



Japan's Recent Developments and Challenges on implementation of the Basel Convention

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Today's presentation

1. Framework of Japanese legislation and Statistics of Import/Export of wastes
2. Prevention of Illegal Export
3. Take Back

1. Framework of Japanese Legislation and Statistics of import/Export of Wastes

Control Targets of the Basel Act and the Waste Disposal Act

Defined by hazardous characteristics and disposal operations

Basel Act

← Subject to control →

Basel waste
(specified hazardous waste, etc.)
*referring to Annex I, III, II, IV of the Convention

Non-Basel waste

Examples



Used Printed Circuit Board (metal recovery)



Coal Ash (utilization for cement production)



Plastic scrap (material recycling)

Waste Management Act

Non-waste

Waste

Non-waste

← Subject to control →

Defined by 5 criteria such as economic value, nature of an object and circumstance of discharge

Outline of the Basel Act

1. Definition of Basel wastes (hazardous waste listed in the notice) *Items in Annex VIII, IX of the Basel Convention, threshold values are originally set
2. Approval for import/export under the Foreign Exchange Act
 - Certification by MOE (ensuring ESM, Equivalent condition to Japanese standards)
3. Issuing movement document by METI (Ministry of Economy Trade and Industry)
4. Order for action
 - Provisions for re-importing in case of illegal trade
 - * Penalties for export without certification

Outline of the Waste Management Act (Provisions for Import/Export of waste)

1. Principle of self-disposing in Japan

2. Definition of Waste (same as domestic waste)

*no list, judged by criteria such as nature, economic value, circumstances of discharge, etc. comprehensively

3. Export certification by the MOE

- No available technology in Japan or
- Recyclable (without residue) in the destination country, and
- Ensuring ESM, Equivalent condition to Japanese standards
- Exported by generator or municipalities

4. Import permission from the MOE

- Proper disposal by licensed disposer/recycler
- Imported by disposer or its contractor

