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**Workshop on management and destruction of ozone-depleting substance
banks and implications for climate change**
Geneva, 13 July 2009

**Communication by the Secretariat of the Basel Convention on the
Control of Transboundary Movements of Hazardous Wastes and
their Disposal**

Note by the Secretariat

1. The annex to the present note contains a communication by the Secretariat of the Basel Convention on national definitions of hazardous wastes in relation to ozone-depleting substances. It includes a compilation of comments and clarifications submitted by Parties to the Convention Secretariat pursuant to its request for clarification of national definitions.
2. The communication complements the information provided in paragraph 147 of the report by the Secretariat on funding opportunities for the management and destruction of banks of ozone-depleting substances (UNEP/OzL.Pro/Workshop.3/2/Add.1). It has been reproduced as received, without formal editing by the Ozone Secretariat.

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AnnexJVK/EW 2.10.9
2 July 2009**Note by the Secretariat of the Basel Convention****Compilation of comments and clarifications received from Parties pursuant to the request for clarification of national definitions of hazardous wastes in relation to ozone depleting substances from the Secretariat of the Basel Convention (Communication of 28 May 2009)**

1. By decision XX/7 of the Meeting of the Parties to the Montreal Protocol, entitled "Environmentally sound management of banks and ozone-depleting substances", the text of which is attached to this General Communication, Parties to the Montreal Protocol decided to address the issue of the destruction of ozone-depleting substances banks, including matters related to the transportation of such banks. Decision XX/7 requested the Secretariat of the Montreal Protocol to develop a report on possible funding opportunities for the management and destruction of ozone-depleting substances banks that would, *inter alia*, describe the necessary legal framework for the transport of such substances.
2. The Secretariat of the Montreal Protocol on substances that deplete the ozone layer requested the cooperation of the Secretariat of the Basel Convention in identifying the extent to which the Basel Convention prior informed consent regime applies to transboundary movements of ozone depleting substance (ODS) waste. Parties to the Basel Convention were requested, by a general communication from the Secretariat dated 28 May 2009 (<http://www.basel.int/convention/communications/290509.pdf>) to clarify whether their national definitions of hazardous wastes, if existent and as notified through the Secretariat, include such ODS waste.
3. Parties were specifically requested to clarify whether:
 - Wastes, other than those listed in Annexes I and II, considered or defined as hazardous under their national legislation and notified in accordance with article 3 of the Basel Convention are wastes falling within the scope of the Montreal Protocol;
 - National legislation, as notified in accordance with article 3 of the Basel Convention, contains requirements other than those under the Basel Convention concerning transboundary movements applicable to such wastes.
4. Responses pursuant to this communication were received from Argentina, Australia, Canada, Croatia, Estonia, Finland, Germany, Japan, Norway, Philippines, Poland, Sweden, Slovakia, Trinidad and Tobago, Tunisia and the United Kingdom, and are contained in the annex to the present note. They have not been formally edited by the Secretariat and are presented as received.

I Comments from Argentina

Tengo el agrado de dirigirme a Ud. en relacion en relacion a la Letra DIGMA No 711/2009, por la cual se transmite una nota de la Secretaria del Convenio de Basilea sobre el Control de los Movimientos Transfronterizos de los Desechos Peligrosos y su Eliminacion, a fin de remitir a La Secretarfa del Protocolo de Montreal sobre Sustancias que Agotan la Capa de Ozono (SAO) una respuesta a una consulta realizada por dicho organismo, con el fin de clarificar si la definicion nacional de residuos peligroso notificada por las Partes incluyen los residues de las SAO.

Argentina esta entre las Partes que han informado a la Secretaria del Convenio de Basilea acerca de los residuos, ademas de los definidos en los Anexos I y II del Convenio, considerados o definidos como residuos peligrosos segun la normativa nacional, y sobre los requerimientos concernientes a los movimientos transfronterizos aplicables a tales residuos. La Secretaria solicita que Argentina aclare:

1. Si los residues -ademas de los listados en los Anexos I y II del Convenio de Basilea- identificados en la notificacion, y considerados o definidos como residuos peligrosos por la legislacion nacional, son residuos que se encuentran dentro de los alcances del Protocolo de Montreal;

2. Si la legislacion nacional establece requerimientos concernientes a los rnovimientos transfronterizos aplicables a tales residuos, ademas de los del Convenio de Basilea,

