boiler dust from co-incineration containing dangerous substances
- 10 01 15 bottom ash, slag and boiler dust from co-incineration other than those mentioned in 10 01 14
- 10 01 16\* fly ash from co-incineration containing dangerous substances
- 10 01 17 fly ash from co-incineration other than those mentioned in 10 01 16
- 10 01 18\* wastes from gas cleaning containing dangerous substances
- 10 01 19 wastes from gas cleaning other than those mentioned in 10 01 05, 10 01 07 and 10 01 18



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

### 10 13 wastes from manufacture of cement, lime and plaster and articles and products made from them

- 10 13 01 waste preparation mixture before thermal processing
- 10 13 04 wastes from calcination and hydration of lime
- 10 13 06 particulates and dust (except 10 13 12 and 10 13 13)
- 10 13 07 sludges and filter cakes from gas treatment
- 10 13 09\* wastes from asbestos-cement manufacture containing asbestos
- 10 13 10 wastes from asbestos-cement manufacture other than those mentioned in 10 13 09
- 10 13 11 wastes from cement-based composite materials other than those mentioned in 10 13 09 and 10 13 10
- 10 13 12\* solid wastes from gas treatment containing dangerous substances
- 10 13 13 solid wastes from gas treatment other than those mentioned in 10 13 12
- 10 13 14 waste concrete and concrete sludge
- 10 13 99 wastes not otherwise specified



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium



## Movements of waste



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

## Basel Convention

**“Seeks to protect human health and the environment from harm which may be caused by generation and management of hazardous wastes”**

Adopted on 22 March 1989, entered into force on 5 May 1992. 181 Parties (as at June 2014)

1. The minimization of the generation of hazardous and other wastes
2. The requirement of environmentally sound management (ESM) of hazardous wastes and other wastes
3. The regulation of the transboundary movement of hazardous wastes and other wastes through the prior informed consent procedure (PIC).



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

## **Prior informed consent (Article 6)**

This means that imports, transits and exports of wastes that fall under the Basel Convention are only allowed when

***all involved Parties have given their consent before the movement is initiated.***



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

## **Waste classification according the Basel Convention**

Annex I: Categories of wastes to be controlled (Y-codes)

Annex II: Categories of wastes requiring special consideration (Y-codes)

Annex III: List of hazardous characteristics (H-codes)

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)



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

## Illegal Traffic According to the Basel Convention (Article 9)

1. For the purpose of this Convention, any transboundary movement of hazardous wastes or other wastes:

(a) without notification pursuant to the provisions of this Convention to all States concerned; or

(b) without the consent pursuant to the provisions of this Convention of a State concerned; or

(c) with consent obtained from States concerned through falsification, misrepresentation or fraud; or

(d) that does not conform in a material way with the documents; or that results in deliberate disposal (e.g. dumping) of hazardous wastes or other wastes in contravention of this Convention and of general principles of international law,

shall be deemed to be illegal traffic.



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

## European Waste Legislative Framework

### Waste Framework Directive 2008/98/EC

Provides for a general framework of waste management requirements and sets the basic waste management definitions for the EU.

### Decision 2014/955/EU establishing a list of wastes

Establishes the classification system for wastes, including a distinction between hazardous and non-hazardous wastes.

### Regulation (EC) No 1013/2006 on shipments of waste

This Regulation specifies under which conditions waste can be shipped between countries.



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

## **European Waste Shipment Regulation (EC) 1013/2006**

The Regulation is divided in the following titles:

- I. Scope and Definitions
- II. Shipments within the Community with or without transit through third countries
- III. Shipments exclusively within Member States
- IV. Export from the Community to third countries
- V. Imports into the Community from third countries
- VI. Transit through the Community from and to third countries
- VII. Other provisions

+ Annexes



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

## **Application and Scope of the WSR (article 2)**

The WSR sets procedures and control regimes for the shipment of waste, depending on the origin, destination and route of the shipment, the type of waste shipped and the type of treatment to be applied to the waste at its destination.

- Between MS (also if routed through third countries)
- From third countries into EU
- From EU towards third countries
- Between third countries via EU countries



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

## **Excluded from the WSR**

Excluded from the WSR are **shipments of waste covered by other provisions**, such as radio active waste, animal by-products not intended for human consumption, waste generated at the normal operation of a ship or shipments within individual Member States.

Also waste imports into the Community of waste generated by **armed forces or relief organisations in situations of crisis, peacemaking or peacekeeping operations** where such waste is shipped, by the armed forces or relief organisations concerned or on their behalf, directly or indirectly to the country of destination are excluded from the scope.