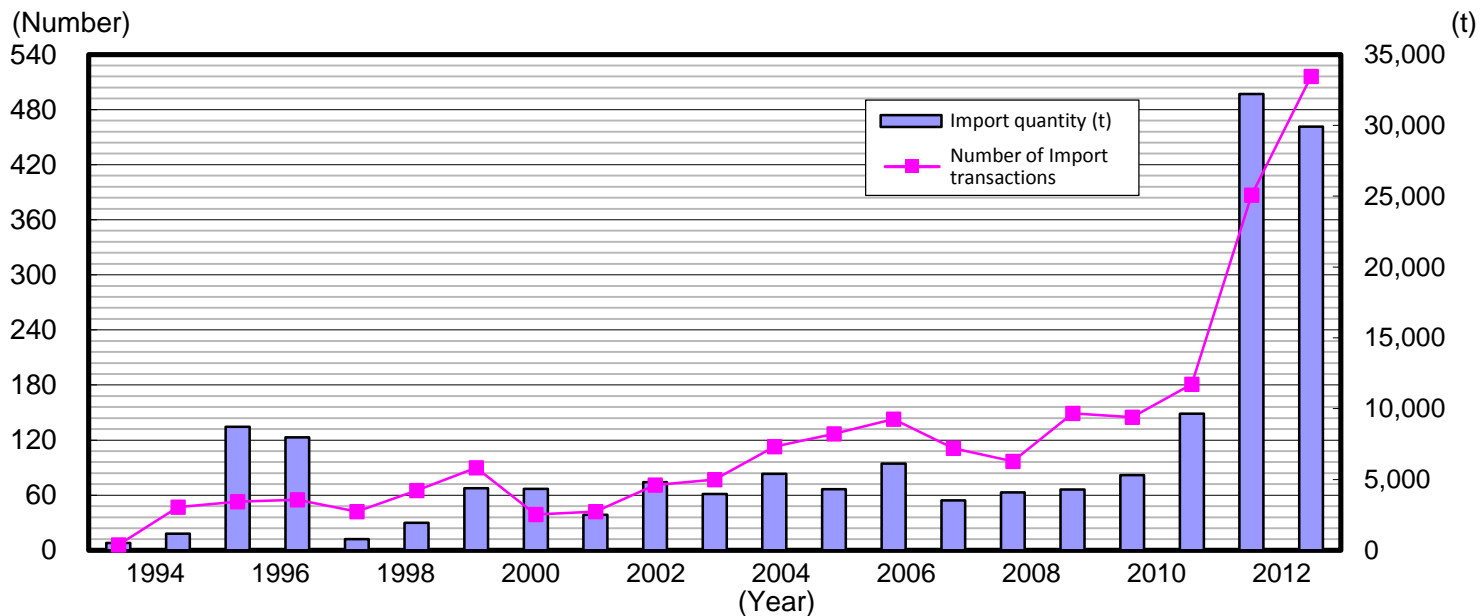
5. Penalties

- Export without Certification *Attempted offense also applied

Import of hazardous waste (2014) -under the Basel Act-

() : figure of previous year

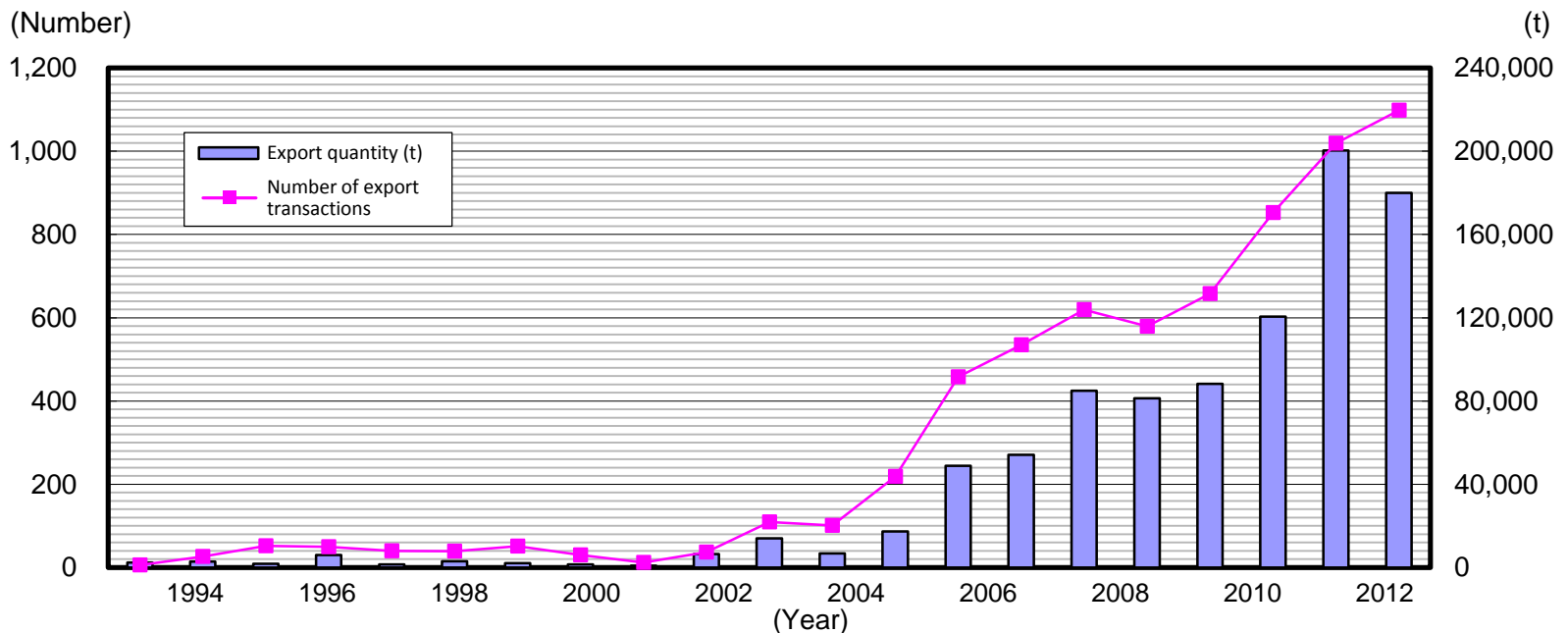
Notification to Japan	139 (113)	173,735 tons (86,709)
Import approvals	125 (103)	139,621 tons (96,273)
Issuance of import movement document (the number and quantity of import transactions)	516 (387)	29,904 tons (32,222)
Origin countries and regions	Hong Kong, Taiwan, Thailand, the Philippines, and others	
Items	Scrap electronic parts, sludge containing metal, scrap batteries (nickel-cadmium, nickel-hydrogen and lithium ion batteries), etc.	



