



European Union Network for the Implementation
and Enforcement of Environmental Law

Plastic Waste Shipments Project

Final Report

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Introduction to IMPEL

The European Union Network for the Implementation and Enforcement of Environmental Law (IMPEL) is an international non-profit association of the environmental authorities of the European Union (EU) Member States, and of other European authorities, namely from acceding and candidate countries of the EU and European Economic Area (EEA). The association is registered in Belgium and its legal seat is in Brussels, Belgium.

IMPEL was set up in 1992 as an informal Network of European regulators and authorities concerned with the implementation and enforcement of environmental law. The Network's objective is to create the necessary impetus in the European Community to make progress on ensuring a more effective application of environmental legislation. The core of the IMPEL activities concerns awareness raising, capacity building and exchange of information and experiences on implementation, enforcement and international enforcement collaboration as well as promoting and supporting the practicability and enforceability of European environmental legislation.

During the previous years, IMPEL has developed into a considerable, widely known organisation, being mentioned in a number of EU legislative and policy documents, e.g. the 8th Environment Action Programme that guide European environmental policy until 2030, the EU Action Plan: "Towards a Zero Pollution for Air, Water and Soil" on Flagship 5 and the Recommendation on Minimum Criteria for Environmental Inspections.

The expertise and experience of the participants within IMPEL make the network uniquely qualified to work on both technical and regulatory aspects of EU environmental legislation.

Information on the IMPEL Network is also available through its website at: www.impel.eu



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<p>Executive Summary</p> <p>IMPEL’s Plastic Waste Shipments Project commenced in 2019 and spanned a period of monumental policy change over its five-year lifespan. The ban introduced by the People’s Republic of China in 2018 and the amendments to the Annexes of the Basel Convention in 2019 were key events that defined the activities of the project and the subsequent recommendations.</p> <p>Both these events brought their own challenges for inspectors enforcing plastic waste shipments. This project sought to assist inspectors during this period by providing guidance and offering a forum for discussion. We released the guidance document in 2022 titled ‘<i>A Guide for Inspectors: Enforcing national legislation on plastic waste shipments</i>’ which was well received and continues to be used. We launched a survey amongst IMPEL members and used the results as the basis for two webinars in 2023. Throughout the project we represented IMPEL at various international forums and used these opportunities to provide project updates and grow our network.</p> <p>As the project concludes in Spring 2024, the revised Waste Shipment Regulation is due to enter into force, which will tighten controls significantly on plastic waste shipments from the EU. We believe challenges still remain regarding classification and enforcement and have recommended increased support for IMPEL members on the frontiers of the EU that could be subject to increased illegal waste activity.</p>	

**Disclaimer**

This report is the result of a project within the IMPEL network. The content does not necessarily represent the view of the national administrations or the Commission.

Quotation

It shall be permissible to make quotations from an IMPEL Document which has already been available to the public on the IMPEL website, provided that their making is compatible with fair practice, and their extent does not exceed that justified by the purpose. Where use is made of works in accordance with Berne Convention, mention should be made of related IMPEL Document Name with giving publication link of the document on IMPEL Website. IMPEL has all rights under the Berne Convention.



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1. Introduction

This project commenced in 2019 and was initially titled *'Effects of the Chinese import ban on the environmentally sound management of plastic waste'*. In 2018, the People's Republic of China introduced a ban on the import of 24 types of recyclables, including plastic waste, and set a new standard of 0.5% contamination. This policy had the effect of diverting large volumes of plastic waste to other destinations who were struggling to process the increase in imports to their countries. The ban exposed an over-reliance on these export markets to process plastic waste from developed countries. At the same time, there was an increasing awareness of the effects of plastic waste on marine littering and the need to limit its impact.

The initial stages of the project focused on trying to understand the destination of European plastic waste and the recording systems used by IMPEL members to track this waste. A request for this information was sent and the results were analysed.

In May 2019, the Conference of the Parties to the Basel Convention adopted a decision to amend Annexes II, VIII and IX of the Convention to enhance the control of transboundary movements of plastic waste. This decision became effective on 1 January 2021. The introduction of these amendments meant there was a need to provide guidance to IMPEL members on how to effectively enforce the new requirements regarding plastic waste shipments. The project team worked on preparing guidance during the Covid-19 lockdowns and published *'A Guide for Inspectors: Enforcing national legislation on plastic waste shipments'* in July 2022.

