



European Union Network for the Implementation
and Enforcement of Environmental Law

NATIONAL OFFICE



ÓIFIG NÁISIÚNTA



Comhairle Cathrach
Bhaile Átha Cliath
Dublin City Council

Basel Plastic Waste: European Experience

11 November 2021

Brian Heffernan



Introduction

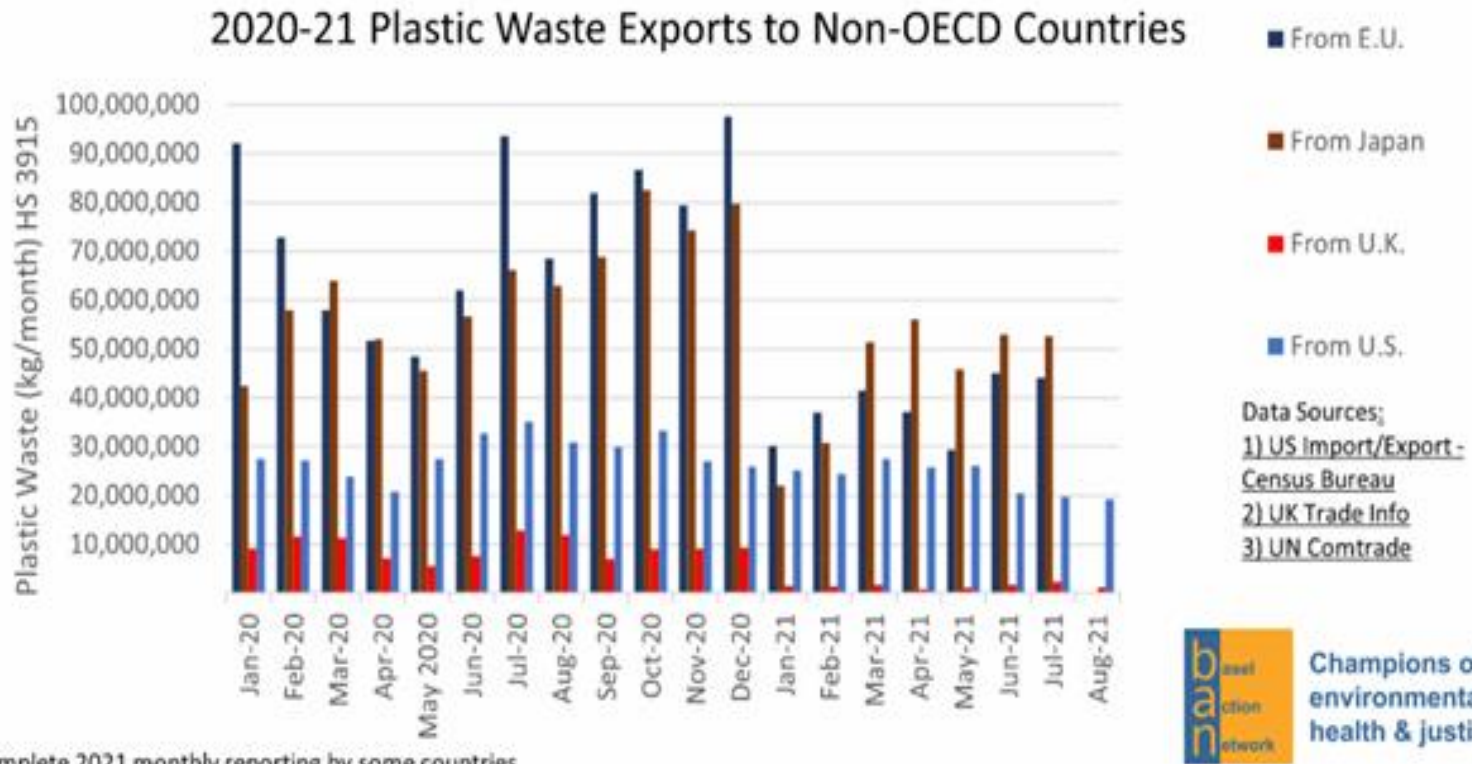
- 2021 Experience
- EU Delegated Regulation
- Correspondents Guidelines No 12
- United Kingdom Position
- IMPEL Plastic Project
- LIFE SWEAP Project
- Future Developments



2021 Experience

- Delay in full implementation of Basel amendments
- Slow progress of Correspondents Guidelines No 12
- A small increase in notifiable plastic shipments
- Large reduction in shipments to non-OECD countries
- Diversion to Turkey

Exports to non-OECD Countries



Note: Incomplete 2021 monthly reporting by some countries



EU Delegated Regulation

- In effect since January 2021
- Desire to maintain current controls for shipment of non-hazardous plastic within the EU (includes N. Ireland)
- B3011 does not apply and EU3011 applies instead
- EU3011 applies to a greater range of mixtures – Annex IIIA
- Y48 does not apply and EU48 applies instead. EU48 refers to plastic waste not covered by EU3011 or AC300. Notification procedure.
- AC300 applies instead of A3210. AC300 is the new OECD Decision code for hazardous plastic waste.