Export of hazardous waste (2014) -under the Basel Act-

() : figure of previous year

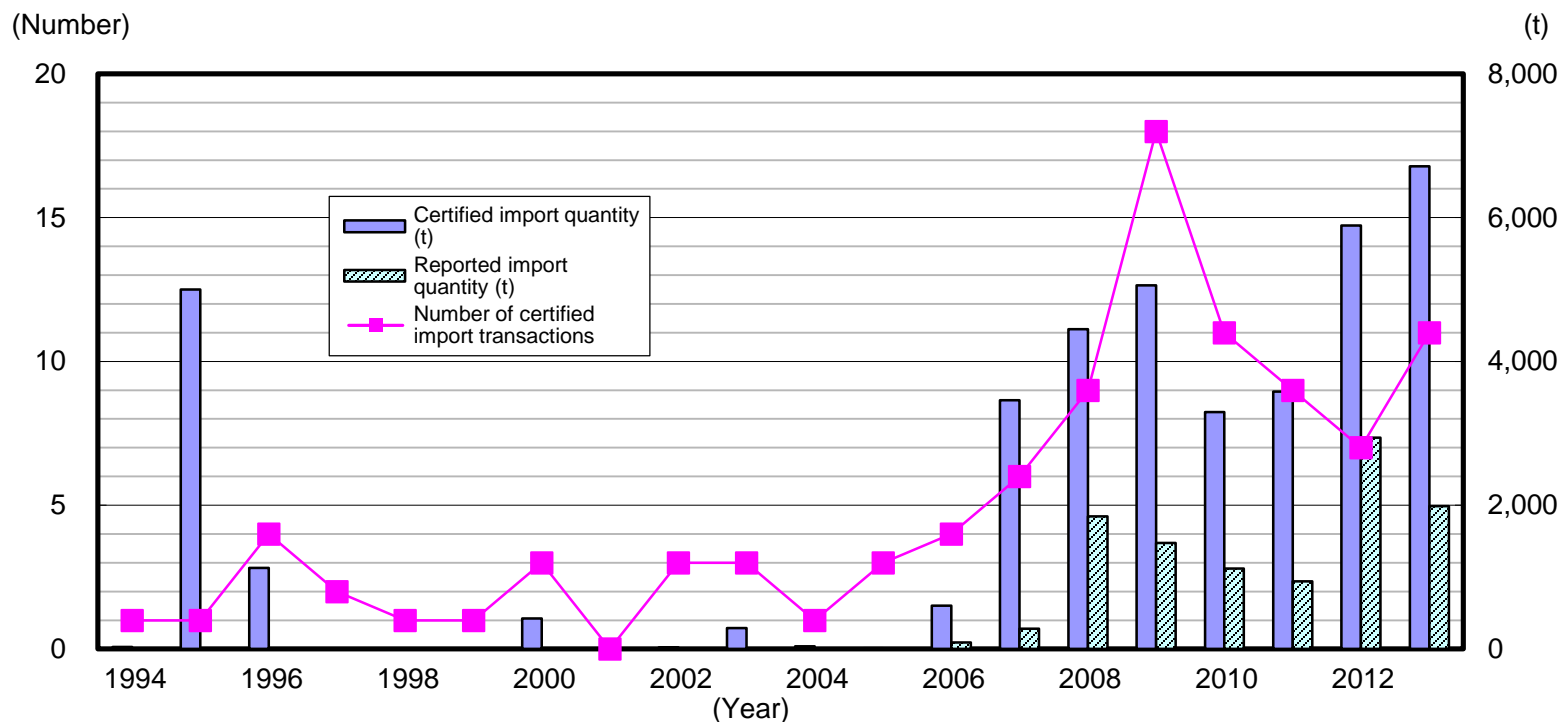
Notification to the destination country	115(77)	412,861 tons (330,806)
Export approvals	79 (72)	277,411 tons (405,167)
Issuance of export movement document (the number and quantity of export transactions)	1,098 (1,019)	180,035 tons (200,307)
Destination countries and regions	South Korea, Hong Kong, Singapore, US, and others	
Items	Scrap lead (lead acid batteries), coal ash, lead ash, etc.	