Following the introduction of the amendments to the Basel Convention and the publication of the above guidance produced as part of this project, it was clear inspectors were still having difficulties in enforcing certain aspects of plastic waste shipments. Following discussions with the project team, it was decided to launch a survey amongst IMPEL members in July 2022. The results of this survey were used to inform two webinars that were held in 2023.

This report is divided into the following chapters:

- Chapter 1: Introduction
- Chapter 2: Plastic Waste Shipment Data Requests
- Chapter 3: IMPEL Plastic Waste Shipments Guidance
- Chapter 4: Project Survey
- Chapter 5: Webinars
- Chapter 6: Networking Activities
- Chapter 7: Conclusions and Recommendations



2. Plastic Waste Shipment Data Requests

In March 2019, an online meeting took place with representatives from eight IMPEL members to discuss the project's objective of gaining a greater understanding of plastic waste flows. A template was created and sent to all IMPEL members through Basecamp. It requested the following details for 2016 – 2018:

- Tonnage, Basel/OECD code, List of Waste (LoW) code and Recovery code
- Amber-list waste or green-list waste (GLW)
- Exports to/Imports from an EU member state
- Exports to/imports from a 3rd country

The statistics request and questionnaire were sent to members of the project in 23 countries and a further 43 country co-ordinators, of which there were 11 responses. The main conclusions were:

- Overall there was a very low response rate to the request of c. 25%
- Of the eleven responses, three countries gather GLW data independently of Customs and provided a detailed response.
- A further six countries supplied GLW data based on Customs codes.
- Two of the responses were very limited with a number of missing fields.
- Five of the eleven respondents stated no organisation within their country kept a record of GLW shipments between their country and other member states (MS). Three respondents said GLW shipments between their country and third countries are not recorded.

The intention of this work package was to gather statistics for 2016-2018 and try to make some predictions about the future market. The low response rate and the variability in the quality of the response made this an impossible task.

Understanding waste flows is a crucial component of an effective enforcement regime. While all MS follow the amber-list procedure for notifiable wastes and so have the corresponding data, there is a gap when it comes to the recording of GLW data. A recommendation was made for all MS to invest in the necessary IT resources and infrastructure to ensure there is sufficient recording and monitoring of GLW. In the intervening period progress has been made by a number of Competent Authorities (CAs), though it is unlikely the matter will be fully resolved before the introduction of the Electronic Data Interchange (EDI) in the revised Waste Shipment Regulation (Regulation (EU) 2024/1157 on shipments of waste) (Revised WSR).



3. IMPEL Plastic Waste Shipments Guidance

The original Terms of Reference for the project contained a work package to ‘...make a guide for the classification of plastic waste...’ Following the amendments to the Annexes of the Basel Convention in May 2019, it became apparent that guidance on the enforcement of these amendments would be of benefit to inspectors regulating the shipment of plastic waste. The project team was approached by Directorate General (DG) Environment in the European Commission (EC) and following this meeting, agreed to create the guidance as part its project work.

Work commenced in spring 2020 and a first draft was circulated on IMPEL’s Basecamp portal in September 2020. A further six drafts were issued for consultation before the final guidance document was approved at IMPEL’s General Assembly in July 2022. Throughout the process there was active engagement and positive suggestions from both IMPEL members and members of the ECs Correspondents’ Group. This ultimately led to a more comprehensive and streamlined guidance document.