En cuanto al primer punto, cabe mencionar que no existe en Argentina reglamentacion que se refiera en forma especifica a residuos conteniendo sustancias agotadoras de la capa de ozono. Asimismo, no existen residuos ademas de los listados en los Anexos 1 y II del Convenio de Basilea considerados o definidos como peligrosos para la legislacion nacional que seencuentren dentro de los alcances del protocolo de Montreal. En virtud de lo expuesto, se concluye que la respuesta al primer punto de la consulta seria negativa,

En cuanto al segundo punto, y en relacion a requerimientos adicionales establecidos por la legislacion nacional, concemientes a los movimientos transfronterizos aplicables a residuos que esten dentro del alcance del Protocolo de Montreal, en virtud del Decreto N° 18119:l se prohíbe el ingreso de todo tipo de residuos, incluidos los que contengan clorofluorcarbonados.

II. Comments from Australia

Australia's hazardous waste controls do not include ozone depleting substances. Ozone depleting substances are managed separately through the Ozone Protection and Synthetic Greenhouse Gas

Management Act 1989. All imports and exports of new and used ozone depleting substances must be licensed under the Act.

III. Comments from Canada

We would like to point out that in November 1992 Canada promulgated the *Export and Import of Hazardous Wastes Regulations* (Export/Import Regulations) made pursuant to the then *Canadian Environmental Protection Act* (CEPA 1988). These Export/Import Regulations were the means by which Canada implemented its international obligations under the Basel Convention and the DECO Council Decision C(92)39/Final. The DECO Council Decision specifically listed both "*chlorofluorocarbons*" (CFC) and "*halons*" in Appendix 4 as Amber Tier controlled hazardous recyclable material. Therefore, these two hazardous recyclable materials were included in the Canadian lists of hazardous waste and hazardous recyclable material set out in Schedule JII of the Export/Import Regulations against certain hazard criteria. As a result, both CFC and halons that meet a hazard characteristic have been controlled in Canada since 1992 when intended for export, import or transit and destined for a disposal or recycling operation. Note that since 1992, Canada has revised both the Export/Import Regulations and CEPA. The DECO has also revised its Council Decision. None of these revisions impacted the control of ODS.

Question 1. Whether the wastes other than those listed in Annexes I and II, identified in the notification, and considered or defined as hazardous under its national legislation, are wastes falling within the scope of the Montreal Protocol

Response: In the past and currently, the "*List of Hazardous Characteristics*" set out in Annex III of the Basel Convention and Appendix 2 of the DECO Council Decision C(2001)1 07/Final do not include a hazard characteristic for "gases", i.e. there is no H2 Code. In Canada, under the previous Export/Import Regulations and the current Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations (EIHWRMR) (http://www.ec.gc.ca/ceparegistrv/documents/regs/g2-13911_r1.pdf) made pursuant to the *Canadian Environmental Protection Act, 1999* (CEPA 1999) which came into force in November 2005, controls are placed on the transboundary movements of wastes or recyclable materials that are "gases" and fall under the UN Class 2 as set out in the "*UN Recommendations on the Transport of Dangerous Goods Model Regulations*" (UNTDG). This is true for all compressed gases which meet the UN Class 2 hazard criteria and is not limited to ODS alone.

In Canada, the articles and requirements of the UNTDG are implemented under the *Canadian Transportation of Dangerous Goods Regulations* (TDGR) which fall under the auspices of the federal department, Transport Canada.

The Canadian EIHWRMR use a combination of listing and hazard class criteria in order to define a hazardous waste and a hazardous recyclable material. Consequently, the vast majority of ODS would meet the definition for "*hazardous waste*" or "*hazardous recyclable material*", but not all.

The tests and criteria set out in the EIHWRMR to define a hazardous waste or hazardous recyclable material are very specific. In the case of ODS, these substances do not meet the tests and criteria for the acutely hazardous characteristics, i.e. flammable (H3), toxic (H6.1), dangerously reactive (H4.1, H4.2, H4.3), corrosive (H8), or oxidizer (H5.1, H5.2), nor do they meet the environmentally hazardous characteristics (H10, H11, H12 and H13). Typically, in Canada ODS are only controlled when they are present in an aerosol as a propellant or when they are in a physical state considered a compressed gas, i.e. meet UN Class 2 criteria. The hazard in these cases it is not the presence of the ODS but rather the compressed gas or aerosol physical state which poses an immediate and acute hazard by puncturing the cylinder or breaking off the pressure valve which can have catastrophic consequences.