Import of Waste (2014) -under the Waste Management Act-

() : figure of previous year

Import permission	5 (11)	5,825 tons (6,714)
Reported import quantity	2,336 tons (1,988)	
Origin countries and regions	Korea, China, Taiwan, and others	
Items	Waste dry batteries, waste catalysts containing iodine, waste plastics, etc.	

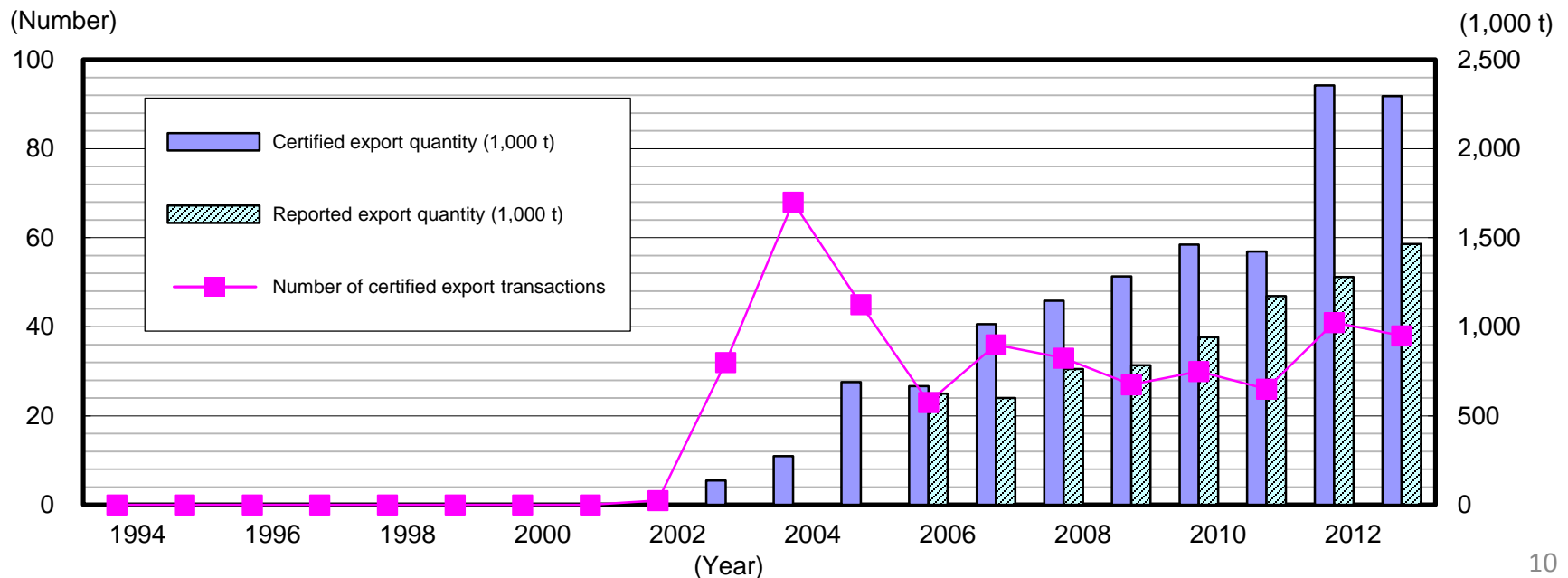


• The data on reported import and export quantities for 2006 and previous years are not available.