Correspondents' Guidelines No 12 (CG12)



- How to practically apply Basel COP while retaining certain EU preferences
- Work has been ongoing for over 1 year but hopefully will be released in November
- Complex work – seeking agreement of 27 MS
- Basel Convention additional terms
- Introducing thresholds for plastic waste – 2% vs 6%
- Practical enforcement challenges



United Kingdom Position

- As EU Waste Shipment Regulations no longer apply in the United Kingdom (with the exception of Northern Ireland) CG 12 guidelines do not apply to shipments from Great Britain (England, Scotland, Wales) but do apply from N. Ireland.
- the EU ban of exports of highly mixed plastic (known as Y48) waste to non-OECD countries does not apply in the United Kingdom (with the exception of Northern Ireland) however prior informed consent notification requirements do apply.
- The United Kingdom Government consulted non-OECD countries to agree the controls to be applied for B3011. Movements of B3011 to those countries who didn't respond to the consultation must follow the prior informed consent notification procedure.



IMPEL Plastic Project

- Guidance document regarding Basel Plastic amendments – publish as close as possible to CG 12
- Practical examples
- Photographs
- Frequently asked questions
- 2022: Development of a practical Inspection Resource Tool – documentation requirements for each country
- Asian Network assistance

IMPEL Plastic Project Guidance Document



Route	Classification
Intra EU	Notification – EU48
EU to OECD	Notification – Y48
EU to non-OECD	Prohibited – Y48
GB to EU/OECD	Notification – Y48
GB to non-OECD	Notification – Y48



Shipments of Waste Enforcement Actions Project (LIFE SWEAP)



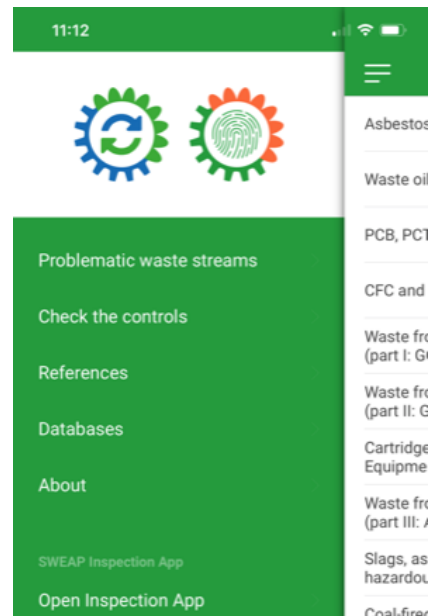
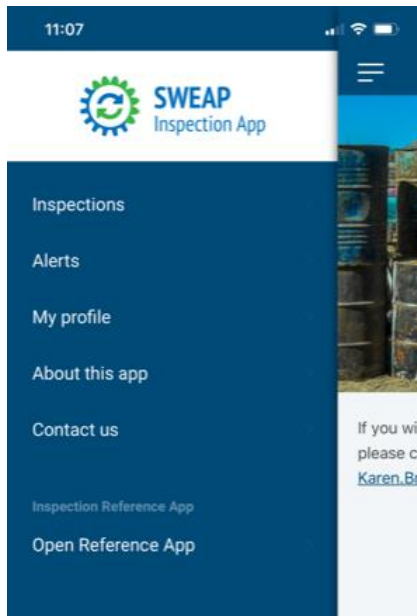
The IMPEL LIFE SWEAP project (LIFE17 GIE/BE/000480) has received funding from the LIFE Programme of the European Union

2020 activities

- ▶ Regional customs training in Albania prior to lockdown
- ▶ Seven intel reports disseminated
- ▶ Regional & international networking online
- ▶ Training provided to judges and prosecutors
- ▶ Inspection app
- ▶ Inspections
- ▶ Repatriations to country of dispatch
- ▶ Operation Retrovirus



