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IMPEL

Update on EU legislation and experiences with UEEE/WEEE shipments

Huib van Westen

Asian Network Workshop for Prevention of
Illegal Transboundary Movement of Hazardous Wastes 2023,
12-14 December 2023, Bangkok, Thailand



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1. What is IMPEL?

2. Update on (upcoming) legislative changes

2. Experiences with export of UEEE and WEEE



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IMPEL is a Network of practitioners in the field of permitting and enforcing environmental law



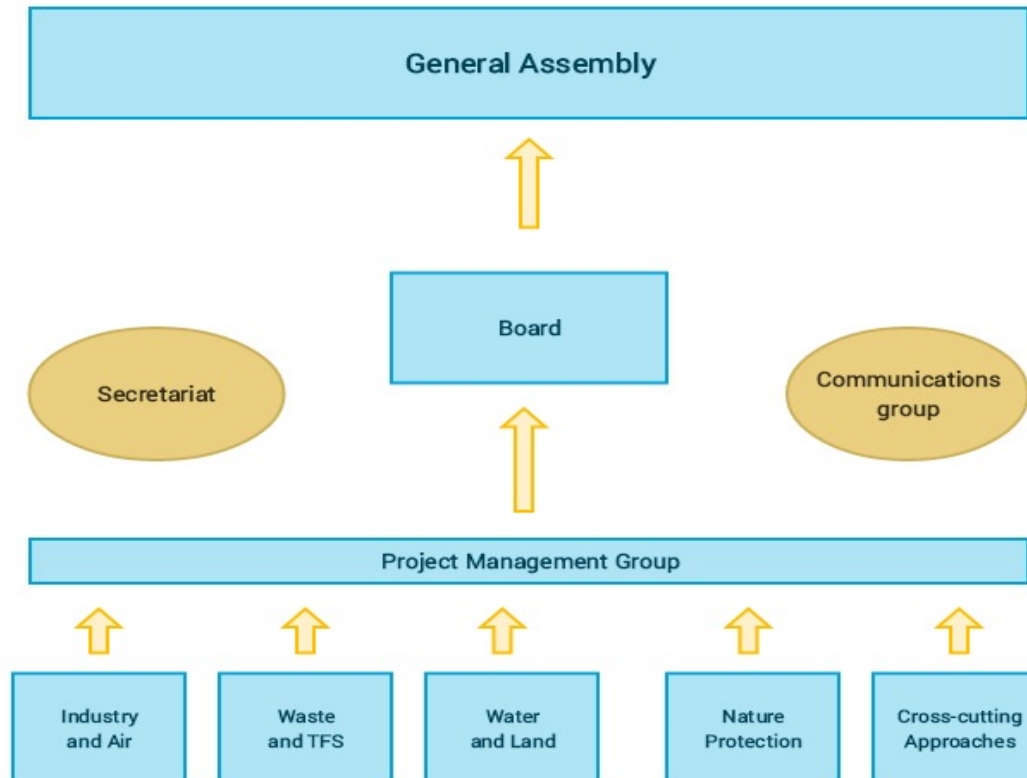


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Organisation of IMPEL





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What does IMPEL do?

- Support the development of good practices with **guidances** and **tools**;
- Promote the **exchange** of information and experience;
- Support and facilitate **capacity building** and **training** of regulators;
- Carry out **joint actions** including inspections;.
- Provide **feedback and advice** on new and existing EU environmental law.



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>35 Member countries
>50 Member organisations





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Our ambitions

IMPEL AMBITIONS



**Build strategic
relationships**



**Understand implementation
challenges**



**Support capacity
building**



**Establish a Knowledge and
Innovation Centre (KIC)**



**Coordinated
enforcement actions**



**Feedback loop on new and
existing EU environmental law**



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2. Update on (upcoming) legislative changes



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The EU Waste Shipment Regulation (WSR 1013/2006)

- Is the EU implementation of the Basel Convention
- and the OECD decision on tbn of waste for recycling
- Different procedures for waste shipments which are shipped for disposal or for recycling
- Different procedures for hazardous and non-hazardous waste
- Procedures for export to non- OECD countries, including EU Regulation 1418/2007



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Procedures

- Notification and consent for:
 - shipments of hazardous waste and
 - shipments of waste for disposal
- Simplified procedure (art 18 WSR)
 - non hazardous waste for recycling



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Procedures

- ❖ In addition, specific procedures for export to **non-OECD** countries:
- ❖ Export ban for **hazardous** waste and other waste classified under Y46, Y47, Y48 (and Y49?)
- ❖ Export of **non-hazardous** waste differs per country of destination
 - Prohibition
 - Notification and consent
 - Non or national control procedures