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

## **Key definitions (article 2)**

- Waste (refers to the WFD)
- Operations (refers to the WFD)
- Environmentally Sound Management
- Non-governmental actors, e.g. producer, holder, notifier
- Governmental actors, e.g. competent authorities, customs
- Illegal shipment

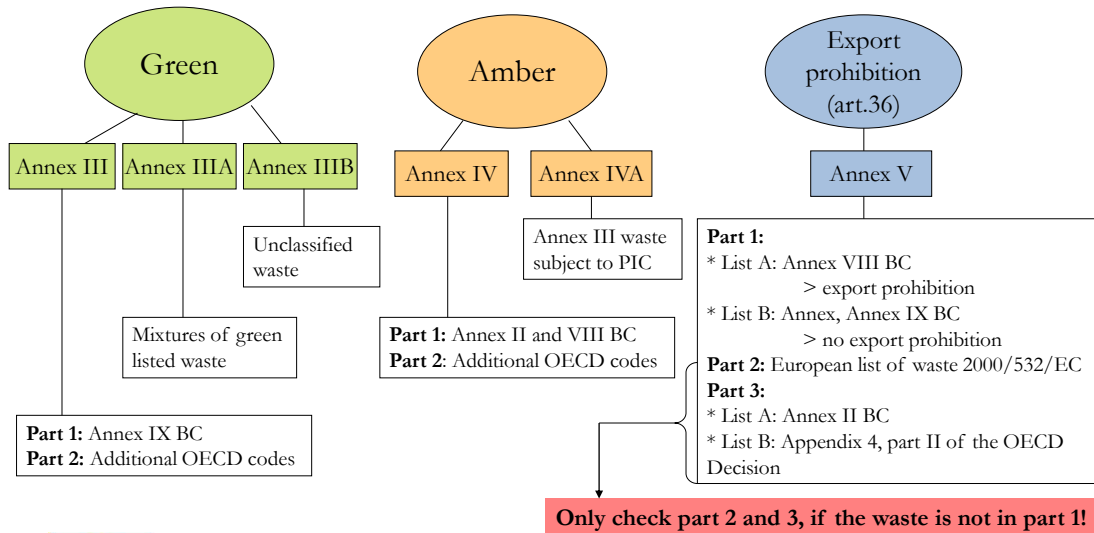


This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

## Waste annexes to the WSR

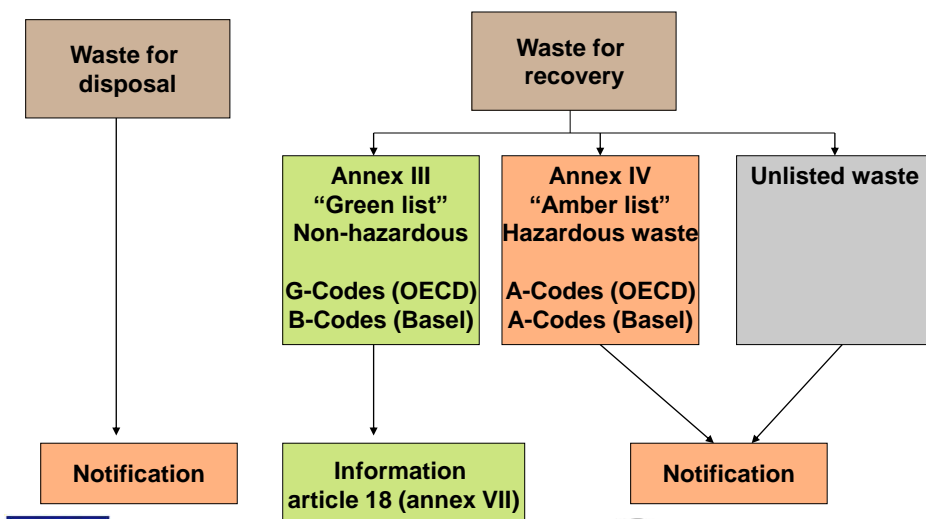


This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

## Provisions for notifications for waste shipments between Member States



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

## **Requirements for movements of green listed waste (art. 18)**

- Waste listed on annex III, IIIA or IIIB (>20 kg)
- Shipments of waste explicitly destined for laboratory analysis to assess either its physical or chemical characteristics or to determine its suitability for recovery or disposal operations (max. 25 kg)

### **Waste must be accompanied by Annex VII document**

1. Signed by the person who arranges the shipment before the shipment takes place and shall be signed by the recovery facility or the laboratory and the consignee when the waste in question is received!
2. Contract in place.