‘Two in one’ app



- ▶ Officers have access to both recording and reference tools
- ▶ Reference app available to all
- ▶ Currently over 100 users
- ▶ Quicker and easier than current process
- ▶ <https://tfsinspections.app/>

Inspections

Missing:

Albania, Bulgaria, Hungary,
Greece, Kosovo, *Iceland*, FYR
Macedonia, *Turkey*

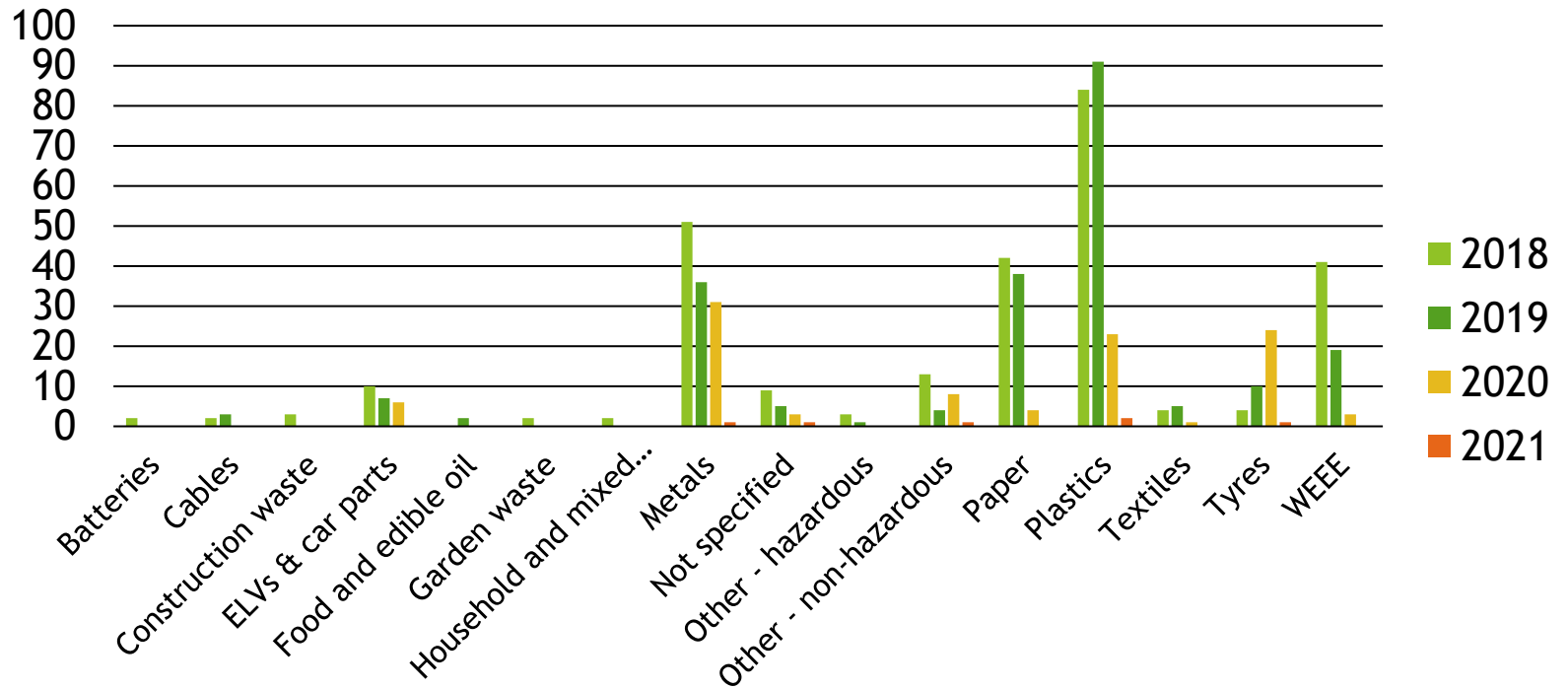
Project target:
45,000



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LIFE SWEAP

Violations in shipments from Europe to Asia





Future Developments

- Implementation of Correspondents' Guidelines No 12
- Impact of Regulation 1418/2007 amendment
- B3011 Prohibited: Vietnam (cured resins, fluorinated plastic)
- B3011 'Green-List': China Taipei, Cambodia, Laos, Indonesia, Malaysia, Myanmar, Philippines, Vietnam (non-halogenated polymers)
- B3011 PIC: all other countries
- Recast of Waste Shipment Regulation – impact of Circular Economy Package



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Thank you!

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