Export of Waste (2014) -under the Waste Management Act-

() : figure of previous year

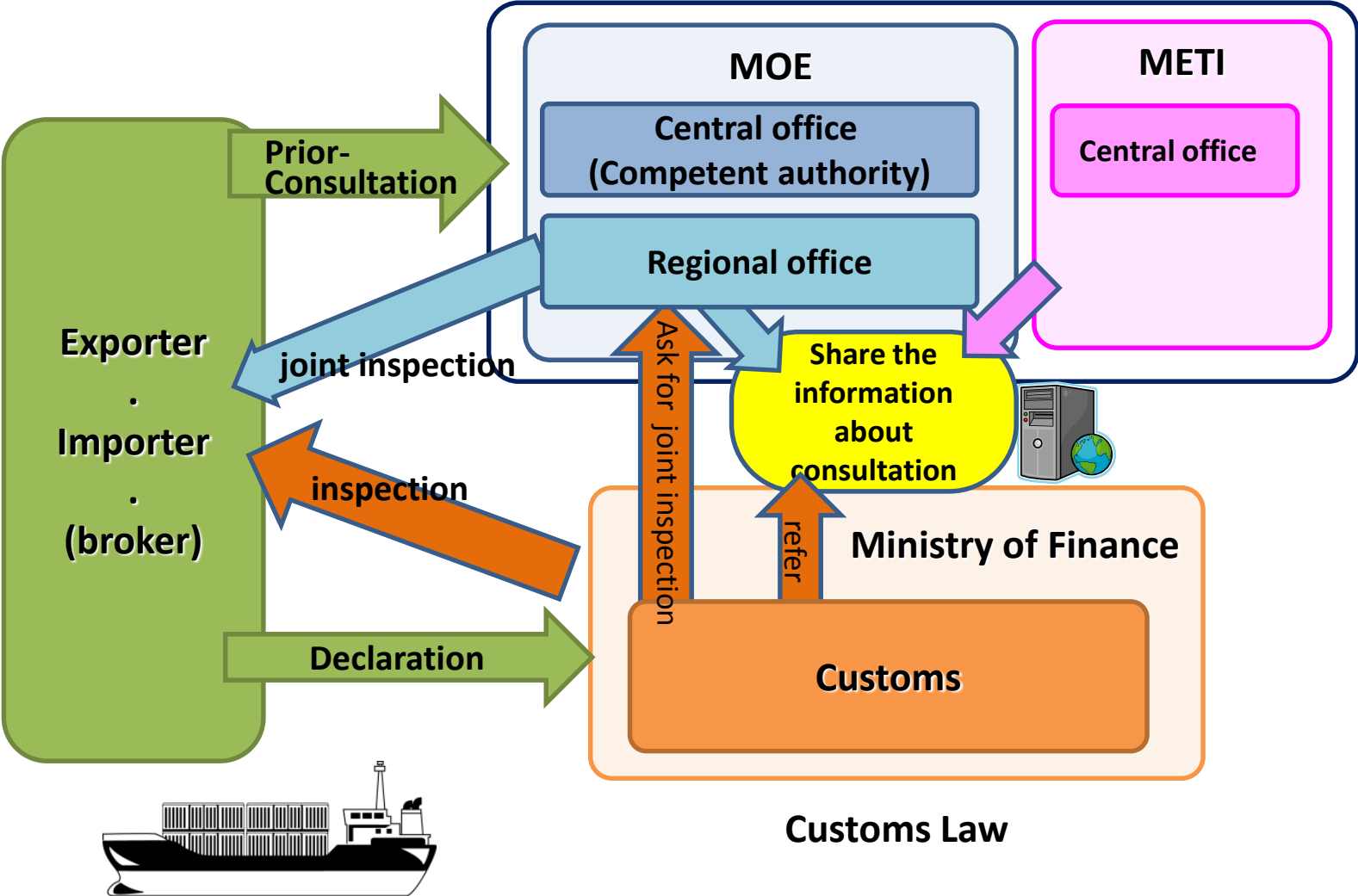
Export certification	39 (38)	2,314,159 tons (2,296,489)
Reported export quantity		1,570,545 tons (1,464,763)
Destination countries and regions	Korea and Hong Kong	
Items	Coal ash	



• The data on reported import and export quantities for 2006 and previous years are not available.

2. Prevention of Illegal Export

Cooperation among relevant Ministries



Flow of Coastal Operations to Prevent Illegal Exports

Export declaration



Cargo inspection by Customs



<In case the cargo is suspected>



Interview of exporters



<In case items are judged as wastes/Basel wastes>



- Administrative guidance
- Verbal /Written warning
- Criminal Complaint

Open cargo inspection



Coastal Operations

- 8 MOE Regional Offices support inspection of Custom Offices.
 - Customs need clear guidance to judge control subjects objectively
- Regional offices carry out joint patrols, on-site inspections with local government



Inspecting a container of plastic waste



Patrolling a scrap metal yard

Awareness Raising/ Cooperation with Customs

■ Awareness Raising

- Annual Seminar for exporters/importers
- Information dissemination by website
- Brochures
- Prior-export/import Consultation Service

■ Cooperation with Customs

- Personnel exchange
- Annual Meeting, exchange of opinions
- Intensive inspection month
- Share risk profile

<Hot issues>

Scrap Metal

Mixed Scrap Metal Containing e-craps

- Mixed scrap metal has been exported to China for about 20 years. Recently exported to South East Asia.
- Such scrap normally contains e-scrap (parts of UEEEs), which may be subject to control under the Basel Convention.
- However, border control for such scraps has not work practically because evaluation methods for hazardousness of such mixture of scraps have not been established.
- MOE with METI has started the discussion on this matter.