The guidance document is titled ‘*A Guide for Inspectors: Enforcing national legislation on plastic waste shipments*’ and contains the following sections:

- 1. Background:** contains information on global plastic production quantities and the proportions recycled, incinerated and disposed of to landfill or the natural environment. Introduced the challenges arising from the prohibition of plastic imports by the People’s Republic of China.
- 2. Legislative Framework:** introduces the changes made to the Annexes of the Basel Convention including the polymer types, waste code changes and recovery operation restrictions. Further detail was provided on efforts to incorporate the Basel amendments into the OECD decision and the legislation of both Great Britain and the EU.
- 3. Polymer Types:** a list of polymer types was provided in accordance with the three main groups of plastic wastes described in the Basel amendments. There was information on the use and the predominance in the market of each plastic waste type.
- 4. EU Correspondents’ Guidelines No 12:** seeks to supplement the criteria contained in Correspondents’ Guidelines No. 12 by providing more practical enforcement information e.g. detecting and measuring contamination and other types of waste, provision of documentary evidence and evidence of recovery in an environmentally sound manner (ESM).
- 5. Appendix 1 (Classification Codes for Plastic Waste Shipments):** this table is used to determine the correct classification code for a plastic waste shipment, which determines the level of control it is subject to. It can be used for shipments originating in the EU, Great Britain and Switzerland and destined for countries in a) the European Economic Area, (b) OECD countries and (c) non-OECD countries.



6. **Appendix 2 (Practical Examples of Plastic Waste Shipments):** contains photographs of nine common plastic waste types and the waste shipment codes and controls that would typically be expected depending on the origin and destination of the waste.
7. **Appendix 3 (Frequently Asked Questions):** provides responses to questions that may typically arise for inspectors enforcing plastic waste shipments.
8. **Appendix 4 (Sampling Sheet):** an example of an inspection template that could be used by inspectors when determining the proportion of contamination and other types of waste in a plastic waste shipment.

The guidance has been translated into Slovenian and there has been positive feedback from a number of authorities regarding its practical benefit. It was also submitted to the Basel Convention Secretariat as an example of best practice. The guidance is available for download at the IMPEL website - [A Guide for Inspectors: Enforcing National Legislation on Plastic Waste Shipments | Impel](#).¹

¹ <https://www.impel.eu/en/news/a-guide-for-inspectors-enforcing-national-legislation-on-plastic-waste-shipments>



4. Project Survey

Following publication of the guidance document it was decided to launch a survey amongst IMPEL members in July 2022. The purpose of the survey was to focus discussion topics for future webinars by trying to understand the main challenges that inspectors encountered 18 months after the introduction of the Basel plastic amendments. The survey was divided into the following four topical areas: notifications, enforcement, end-of-waste (EoW) and by-products. 17 responses were received.

Table 1 contains a sample of the questions asks and the responses received while Annex 2 contains the full list of questions and responses.

Table 1: Project Survey Sample Results

	Sample questions	Sample responses
Notifications	Have CAs received the expected number of notifications? If not, why not?	<ul style="list-style-type: none"> - Twelve of the 17 respondents did either not know the answer to this question or were satisfied that not enough notifications were submitted to their CA. CAs cited a lack of understanding of green-list tonnages shipped in advance of the Basel plastic amendments and were therefore unable to predict the number of notifications that might be submitted. - Other predominant reasons included the diversion of low- quality plastics to SRF/RDF production or increased shipments as either end-of-waste or as by-product.
Enforcement	What have been the main challenges encountered?	<ul style="list-style-type: none"> - Some CAs are having difficulty enforcing the 2%/6% thresholds due to the Correspondents' Guidelines not being enforceable as they are only guidelines. - The cost of representative sampling is very high. - Difficulty interpreting the terms "almost free from contamination and other types of wastes" and "almost exclusively consisting of".
End-of-waste	What sampling and testing of the plastic waste is required to demonstrate EoW?	<ul style="list-style-type: none"> - Examples of European standards (EN and CEN) were provided though twelve of the 17 respondents stated they did not know what standards applied. Only a small number of MS are conducting bale analysis.



	What standard does your CA require to be implemented?	
By-products	Have CAs observed an increase in shipments declared as a by-product?	- Only three respondents stated that they observed an increase in this activity.

Aside from the question regarding by-products, responses to the other three areas demonstrated there was still concern and some confusion in a variety of areas regarding the inspection of plastic waste shipments. The survey achieved its goal of highlighting items to discuss in the webinars that were to follow.



5. Webinars

The first webinar was held on 22nd March 2023 and was attended by 28 participants. Following the outcome of the project survey, the following topics were discussed. The host asked questions on each of the topics and looked for responses from the participants.