Some ODS such as CFC 11 is a liquid at normal temperature and pressure. Therefore, CFC 11 in this liquid physical state would not be considered a hazardous waste or hazardous recyclable under the EIHWHMR and would not be controlled. However, when the CFC 11 is used as a propellant in an aerosol or is a compressed gas, it would be subject to the EIHWHMR.

Question 2. Whether the national/regis/ation contains requirements other than those under the Base/ Convention concerning transboundaty movements applicable to such wastes.

Response: In Canada, not only are ODS that meet the definition of "hazardous waste" or "hazardous recyclable materia!" controlled under the EIHWHMR, there are also permitting requirements set out under the Ozone-depleting Substances Regulations, 1998, as amended (http://www.ec.gc.ca/ceparegistrv/regulations/g2-13301_r2.pdf). These Regulations are the means by which Canada implements its international obligations under the Montreal Protocol.

IV. Comments from Croatia

CLARIFICATION OF NATIONAL DEFINITIONS OF HAZARDOUS WASTES IN RELATION TO OZONE DEPLETING SUBSTANCES WASTE

1. Wastes, other than those listed in Annexes I and II, considered or defined as hazardous under their national legislation and notified in accordance with article 3 of the BC are wastes falling within the scope of the Montreal Protocol;

Under the Croatian waste legislation wastes that fall within the scope of the Montreal Protocol have been considered as hazardous wastes.

According to the Regulation on categories, types and classification of waste with a waste catalogue and list of hazardous waste (Official Gazette 50/05, 39/09), Art. 3. hazardous waste must contain one or more properties as determined in the Part III of the List of hazardous waste. The List of hazardous waste determines properties of waste which render it hazardous (H 1 – H 15 codes). According to these properties ozone depleting substances (ODS) wastes have been considered as ecotoxic (H 14): *waste which presents or may present immediate or delayed risks for one or more sectors of the environment*. According to the mentioned regulation ODS wastes can be identified by the following identification codes: AC 150 chlorofluorocarbons, AC 160 halons, 14 06 01* chlorofluorocarbons, HCFC, HFC, 16 02 11* discarded equipment containing chlorofluorocarbons HCFC, HFC, 16 05 04 * gases in pressure containers (including halons) containing dangerous substances.

2. National legislation, as notified in accordance with article 3 of the BC, contains requirements other than those under the BC concerning transboundary movements applicable to such wastes;

Since ODS wastes have been considered as hazardous wastes any movement of ODS wastes across Croatian border must comply with provisions of the Basel Convention. According to the Waste Act (OG 178/04, 111/06, 60/08) import of hazardous waste is prohibited. Republic of Croatia does not have any facilities for disposal (destroying) ODS waste. Up till now Croatia had not exported ODS waste, but for all intended export of ODS waste, Prior Informed Consent shipping procedure is going to be applied. Any additional and/or different requirements, other than those under the Basel

Convention, concerning transboundary movements of ODS waste have not been provided by national authorities.

V. Comments from Estonia

1. In national waste list chlorofluorocarbons, HCFC, HFC (code 14 06 01*) and gases in pressure containers (including halons) containing dangerous substances (code 16 05 04*) are listed as hazardous waste.

In Estonian Waste Act “Hazardous waste” is defined as waste which due to at least one of the hazardous properties may cause a hazard to health, property or the environment. Hazardous properties are:

- 1) H1 - explosive substances and preparations which may explode under the effect of flame or which are more sensitive to shocks or friction than dinitrobenzene;
- 2) H2 - oxidising substances and preparations which exhibit highly exothermic reactions when in contact with other substances, particularly flammable substances;
- 3) H3-A - highly flammable liquid substances and preparations having a flash point below 21o C (including extremely flammable liquids), or substances and preparations which may become hot and finally catch fire in contact with air at ambient temperature without any application of energy, or solid substances and preparations which may readily catch fire after brief contact with a source of ignition and which continue to burn or to be consumed after removal of the source of ignition, or gaseous substances and preparations which are flammable in air at normal pressure, or substances and preparations which, in contact with water or damp air, evolve highly flammable gases in dangerous quantities;
- 4) H3-B - flammable liquid substances and preparations having a flash point equal to or greater than 21o C and less than or equal to 55o C;
- 5) H4 - irritant non-corrosive substances and preparations which, through immediate, prolonged or repeated contact with the skin or mucous membranes, may cause inflammation;
- 6) H5 - harmful substances and preparations which, if inhaled or ingested or if they penetrate the skin, may involve health risks;
- 7) H6 - toxic substances and preparations which, if inhaled or ingested or if they penetrate the skin, may involve serious, acute or chronic health risks or death;
- 8) H7 - carcinogenic substances and preparations which, if inhaled or ingested or if they penetrate the skin, may induce cancer or increase its incidence;
- 9) H8 - corrosive substances and preparations which may destroy living tissue on contact;
- 10) H9 - infectious substances containing micro-organisms or their toxins which are known or reliably believed to cause disease in man or other living organisms;
- 11) H10 - teratogenic substances and preparations and substances and preparations toxic for reproduction which, if inhaled or ingested or if they penetrate the skin, may induce nonhereditary congenital malformations or increase their incidence;
- 12) H11 - mutagenic substances and preparations which, if inhaled or ingested or if they penetrate the skin, may induce hereditary genetic defects or increase their incidence;
- 13) H12 - substances and preparations which release toxic or very toxic gases in contact with water, air or an acid;
- 14) H13 - substances and preparations capable by any means, after disposal, of yielding another substance, e.g. a leachate, which possesses any of the properties listed in clauses 1)-13) of this section;
- 15) H14 - substances and preparations which are ecotoxic or dangerous for the environment and present or may present immediate or delayed risks for one or more sectors of the environment.

2. There are same requirements for transboundary movement of all hazardous waste. Transboundary movements of hazardous wastes and other wastes has to be done under the Basel Convention and under EC Regulation No 1013/2006 on shipments of waste.

VI. Comments from Finland

1. Wastes falling into the scope of the Montreal Protocol are in principle classified as hazardous waste in Finland and therefore are required to be notified according to the EU Waste Shipment Regulation (EC) 1013/2006. There may be some exceptional cases, where Montreal Protocol substances are present in small amounts in end-of-life products and are excluded from the definition of hazardous waste.

2. Transboundary shipments of waste are controlled according to the above mentioned EU Regulation (EC) 1013/2006. The Basel Convention export ban of hazardous wastes applies also to wastes falling into the scope of the Montreal Protocol. There are no additional national requirements apart from the EU Waste Shipment Regulation applicable to transboundary shipment of such wastes.

VII. Comments from Germany

In Germany ODS when destined for disposal are classified as hazardous wastes. According to Annex IV (Amber Waste List) of the EU Waste Shipment Regulation (WSR) ODS have to be classified as:

AC150 Chlorofluorocarbons or

AC160 Halons.

ODS waste not covered by these entries of the Amber Waste List are recognised as being unlisted and are also subject to the control procedure of WSR (notification and prior informed consent) like hazardous wastes. All these wastes are banned for export out of EU.

In addition the stipulations of the Regulation (EU) Nr. 2037/2000 on ODS as amended have to be fulfilled.

Both Regulation are legally binding instruments of European Union and directly applicable.

VIII Comments from Japan

Question1. Whether Wastes, other than those listed in Annex I and II, considered or defined as hazardous under their national legislation and notified in accordance with article 3 of the Basel Convention are wastes falling within the scope of the Montreal Protocol;

Answer1. In Japan, there are no wastes, other than those listed in Annexes I and II, considered or defined as hazardous under our national legislation and notified in accordance with article 3 of the Basel Convention.

Question2. Whether National legislation, as notified in accordance with article 3 of the Basel Convention, contains requirements other than those under the Basel Convention concerning transboundary movements applicable to such wastes.

Answer 2. There is no national legislation applicable to such wastes mentioned in No. 1. National legislation enacted based on the "OECD Council Decision C(2001) 107/Final Concerning the Revision of Decision C(92)39/Final on the Control of Transboundary Movements of Wastes Destined for Recovery Operations," of which the Secretariat is notified in accordance with article 11.2 of the Basel Convention, is applied to some of the ozone-depleting substances stipulated under the Montreal Protocol.

IX. Comments from Norway

1. Whether the wastes other than those listed in Annexes I and II, identified in the notification, and considered or defined as hazardous under its national legislation, are wastes falling within the scope of the Montreal Protocol (MP).

Answer for Norway:

All wastes falling under the scope of the MP (ODS-containing wastes) are considered hazardous in Norway and therefore is subject to the ordinary national and international rules of notification. The national code used for halons is 7230 (including references to EC code 16 05 04* and UN Number 3163).

The national code used for CFCs and similar gases is 7240 (including references to EC code 14 06 01* and 20 01 23*, and UN number 3163).