Proposal for a new EU WSR

- Regarding export from EU to non-OECD
- Exportban for hazardous waste
- Exportban for Y46, Y47, Y48, (Y49?)
- Exportban for waste prohibited by country of destination
- Exportban for mixtures of hazardous waste and mixtures of hazardous and non-hazardous waste
- Exportban for waste which is considered as hazardous waste by country of destination (art 3 BC).
- * repatriations are excluded



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- Export of non-hazardous waste to non-OECD countries
- For plastic waste (B3011) prohibition starting 2,5 years after the new WSR has entered into force
- After five years export of B3011 possible to EU authorised countries and facilities which are on an EU list
- Other non-hazardous waste (paper, metals, etc.):
- Three years after the new WSR entered into force export to authorised countries and facilities which are on an EU list.
- Untill the new WSR will enter into force the old one applies



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- Export to OECD countries
- Not many changes but depending on OECD agreements on E-waste as well.
(e.g. will GC020 remain?)
- Mixtures which are noty listed requires PIC



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3. Experiences with export of UEEE and WEEE





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European legislation

- DIRECTIVE 2012/19/EU on waste electrical and electronic equipment (WEEE)
- Implemented through national legislation in the EU member States
- Including minimum requirements for shipments to distinguish between EEE and WEEE.



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Annex VI

Minimum requirements for shipments

- Copy of the invoice of contract related to the sale and stating that the equipment is destined for re-use and is functional;
- Evidence of testing of every item;
- Declaration made by the holder who arranges the transport that none of the EEE is waste;



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- Appropriate protection against damage during transport, loading and unloading through sufficient packaging and appropriate stacking
- Declaration made by the holder who arranges the transport that none of the EEE is waste
- Appropriate protection against damage during transport, loading and unloading through sufficient packaging and appropriate stacking



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How does this look like in daily practice

- Copy invoice

ELECTRONICS SCRAP LTD

INVOICE: NO 551

Raheel Ahmad

Techno Green Electronic
Tradonig co LLC Building
Name Abdullah Ahmed
Muhammad Bin Fahed
Office Number 419 Al Qusais
Industrial 2 UAE Dubai

20th July 2017

Tel + 965 33947511

GOODS SERVICES/EQUIPMENTS

To supply the following All Used Tested Working IT Equipment's:

(1) SERVERS x 324

(2) TFT x135

€ 13,000



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Testing documents

TESTRAPPORT CONTAINER NUMBER : MSCU987664-4

Artikel Name and brand	Series Number	Test date	tested by
SINGER SYMASKIN	ART.NR C4737	23/12/14	RA AMAR ELEKTRONIK
AEG SYMASKIN	ART.NR C2774	23/12/14	V HINDBY VÄGEN 14
BROTHERS SYMASKIN	ART C4738	23/12/14	214 58 MALMO
PHILIPS T.V 40	F2181444007501	23/12/14	TEL 0762636220/076263720
LOSHIBA T.V 32	E1473610007941	23/12/14	ORG.NR197711058631
J.V.C T.V 40	BL PE 236423	23/12/14	
SAMSUNG T.V 40	26453SBE300013	23/12/14	
SAMSUNG T.V 46	UE46F5305XXE	23/12/14	
LOSHIBA T.V 40	40L1353N	23/12/14	
ELECTROLIX MACHINE MACHINE	44700168	23/12/14	
L.G.T.V 42	905NAY798866	23/12/14	
CANON COPY MACHINE	1R3200	23/12/14	
KONICA MINOLTA COPY MACHINE	B12H4B222	23/12/14	
WHIRPOOL FREEZER	854985996100	23/12/14	
SAMSUNG FREEZER	04644EBFAC0570E	23/12/14	
WHIRPOOL WASHING MACHINE	12N.C.859388340010	23/12/14	
WHIRPOOL WASHING MACHINE	12N.C.859232061010	23/12/14	
SAMSUNG WASHING MACHINE	S/N 06TWS3BFS000020	23/12/14	



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Declaration that items are EEE

CERTIFICATION OF RE-USE

cazOom BV, Groesweg 41, 5993 NN, Maasbree, The Netherlands | +31(0) 65 1234 626

All content of this shipment, as detailed in the invoice is solely intended for re-use.

RE-USE TEST PROCEDURE

All content in this shipment has been carefully tested or is used till the end of loading by end-user. (ex leasing) The content of this shipment is "IT and office equipment / electronics / kitchen tools" and has been deemed for re-use.



Maasbree, 26, april 2018

Geachte Douane bijgaand een verklaring dat de goederen geen afval zijn maar goederen voor re-use.