- Farm plastics/agricultural film
- Assessing plastic waste exports compliance with B3011/EU3011 criteria as appropriate
- Is there any benefit to developing a standardised template that exporters should include with each shipment? e.g. a declaration to state it complies with B3011/EU3011
- At what point does Y48/EU48 change to Not Listed or perhaps even Y46?
- How are countries dealing with shipments declared as EoW?
- What level of processing is required for an R3 recovery activity to be achieved in your country/region?
- What chemicals/Regulations need to be tested to satisfy EoW criteria regarding the protection of human health and the environment?

Detailed minutes of both webinars were taken and are attached as appendixes to this report. Following the webinar, the core project team discussed the format and agreed a different approach would be needed for the next webinar. This was to encourage more active participation from the attendees.

The second webinar took place on 29th August 2023 and was attended by 29 participants. Members of the core project team gave the following four presentations:

- Brian Heffernan: presented a case of mixed plastic waste imports from Great Britain to Ireland classified as a GLW. Due to the proportion of oversized contaminants, it was difficult to apply the thresholds in accordance with Correspondents' Guidelines No. 12. There was broad agreement that such a shipment should require notification.
- Hannah Wooldridge: described a broad range of scenarios that UK Environment Agency inspectors encountered. Difficulties include the difficulty in determining the polymer type and level of contamination. Shipments of PVC listed as EoW were a big challenge. Analysis was required to determine the appropriate controls for a number of shipments mis-declared as B3011.
- Bojan Počkar: presented a case of two shipments of plastic foils declared as a non-waste with a corresponding Customs code. All participants that responded classified the shipment as a waste as it requires further processing and cannot be reused in its current format. The destination for these loads was India. There are also intellectual property rights for this material which producers should ensure is destroyed to ensure the foils cannot be used as fraudulent labelling.



- Martijn Burgering: highlighted a case whereby a shipment was claimed to be acrylonitrile butadiene styrene (ABS) flake and thus subject to GLW shipment rules as B3011 to Malaysia. Dutch inspectors were concerned the shipment was a mixture of polymers and thus subject to notification. Samples were taken from each bag and tested. Results showed the proportion of ABS was less than 1% of the total and that a wide variety of other polymers were present. The shipper was given a warning that any future such infringements could lead to a fine of €450/tonne.

The structure of this second webinar was more amenable to audience interaction. More information was delivered to the participants and it was easier for them to provide feedback to the presenters.



6. Networking Activities

The activities of the project were undertaken through a period of momentous change for plastic waste shipment regulators and the industry. Consequently, there was a requirement throughout the project to provide updates and attend regular events promoting the project's activities. These events gave the project team the opportunity to learn from colleagues and inform subsequent project activities.

Table 2: Networking Activities 2019 - 2023

Year	Event	Location
2019	IMPEL NCP & TFS Conference	Bucharest
	Asian Network Meeting	Kuala Lumpur
	Joint IMPEL/Chinese Study Visit	Utrecht
2020	EC Waste Shipments Correspondents	Online
	Asian Network Meeting	Online
	IMPEL TFS Conference	Online
2021	4 Networks Conference	Online
	IMPEL NCP	Online
	Asian Network Meeting	Online
	IMPEL TFS Conference	Online
2022	Basel Convention COP Side Event	Geneva
	IMPEL General Assembly	Online
	IMPEL TFS Conference	Online
2023	IMPEL Open Day	Online
	IMPEL NCP Meeting	Online
	IMPEL General Assembly	Online
	IMPEL TFS Conference	Dresden



7. Conclusions and Recommendations

The term of this project has coincided with some major international policy developments regarding the shipment of plastic waste. The ban introduced in 2018 by the People's Republic of China dominated the early stages of the project as markets adapted to losing their biggest destination and concerns grew over the impact on other receiving countries, particularly in South East Asia. Although the amendments to the Annexes of the Basel Convention in 2019 were broadly welcomed, challenges remain in how to interpret some of their provisions while shippers continue to seek loopholes to avoid the required controls. Such examples include:

- Difficulties remain with the visual inspection of shipments and how to apply the thresholds in Correspondents' Guidelines No. 12.
- Differing interpretations of the term 'destined for recycling' and whether both R12 and R13 operations are permitted.
- Claiming the plastic has met either EoW or by-product status without supplying the necessary proof or documentation to support their claim. Shipments of polyvinyl chloride (PVC) are particularly subject to these claims as shipments from both the EU (apart from intra-EU) and UK are treated as an amber-list waste. Shredding the PVC (or other plastic waste) is not sufficient to reach EoW or by-product status.
- Shipments claiming EoW or by-product status routinely do not analyse for hazardous components such as substances of very high concern to ensure compliance with the REACH Regulation (Registration, Evaluation, Authorisation and Restriction of Chemicals).
- Shipments of mixed plastic flake are difficult to determine by visual inspection alone and often requires scientific analysis, which is not always readily available and can be expensive to perform.

The EC tabled a proposal in November 2021 to revise Regulation (EC) No 1013/2006 on shipments of waste (WSR) and the new Regulation will enter into force in May 2024 with most substantive provisions not applying until May 2026 onwards. The new Regulation will have a major impact on the future of plastic waste shipments for all IMPEL members, whether they are EU MS or not. Green-list procedures will only apply for intra-EU shipments while notification will be required for shipments of B3011 from the EU to non-EU countries in the OECD. These shipments within the OECD will be accompanied by increased monitoring by the EC.

Shipments of plastic waste from the EU to non-OECD countries will face even tighter restrictions as they will initially be prohibited and potential receiving countries will only be able to apply to the EC in 2029 to accept plastic waste under prior written notification and consent. Such restrictions could have the impact of directing large volumes of plastic waste to EU countries at the frontier of the EU border, which have suffered disproportionate illegal disposal incidents and waste fires.



Separately, the United Nation's Intergovernmental Negotiating Committee is seeking to develop an international legally binding instrument on plastic pollution, which could have further impacts on plastic waste shipments at a future date.

When most elements of the revised WSR start applying in 2026, it will be nearly 20 years since the introduction of the WSR. This will represent the single biggest policy change to the shipment of plastic waste for most IMPEL members. It will introduce a range of restrictions on the export of plastic waste from the EU to both OECD and non-OECD countries. This means intra-EU plastic waste shipments will be easier to execute, particularly as a green-list waste. It should greatly reduce the risk of plastic waste from the EU being shipped illegally outside of the EU, which is greatly welcomed. However, we recommend there is increased monitoring of plastic waste shipments to EU countries at the frontier of the EU, particularly in Eastern Europe, which have reported increased incidences of illegal waste dumping and fires in recent years. This was confirmed during discussions at IMPEL's Waste and TFS Conference in Dresden in 2023. This could be achieved by increased support and monitoring of shipments by other IMPEL members through projects already established within IMPEL. The introduction of the EDI under the revised WSR should assist with this work.

The results of the 2022 survey and subsequent webinars revealed numerous IMPEL members continue to face challenges implementing the terms "Almost exclusively consisting of ..." and "Almost free from contamination and other types of waste". While Correspondents' Guidelines No. 12 and the Guidance produced as part of this project provide a pathway to determining the appropriate controls that should apply to a shipment, numerous IMPEL members are still having difficulties. Only a small proportion of countries are conducting bale analysis of shipments. This is a quite arduous and resource intensive process but it does provide inspectors with detailed information on shippers of concern that future enforcement action can be directed towards.

A number of countries raised the benefit of using handheld x-ray fluorescence (XRF) instruments to perform an analysis of polymers in the field. Although expensive, they have the potential to save on enforcement resources by reducing the need for expensive laboratory analysis.

We note that there is a new project proposal to continue the work in plastic waste shipments for 2025 - 2027 and that a separate project is being prepared under IMPEL's Waste Management and Circular Economy project to explore the connections between EoW criteria and TFS for the recycling of plastic waste. We believe these are much needed projects as it will hopefully look to address a number of issues faced by IMPEL members as they inspect and enforce plastic waste shipments.