Example of Scrap metal containing waste material (such as waste home appliances)

Fires caused by Mixed Scraps on Ship

- Scrap metal frequently causes fires. In some cases, these fires have harmful effects on living environments, including bad odors and traffic related problems.



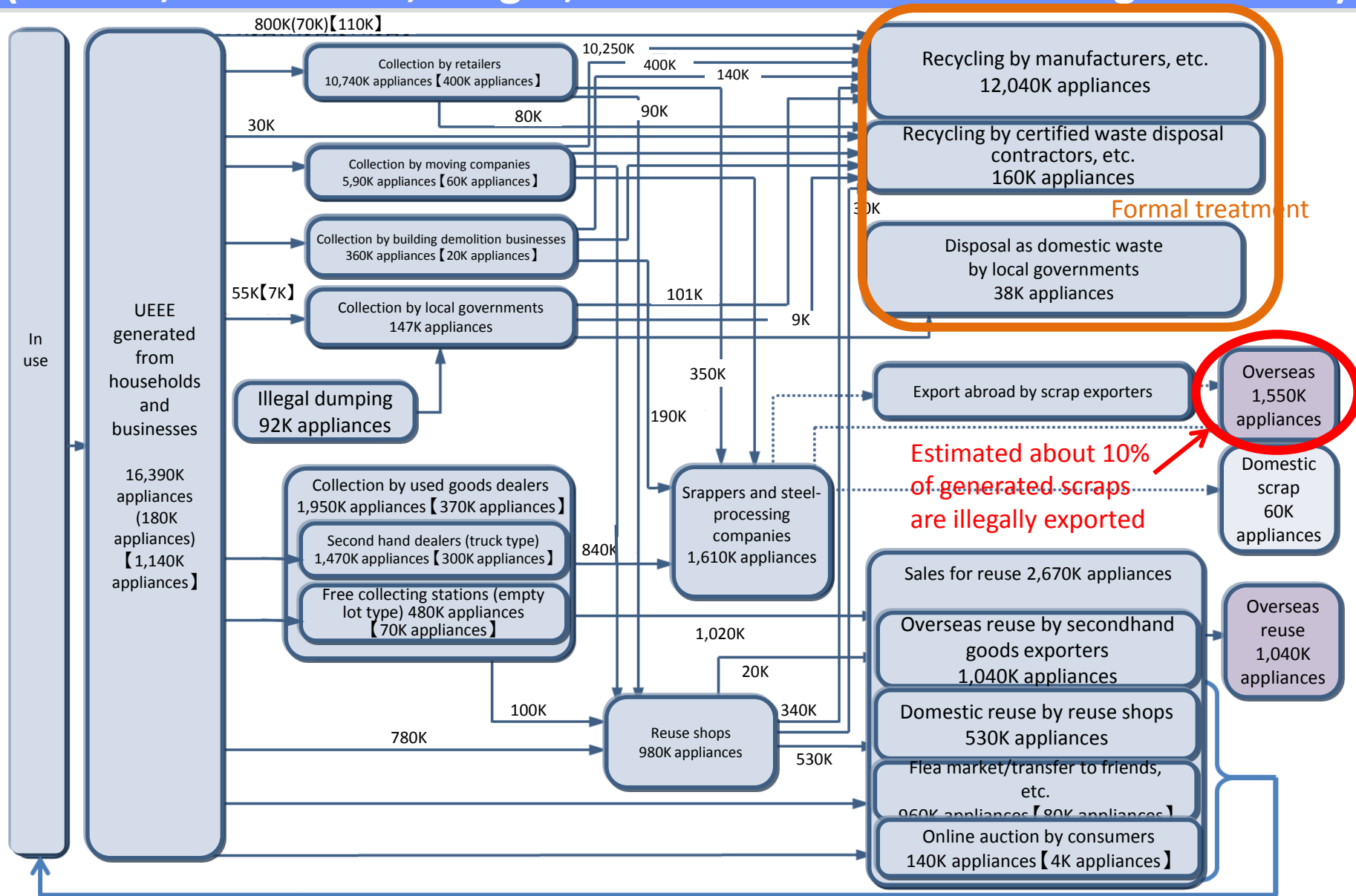
Scrap metal unloaded
after a fire



Scrap metal ship leaning due
to a fire

Estimated Flow of Used Home Appliances

(FY2013, total of TVs, fridges, air conditioner and washing machines)