The more generic Basel codes like Y18, Y45 and Y46 are not regarded as sufficient for the identification of ODS-containing wastes.

2. Whether the national legislation contains requirements other than those under the Basel Convention concerning transboundary movements applicable to such wastes.

Answer for Norway:

No, there are no additional requirements based on national legislation. The exporters or importers of waste need consents from the competent authorities of the involved countries. The consents from Norway are based on national regulations dealing with both shipments of waste and ODS disposal (references to EC Regulation 1013/2006 and to EC Regulation 2037/2000)"

X. Comments from the Philippines

The Philippines has a specific classification for ozone depleting substances which are classified as L401 and covers wastes chlorofluorocarbons (CFCs) and halons, and recovered coolants containing chlorofluorocarbons (CFCs) and halons.

The Philippines follows only the procedure under the Basel Convention concerning transboundary movements of hazardous wastes.

XI. Comments from Poland

There is a national definition of hazardous waste in Poland. In the light of the Act on Waste of 27 April 2001 (came into force in October 2001), "hazardous waste" shall mean waste:

- 1) belonging to the categories or types of waste featuring in List A in Annex II to this Act and displaying at least one of the properties enumerated in Annex IV to this Act; or
- 2) belonging to the categories or types of waste featuring in List B in Annex 2 to this Act, containing any of the constituents enumerated in Annex 3 and displaying at least one of the properties enumerated in Annex IV to this Act.

Annex II features categories or types of hazardous waste. Annex III features constituents of wastes which render them hazardous.

The minister responsible for the environment laid down the ordinance on the waste catalogue (O.J.of 2001, No.112, Item 1206). A list of hazardous waste is a part of waste catalogue. Polish waste classification is consistent with EU classification (European Waste Catalogue).

National list of hazardous waste is defined in the ordinance of the Minister of Environment on the waste catalogue (O.J of 2001, No.112, Item 1206). Catalogue is based on European Waste List. Hazardous waste is marked on the list with asterisk. Polish national list of hazardous waste covers all types of hazardous waste stipulated in European Waste Catalogue and additionally covers the below mentioned waste which are considered hazardous under national legislation:

- 01 03 80* Tailings from enrichment by flotation of non-iron metal ores that contain hazardous substances
- 01 04 80* Tailings from enrichment by flotation of coal that contain hazardous substances
- 01 04 82* Tailings from enrichment by flotation of sulfide ores that contain hazardous substances
- 01 04 84* Tailings from enrichment by flotation of phosphoric ores (phosphorites, apatites) that contain hazardous substances
- 02 01 80* Dead animals and animals slaughtered out of necessity as well as animal tissue waste, that exhibit hazardous properties
- 02 02 80* Animal tissue waste that exhibits hazardous properties
- 03 01 80* Waste from chemical processing of wood that contain hazardous substances
- 05 06 80* Liquid wastes that contain phenols
- 07 04 80* Expired plant protection agents, toxicity class I and II (highly toxic and toxic)
- 07 05 80* Liquid wastes containing hazardous substances
- 09 01 80* Expired photography reagents
- 10 11 81* Asbestos-containing waste
- 16 81 Waste resulting from accidents and unplanned events
- 16 81 01 * Wastes exhibiting hazardous properties
- 16 82 Waste resulting from natural disasters
- 16 82 01 * Wastes exhibiting hazardous properties
- 18 01 80* Used therapeutic baths, biologically active, with infectious capability
- 18 01 82* Food remains from feeding patients residing in infectious unit

The national definition of hazardous waste covers waste other than those listed in Annexes I, II and VIII of the Basel Convention. But this additional hazardous waste list (above) does not cover ozone depleting substances covered by Montreal Protocol.

At the European Union level there is directly applicable piece of legislation i.e. regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste (EC O.J. series L no 190 p.1 of 12.07.2006). Waste falling within the scope of the Montreal Protocol is subject to regular notification procedure as other waste listed in annex IV of the regulation 1013/2006 which contains waste listed in annex VIII of Basel Convention and additional waste listed in former OECD amber list of waste. Ozone depleting substances (ODS), when destined for disposal or recovery, are classified as hazardous wastes. According to Annex IV (Amber Waste List) of the EU Waste Shipment Regulation 1013/2006 (WSR) ODS should be classified as: AC150 Chlorofluorocarbons or AC160 Halons. ODS waste not covered by these entries of the Amber Waste List are recognised as being unlisted and are also subject to the control procedure of WSR (notification and prior informed consent) like hazardous wastes. This regulation stipulates that all these wastes are banned for export outside of the EU with destination to non-OECD countries. The stipulations of Regulation (EU) Nr. 2037/2000 on ODS as amended have to

be fulfilled - with both Regulations being legally binding instruments of European Union and directly applicable.