By the end of the project, we had a small core team in place, which greatly assisted with delivering our programme of activities. The participants were from a variety of countries and each were able to bring experience of current issues in their own country. This structure was only developed as the project progressed. We recommend that such a structure should be in place from the outset of all projects so that ownership and decision-making responsibilities can be assigned at that point.



Annexes



Annex I. Glossary of Terms

- ABS - Acrylonitrile butadiene styrene
- CA – Competent Authority for the enforcement of the Waste Shipment Regulation
- EC – European Commission
- EDI – Electronic Data Interchange
- EoW – End-of-waste
- EU – European Union
- GLW – Green-List Waste
- LoW – List of Waste
- MS – Member state of the European Union
- OECD – The Organisation for Economic Co-operation and Development
- RDF – Refuse Derived Fuel
- REACH - Registration, Evaluation, Authorisation and Restriction of Chemicals
- Revised WSR – Regulation (EU) 2024/1157 on shipments of waste
- SRF – Solid Recovered Fuel
- TFS – Transfrontier Shipment of Waste
- WSR – Regulation (EC) No 1013/2006 on shipment of waste (Waste Shipment Regulation)
- XRF - x-ray fluorescence



Annex 2: 2022 Survey Results

6. Since the introduction of the Basel plastic waste amendments in January 2021, has your competent authority (CA) received the expected number of notifications for shipments of plastic waste (A3210, AC300, Y48, EU48)?

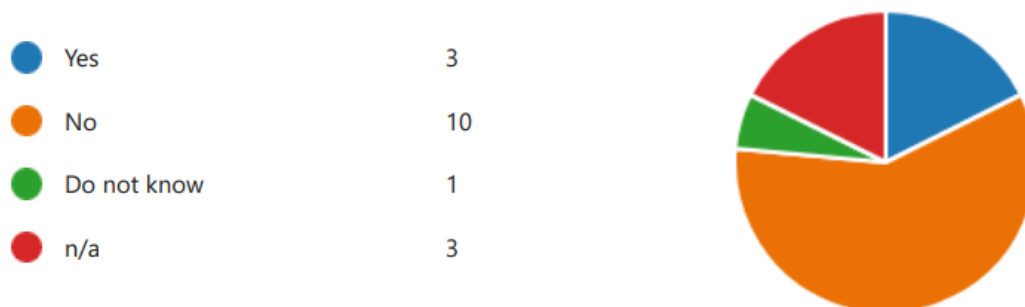


7. If you selected No, what are the reasons?



- We didn't really know how many to expect. Partly since we don't routinely get any greenlist shipment info;
- Based on the customs data during year 2021 exports to Malaysia have been stopped and almost all exports outside EU have been to Turkey (about 3400 tons). No notifications to Turkey have been issued.
- We received a number initially and only a few proceeded
- Another authority is responsible for receiving/approving notifications - they mentioned that was approved only one notification for B3011 (export to Serbia).

8. For EU MS, has your CA conducted bale analysis of B3011/EU3011 shipments to demonstrate compliance with the 2%/6% thresholds?



9. What have been the greatest challenges so far regarding the implementation of CG12?

- Classifying End of Waste
- No challenges, CG12 given to companies for information.
- Some troubles came with % of the weight of the consignment. Most often, waste composition analyzes from companies focus on elemental composition, not on the weight of the consignment. Even specific values of 2% and 6% admixture/contamination are the subject of conjecture with companies, as these numbers are only given in the guidelines, but not directly in the regulations. And some subjects are not fluent in english language so we need translation in national language.
- The costs for representative sampling and analyses are very high.
- Varying interpretations.
- Since green listed waste shipments are not controlled, it is difficult to get information about plastic waste shipments or inspect them.
- Use of incorrect EWC and Basel Codes in the Annex VII documents
- Some pushback from certain exporters. Irish collection system has all recyclables in the same mixed bin meaning it is more difficult for processors to separate into individual fractions.
- Use of new coding on Annex VII form.
- Compliance with 2%/6% thresholds
- Interpretation of terms “almost free from contamination and other types of wastes” and “almost exclusively consisting of”

10. Do you think a standard template for shippers to certify compliance with the relevant threshold would be useful?



11. For non-EU countries, what approach has your CA taken to regulating shipments of B3011?

- Sporadic desktop inspection and physical inspection
- Checking sites/facilities (process, licence etc)
- Officers make a visual assessment of whether any (non-haz) contamination is present at no more than a 'de minimis' level (but we don't work to particular %'s), and it must otherwise be in accordance with the B3011 waste description.
- None specific additional to normal traffic controls.