—▶ : products
▶ : scrap

* Figures in () are provided by leasing/rental companies and included in the figures with no parentheses preceding them.
 Figures in [] refer to hoarded goods and are included in the figures with no parentheses preceding them.
 There are some discrepancies in the total numbers due to round-off.

Informal treatment discovered in Japan



- Crashing fridges in the scrap metal yards without license.
- Those fridges are supposed to be collected from households by informal collector.
- Basel Act does not regulate action prior to export. Only Waste Management Act could approach.
- However, Waste Management Act has difficulty to regulate something valuable.



How to Prevent Illegal Export of Scrap Metals?

- Judgment Criteria for mixed waste of hazardous and non-hazardous waste is needed.(mix of Annex VIII and IX)

List of hazardous characteristics

- Waste electrical and electronic assemblies or scrap containing components
- Mercury-switches
- Glass from cathode-ray tube
- PCB capacitor

List of Non-hazardous characteristics

- Metal waste (precious metal, iron , copper etc...)
- Mixed non-ferrous metal, heavy fraction scrap
 - Metal and metal-alloy waste in metallic, non-dispersible form
 - Precious metals (gold, silver, the platinum group, but not mercury.)
 - Electric and electronic assemblies or scrap (including printed board)

- Regulation before shipment

- Basel Act only can access to objects to be exported.
- Waste Management Act has difficulty to be applied to valuable objects such as scraps.
- Gaps between those two Acts need to be filled.

<Hot issues>

UEEEs

***details will be explained in Session3**

Distinguishing criteria of second hand goods(since 2014)

(1)Model years and Appearance

(2)Functionality

(3)Packaging and loading

(4)Valid contract

(5)Market existence

3. Take Back

Take-back in Recent Years

Notification of the take back has been increasing in recent years.

Year	Number of Notice	Import country ; Number of Notice	Noticed shipments (number)
2010	0	—	—
2011	0	—	—
2012	7	Hong Kong 2, Malaysia 2, Nigeria 2, Korea 1	UEEE (6) Mix metal scrap (1)
2013	5	Hong Kong 2, Malaysia 2, Indonesia1 Macau 1	UEEE (3) Parts for used automobile (1)
2014	9	Hong Kong8, Thailand1	UEEE (7), spent battery(2), Mix metal scrap(1)
2015 (until end of the Oct.)	14	Hong Kong14	UEEE(12)

Notification of take back received –UEEEs

Declared as second hand goods, but ship backed by importing country.



Notification of take back received –mixed scrap metal



Operation in receiving Notification of illegal trade

Receive notice based on Basel Convention Article 9 from the country of import

Central office of MOEJ (CA)

- Request for further information from the CA of import country
- Inform the notice to Customs and request them for information on the export

Regional office of MOEJ

- Interviews to the exporter

Examination of the wastes

Order of take back

Joint inspection with Customs

Same protocol as the costal operation

Ship-backed cargo (laptop PC)




Challenges in Processing take back

1. Order of take back

- In ordering exporter to conduct the take back, provisions for re-importing of Basel Act should be applied.
- The provision only can apply when their cargo is defined to be subject under the Basel Act.
- However, it is normally difficult to examine cargos in abroad. Also, different opinions can be made between notifying country.
- Rule is needed to solve such situation.

1. Requirement of guarantee to ensure finance

- Rule for guarantees requirement under the Article 6, 11 of the Basel Convention has not been clear in Japan.



Thank you (Arigato) !

For more information;

➤ Ministry of the Environment (in Chinese or English)

<http://www.env.go.jp/>

➤ Japan's Activities for the Basel Convention (in English)

http://www.env.go.jp/en/recycle/basel_conv/index.html