XII. Comments from Sweden

The European Union has adopted the Commission Decision of 16 January 2001 amending Decision 2000/532 as regards the list of wastes. The Annex of the decision contains a list of wastes, both hazardous and non-hazardous wastes.

Sweden has also implemented the Basel Convention as the other EU Member States by adopting the EU Regulation 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste.

According to the list of waste the following hazardous wastes may fall under the Montreal Protocol:

- 14 06 01 chlorofluorocarbons, HCFC, HFC
- 14 06 02 other halogenated solvents and solvent mixtures
- 16 02 11 discarded equipment containing chlorofluorocarbons, HCFC, HFC
- 16 03 05 organic wastes containing dangerous substances (under off-specific batches and unused products)
- 16 05 04 gases in pressure containers (including halons) containing dangerous substances
- 16 05 06 laboratory chemicals consisting of or containing dangerous substances including mixtures of laboratory chemicals
- 16 05 08 discarded organic chemicals consisting of or containing dangerous substances
- 17 06 03 other insulation materials consisting of or containing dangerous substances (other than containing asbestos).
- 20 01 23 discarded equipment containing chlorofluorocarbons (household waste and similar wastes)

The EU Regulation on shipments of waste contains lists of wastes for which a pre notification procedure is needed before transboundary movements of those wastes. Below you will find those wastes that may fall under the Montreal Protocol and which are not in annex I or II under the Basel Convention (Y 41 Halogenated solvents and Y 45 Organohalogen compounds other than substances referred to in annex I (Y 39, Y 41, Y 42, Y 43, Y 44):

- AC 150 Chlorofluorocarbons
- AC 160 Halons
- A 3040 Waste Thermal (heat transfer) fluids
- A 3150 Waste halogenated organic solvents
- A 4020 Clinical and related wastes; that is wastes arising from medical, nursing, dental, veterinary or similar practices and wastes generated in hospitals or other facilities during the investigation or treatment of patients or research projects
- A 4140 Waste consisting of or containing off-specification or out-dated chemicals corresponding to Annex I categories and exhibiting Annex III hazard characteristics
- A 4150 Waste chemical substances arising from research and development or teaching activities which are not identified and/or are new and whose effects on human health and/or the environment are not known.

XIII. Comments from Slovakia

1. The wastes other than those listed in Annexes I and II, identified in the notification and considered or defined as hazardous wastes under the national legislation **are not** wastes falling within the scope of the Montreal Protocol. Generally Slovakia classifies wastes according to the

national waste catalogue that is equal the EWC and relevant Y codes under the Basel Convention are associated to hazardous wastes.

2. The national legislation concerning transboundary movements of wastes is in compliance with Basel Convention and EU regulation requirements.

XIV. Comments from Trinidad and Tobago

Trinidad and Tobago currently does not have a legal national definition of hazardous waste, such a definition is currently underdevelopment as part of the Waste Rules under the Environmental Management Act of 2000. The definition of hazardous waste as is currently drafted under the Waste Rules is broad enough to include any substance that exhibits hazardous characteristics which include ozone depleting substance.

Further information on the Waste Rules can be obtained from the following website;
http://www.cma.co.tt/cms/index.php?option=com_content&task=view&id=125&itemid=125.

XV. Comments from Tunisia

Tunisia's national legislation on hazardous wastes specifically includes wastes consisting of/or containing either chlorofluorocarbons or halogenated organic compounds.

Requirements under Tunisia's national legislation are in conformity with those of the Basel Convention concerning trans-boundary movements applicable to such wastes.

XVI Comments from the United Kingdom

In the EU, transboundary movements of waste are controlled under the Waste Shipments Regulation 2006/1013/EC. Annex V of the Waste Shipments Regulation lists those hazardous wastes that are subject to control and are prohibited from export from the EU to non-OECD countries. Annex V defines hazardous waste on the basis set out in EC Directive 1991/689/EEC on the Controlled Management of Hazardous Waste. These wastes are set out in Decision 2000/532/EC (as amended) and include waste with at least 0.1% of a dangerous substance classified as R59 Dangerous to the Ozone layer.