1. Alle goederen die geladen zijn in beide containers GLDU7252772 en APHU7217571 hebben een power on check gehad. Hiervan is al een paklijst / checklist aangeleverd. Tevens voeg ik hem nogmaals bij.
2. Passende bescherming van de lading ? Alle goederen zitten voor 98+% origineel verpakt en netjes op pallets ingeseald. Enkele tv's zijn los (in doos verpakt) tussen de pallets gezet om verschuiving te voorkomen. Paar losse tv's in plastic zijn meegeleverd als gratis spare part. Zie foto's Container met Deawoo Keuken app en foto binnenzijde pallet.



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Appropriate packaging?





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Refrigerants

•prohibited

•CFC	HCFC
•R11	R22
•R12	R123
•R13	R124
•R14	R142b
•R500	R401a/ R401b
•R502	R402a/ R402b
•R503	R403a/ R403b
•	R408a
•	R409a/ R409b

•allowed

•HFC	Others
•R23	R170
•R32	R290
•R107a	R600a
•R125	R717
•R134a	R744
•R143a	R1270
•R152a	R718
•R227ea	
•....	

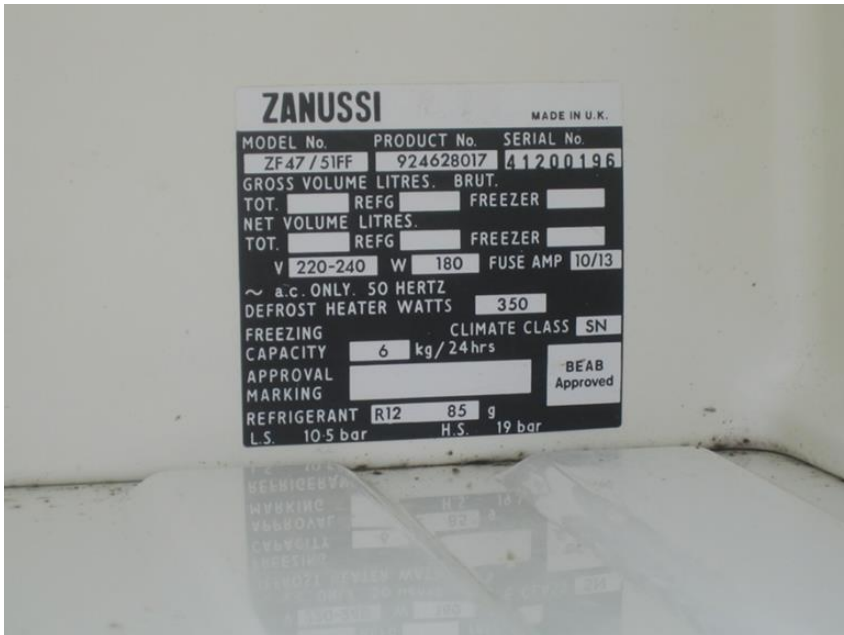


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Which refrigerant?





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(fake) stickers



© Dutch ILT



























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Customs HS code for WEEE 85.49

Code	Description
XVI	  SECTION XVI - Machinery and mechanical appliances; electrical equipment; parts thereof, sound records and reproducers, television image and sound recorders and reproducers, and parts and accessories of such articles (chapter 84 - 85)
85	  CHAPTER 85 - ELECTRICAL MACHINERY AND EQUIPMENT AND PARTS THEREOF; SOUND RECORDERS AND REPRODUCERS, TELEVISION IMAGE AND SOUND RECORDERS AND REPRODUCERS, AND PARTS AND ACCESSORIES OF SUCH ARTICLES
8549	  Electrical and electronic waste and scrap
	  - Waste and scrap of primary cells, primary batteries and electric accumulators; spent primary cells, spent primary batteries and spent electric accumulators
8549 11	  - - Waste and scrap of lead-acid accumulators; spent lead-acid accumulators
8549 12	  - - Other, containing lead, cadmium or mercury
8549 13	  - - Sorted by chemical type and not containing lead, cadmium or mercury
8549 14	  - - Unsorted and not containing lead, cadmium or mercury
8549 19	  - - Other
	  - Of a kind used principally for the recovery of precious metal
	  - Other electrical and electronic assemblies and printed circuit boards
	  - Other



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Other expected changes

- Due to the upcoming stricter legislation on the export of waste out of the EU to non-OECD it's expected that these materials will be exported as 'end of waste'.



Other expected changes

- In the EU waste can reach the 'end of waste status' when:
 - 1) the substance or object is to be used for specific purposes;
 - 2) a market or demand exists for such a substance or object;
 - 3) the substance or object fulfils the technical requirements for the specific purposes and meets the existing legislation and standards applicable to products; and
 - 4) the use of the substance or object will not lead to overall adverse environmental or human health impacts.



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Thank you!

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