

Name of Project: Effects of International Restrictions on Plastic Waste Shipments and Challenges posed by the Basel Plastic Waste Amendment

ToR Reference No.: 2022-IV/03

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TERMS OF REFERENCE FOR WORK UNDER THE AUSPICES OF IMPEL

1. Work type and title

1.1 Identify which Expert Team this needs to go to for initial consideration

- Industry and air
- Waste and TFS
- Water and land
- Nature protection
- Cross-cutting tools and approaches

1.2 Type of work you need funding for

- Exchange visits
- Peer reviews (e.g. IRI)
- Conference
- Development of tools/guidance
- Comparison studies
- Assessing legislation (checklist)
- Other, (please describe):

1.3 Full name of work

Effects of International Restrictions on Plastic Waste Shipments and Challenges posed by the Basel Plastic Waste Amendment

1.4 Abbreviated name of work or project

Plastic Waste Shipments Project

2. Outline business case (why this piece of work?)

2.1 Name the legislative driver(s) where they exist

- Regulation (EC) No 1013/2006 on shipments of waste



- Regulation (EC) No 1418/2007 shipment of green listed waste to certain non-OECD countries
- Directive 2008/98/EC on waste (Waste Framework Directive)
- Directive 94/62/EC on packaging and packaging waste

- Directive (EU) 2019/904 on the reduction of the impact of certain plastic products on the environment (Single-Use Plastics Directive)
- Basel Convention on the control of transboundary movements of hazardous wastes and their disposal
- Basel COP 14 Decision (BC – 14/12) amending the Convention to enhance the control on the transboundary movements of plastic waste

2.2 Link to IMPEL MASP priority work areas

- | | |
|---|-------------------------------------|
| 1. Assist members to implement new legislation. | <input type="checkbox"/> |
| 2. Build capacity in member organisations through the IMPEL Review Initiatives. | <input type="checkbox"/> |
| 3. Work on 'problem areas' of implementation identified by IMPEL and the European Commission. | <input checked="" type="checkbox"/> |
| 4. Other, (please specify): | <input type="checkbox"/> |

2.3 Why is this work needed?

The Basel COP 14 Decision (BC – 14/12) came into effect in January 2021. Although this international agreement was a very welcome development, significant challenges remain for competent authorities (CA) in tracking plastic waste to its final destination. The EC Correspondents Guidelines No 12 have provided guidance on some of the key terms in the Basel Decision while the separate guidance produced as part of this project was aimed specifically at inspectors. It is anticipated however that inspectors will require ongoing assistance as they implement the Basel Decision amendments. This work will be completed by hosting webinars as required.

An amendment to Regulation 1418/2007 was published in October 2021. This lists the non-OECD destination countries that can accept plastic waste (B3011) under green list and notification controls while also listing the countries that it is prohibited to send plastic waste to from the EU. This has the potential for new countries to emerge as destinations, which will be monitored by this project. It will also be important to monitor 'local controls' introduced by destination countries (e.g. Malaysia) to see how this impacts any pre-inspection requirements for plastic waste exports from Europe. It is still unclear what provisions apply for shipments of plastic waste to Turkey so it is important to provide some clarity on this topic. Once a shipment of plastic waste is technically allowed to proceed to an end destination, it is important for a CA to know what permitting or other required documentation the final recovery facility should obtain. EU Member States (MS) now have to abide by requirements of the Waste Framework Directive (WFD) and Packaging & Packaging Waste Directive (PPWD) amendments which state that exports from the Union should be managed in an environmentally sound manner at a facility operating to broadly equivalent standards established in Union legislation. Work is required to determine what documentation should be supplied to comply



with these requirements. Although directly applicable to EU MS, this package would be of benefit to all CAs as they look to track their plastic waste exports.

Although shipments of plastic waste to non-OECD countries have dropped dramatically since the beginning of 2021, the EU was still exporting 42% of its plastic to these destinations as of October 2021. The recast of the WSR is likely to reduce plastic waste exports from the EU but non-OECD countries that wish to receive this waste will still be able to do so. It will be important for IMPEL to maintain and build contacts with these countries and we believe a field trip to Asia will assist in this regard. We believe this visit will assist this project with a greater understanding of whether or not there is ESM at the end destination that we visit. We also believe that building relationships outside of Europe is a vital tool in addressing illegal plastic waste shipments.

2.4 Desired outcome of the work

Aim

- To assist competent authorities with the enforcement of the Basel plastic waste amendments by providing documented guidance and assistance through a series of webinars.
- To obtain a better understanding of end destinations for European plastic waste and what documentation is required to satisfy WFD and PPWD requirements.
- To provide regulators with a better understanding of waste plastic flows, particularly to Asian countries.
- To represent IMPEL at various networking events promoting the achievements of the project and the work of IMPEL.

2.5 Does this project link to any previous or current IMPEL projects?

The information collated by this project will be useful for both the SWEAP project, IMPEL TFS Conference and the NCP best practice meetings.

3. Structure of the proposed activity

3.1 Describe the activities of the proposal

Phases

1. Following this project's work producing 'A Guide for Inspectors: Enforcing the Basel COP Plastic Amendments', continue supporting CAs with the implementation of the amendments by hosting a series of webinars. The webinar will also be used to update colleagues on the work of the Inspection Resource Tool.

Events

- Assuming the document is released in November 2021, hold the first webinar in December 2021
- Host three additional webinars in March, July and October 2022



2. Development of a web-based Inspection Resource Tool: this tool will provide competent authorities with an easily accessible database, which will identify a list of destination countries and the required documentation that is required for shipments to proceed. Subject to availability, we will provide a link to public registers of permitted facilities in the destination countries. We initially would look to keep the database on a platform like Google Drive though keeping it on a shared document in Basecamp would also be possible. This means the development can be achieved without employing a consultant.

As a significant proportion of European plastic is exported to Turkey, there is merit in meeting with the Turkish CA.

2022 Events

- Hold a meeting of the project team to assign duties. Discuss the role of the Asian Network in providing regular updates to the project team. Discuss efforts by SWEAP project in establishing an online database: February 2022
- Hold a second meeting to confirm the data fields that will be required for the database. Confirm a list of priority destinations: April 2022
- Start contacting the priority destinations and populate the database: May – November 2022
- Visit to Turkey to meet with the CA and conduct a number of site visits: October 2022
- Disseminate the first release of the database: December 2022

2023 Events

- Hold a meeting of the project team to review progress and proposed activities for the year: February 2023
- Liaise with further competent authorities and add details of remaining countries to the database: March – September 2023
- Visit to Asia to meet with the CA and conduct a number of site visits: April 2023
- Project meeting to review progress. Seek input from IMPEL members and decide on the feasibility of developing the database into an App: October – December 2023

3. Networking – since the commencement of this project in 2019, members have been required to represent IMPEL at various events such as the Asian Network conference, 4 Networks conference and various IMPEL meetings such as the visit of the Chinese delegation to Utrecht. This is an important element of the project's work so it is evident there will be a requirement to continue this work. Events will be documented as they arise.

3.2 Describe the products of the proposal

1. Minutes of each webinar held
2. A web-based Inspection Resource Tool



3. Interim and progress reports detailing the work undertaken as part of the Networking package
4. A final report detailing all of the projects outputs