- We demand the exporter to supply us detailed information on the receiving facility in a non-EU country:
 - Annex VII form
 - Waste Shipment Regulation contract.
 - Invoices
 - Packing lists
 - CMR and/or booking information
 - A signed document by the non-interim recycling company stating in detail where and how the (individual) plastic (fractions) to be processed, will be recycled in an environmentally sound manner into a useable product/raw material (e.g. granulate /flakes) .
 - A copy of the environmental permit of the company where the non-interim environmentally sound recycling takes place.
 - Import permits for the shipment from the country of destination.
 - Survey & Inspection and/or Pre-shipment certificates
 - Photos of the company and the production process where the environmentally sound recycling takes place.

- Site inspections where exports take place directly or indirectly.
- Information of the new requirements have been published on SYKEs website. We are going to participate to Demeter project in October.
- We use MRF sampling data to target the highest risk sites to stop plastic shipments.
- Inspect material being loaded. Request clarifications from exporter to confirm the source of the material which is being exported
- Basel Convention
- For the moment we use only visual inspection.
- Shipments are regulated according to the requirements of Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste and national legislations
- Responses from both EU and non-EU

12. All CAs - Has your CA found it difficult to obtain documentation to satisfy the B3011 R3 condition '*destined for recycling/separate recycling*' which states a shipment should be '*evidenced by contractual or relevant official documentation*'?

● Yes	4
● No	5
● Do not know	8



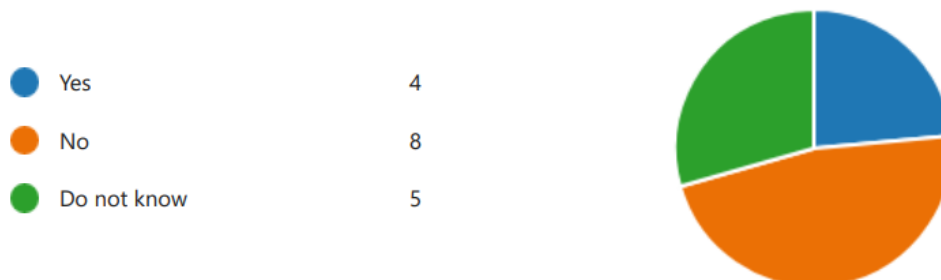
13. If you selected Yes, what are the main challenges that you have identified?

- We won't request this info, unless we suspect a particular shipment (or exporter) as being (or likely to be) non-compliant.
- Receipt of the Annex VII showing box 14 completed; B3011 destined for R13 operation.
- Brokers seeing the R3 condition as trivial and not having this in place prior to shipment.
- Still to be fully implemented. To trial and error what the appropriate documentation is to satisfy this condition.
- NIEA: Material is being shipped as R12/R13 to an interim site then mixed with waste from other shipments and the original shipper does not know what proportion of their waste is going to the final R3 recovery site. There may be multiple R3 recovery sites from the one R12/13 site.

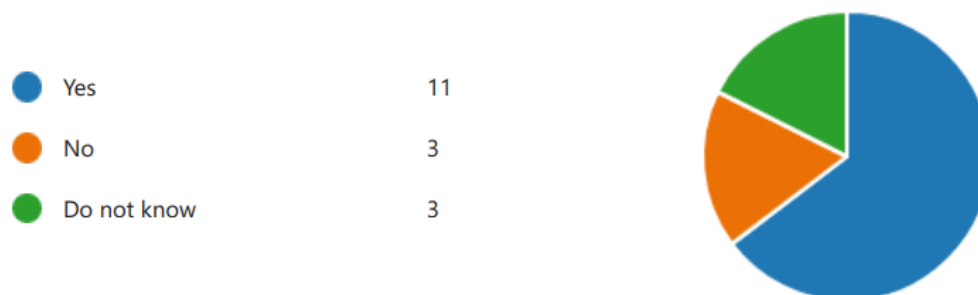
14. How does your CA interpret the 'destined for recycling' condition applicable to B3011 which contains the phrase "...if needed, temporary storage limited to one instance,..."?



15. Has your CA observed an increase in plastic waste shipments declared as EoW?



16. Does your CA/country issue case-by-case decisions regarding EoW?



17. If you selected yes, please provide more detail e.g. issued to a company for a specific polymer

- all kinds of polymers
- We don't, but if an exporter is claiming EoW status, they'd need to provide us with evidence that the material has been properly assessed and met all relevant criteria.
- In principal, only clean plastic residues complying with the conditions of EOW in Article 6 of 2008/98/EC
- especially PVC
- Yes, depends on the polymer type, source(s), treatment process and what is being proposed and the environmental and social impact, but such decisions lie with another unit within the Agency.
- In Finland regional authorities make decisions regarding EoW-status. There is also a project concerning national EoW criteria for mechanically treated plastics. It might be affected by the progress of EU level criteria.
- A different unit deals with this but EoW is only granted for the Scottish market
- EoW criteria have so far been issued to few facilities based on the EoW process and according to specific plastic waste
- The policy of the Directive 2008/98/EC, art.6, is applied - the same requirements were transposed into national legislation (Decision 92/2021)
- A company can apply for EoW status for one or more polymers produced at a specific recovery facility. A representative body could also apply on behalf of the industry for a national decision.
- A company will apply for an EoW agreement to the NIEA EoW team.

18. What documentation does your CA require for EoW criteria to be satisfied for a plastic shipment?

● EoW decision from regional/nati...	4
● Documentation to satisfy each c...	5
● Do not know	5
● Other	3



19. When sampling and testing of the plastic waste is required to demonstrate EoW, what standard does your CA require to be implemented?

● EN14899:2005	0
● CEN/TR 15310:2006 (Parts 1-5)	0
● Do not know	12
● Other	5



- German standard PN98 (https://www.laga-online.de/documents/m-32_pn98_red-aend_2019_mai_1562758999.pdf)
- No specific sampling standard has been required for the limit of EoW criteria issued so far
- SR CEN/TS 16010, SR CEN/TS 16011, SR CEN/TS 17627, I.S. EN ISO 15512, I.S. EN 1186-1
- no obligation for certain sampling standards

20. What frequency of sampling and testing does your CA require?

● Each shipment	0
● Dependent on risk assessment ...	7
● Do not know	8
● Other	2



- Dependent on risk assessment of polymer type and/or source of material
- Determined on a case-by-case basis

- Dependant on individual decision. Monthly requirement has been stipulated on some decisions.

21. What chemicals/Regulations need to be tested against to satisfy EoW criteria regarding the protection of human health and the environment?



- This would be determined on a case-by-case basis, depending on the source of the waste, etc.

22. If a facility declares they don't have to sample and test because the waste originates from products that already had to comply with REACH, POP, RoHS, what is your CA's response? Is this declaration sufficient to demonstrate EoW?



23. Does your CA risk assess recovery sites that are claiming EoW? e.g. a site that only processes a single polymer from one industrial source versus a site processing multiple polymers originating from various municipal sources.



24. What level of processing is required for an R3 recovery activity to be achieved in your country/region?

● Plastic has to be extruded into a...	4
● A new product (e.g. film, bottle, ...)	0
● Do not know	8
● Other	5



- option b or EoW demonstrated
- In principle extrusion into pellets, yet for single facilities also a prior state (e.g. washing & grinding) has been accepted
- a new product has to be produced of the output should comply with the conditions of article 6 WFD
- Currently there are no authorised waste management facilities in Malta processing plastic waste in line with R3
- The R3 process is separate from the EoW process. R3 produces a substance which the company have to demonstrate achieves EoW at a certain point in the process. Quite often this is at the production of a pellet.

25. If R3 is achieved, does this automatically imply that EoW is also achieved?

● Yes	4
● No	9
● Do not know	4



26. Has your CA observed an increase in plastic shipments declared as a by-product?

● Yes	3
● No	9
● Do not know	5