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

## **Notification process (1/2)**

### **1. Application or Notification:**

- Notification and movement documents + supporting information (such as contract, financial guarantee, insurance and recovery information) to CA of dispatch

### **2. Assessment**

- By CA of dispatch within 3 working days after receiving the notification package
- CA of dispatch transmits notification to CAs of destination and transit (3 working days for initial check). Right to ask for additional info (annex II, part 3). Block 19
- CAs of dispatch and destination have 30 days to: agree (with -block 21 - or without conditions – block 20) or object



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

## Notification process (2/2)

### 3. Moving the waste

- Only if all written consents and financial guarantee arrangements are in place
- 3 working days notice before the actual shipment to all CAs and the receiver of the waste by completing the movement document
- Relevant documentation must accompany the waste at every stage of its journey

### 4. Processing the waste

- At arrival complete block 18 ('certificate of receipt')
- Send within 3 working days to the notifier and all CAs
- Max 30 days after recovery/disposal of the waste complete block 19. Copies to all CAs and notifier

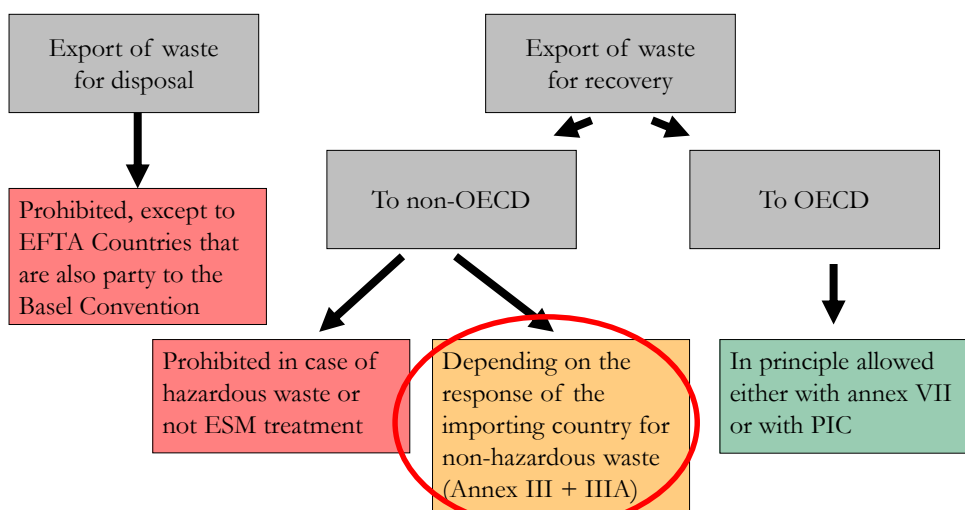


This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

## Export of waste to third countries



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium



## 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



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

## Illegal shipment of waste (art.2(35)) WSR

- Without notification
- Without consent
- With consent obtained through falsification or misinterpretation
- Not in accordance with the accompanying papers
- Resulting in recovery or disposal in contravention to international or Community rules
- Contrary to articles 34, 36, 39, 40, 41 and 43
- Not in accordance with the requirements of article 18



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

## Enforcement of the WSR (art. 50)

Member States shall:

- ☐ Lay down the rules on penalties
- ☐ Take measures to ensure that they are implemented. The penalties provided for must be effective, proportionate and dissuasive.
- ☐ Provide, *inter alia*, for inspections of establishments and undertakings of waste facilities, and for spot checks on shipments of waste or on the related recovery or disposal.
- ☐ Cooperate, bilaterally or multilaterally, with one another in order to facilitate the prevention and detection of illegal shipments
- ☐ Identify those members of their permanent staff responsible for the cooperation and inform the Commission



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

## Amendments to the WSR

Some key elements of the adopted proposal:

- Establishment of Inspection Plans
- Enhanced powers of authorities involved in inspections (reversed burden of proof)
- Cooperation of Member States
- Access to information



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

## Cross cutting aspects

Is there input material?

Is this raw material or waste?

Is there other material produced?

Is this a by-product or waste?

Is there waste gas treatment?

If there is any waste being used for input or produced  
where is it coming from or where is it going to?

Are the right procedures being followed?



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

Thank you very much for your attention.

Huib van Westen  
Senior Inspector  
Human Environment and Transport Inspectorate  
Waste, Industry and Businesses  
Intelligence and Investigation Division  
The Netherlands  
[Huib.van.westen@ilent.nl](mailto:Huib.van.westen@ilent.nl)



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium