

TERMS OF REFERENCE FOR IMPEL PROJECT

* Please read the supporting notes before filling in each section of this form.

1. Project details

| No | Name of project |
|---------|-----------------------------------|
| 2012/15 | IMPEL TFS Enforcement Actions III |

2. Scope

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| 2.1. Background | <p>The Waste Shipment Regulation (1013/2006/EC) requires Member States to inspect shipments of waste and to co-operate with each other.</p> <p>The Enforcement Actions project was set up for the following reasons:</p> <ul style="list-style-type: none"> - Some Member States expressed the need for a formalised project framework in order to integrate this with the enforcement inspections in their own countries; - International cooperation is essential to tackle international environmental problems; and - The network of enforcers in the field should be maintained and extended to cover all Member States. <p>These reasons are still valid for extending the project. Enforcements Actions II has allowed participants to gain valuable experience on inspection methods, enforcement structures, planning inspections and exchange of staff and information.</p> <p>Responses to a recent questionnaire of participants of the Enforcement Actions II project revealed that without this project, they would have less impetus to plan and undertake TFS inspections. Overwhelmingly, they want this project to continue.</p> <p>Draft terms of reference will be presented to the General Assembly in November 2011 for an Enforcement Actions III project.</p> <p>Given that Enforcement Actions II had participants from 25 Member States and seven other countries, it is felt that an 'exchanges' project be undertaken in order to maintain the momentum for collaborative waste shipments enforcement.</p> |
| 2.2. Directive / Regulation / Decision | Regulation 1013/2006/EC on shipments of waste |
| 2.3. Article and description | <p>Article 50(2) – 'Member States shall, by way of measures for the enforcement of this Regulation, <i>inter alia</i>, for inspections of establishments and undertakings.'</p> <p>Article 50(5) – 'Member States shall cooperate, bilaterally or multilaterally, with one another in order to facilitate the prevention and detection of illegal shipments'</p> |
| 2.4 Link to the 6th EAP | Articles 3(2) and 8(1) of the EAP Council and EP Decision |
| 2.5. Link to MAWP | <p>IMPEL-TFS has a Multi-Annual Working Programme. A third phase of the Enforcement Actions Project would accord well with the aims of the MAWP in that it promotes:</p> <ul style="list-style-type: none"> - Capacity building - Improving methodologies - Development of good practice, and - IMPEL and dissemination of its products |
| 2.6. Objective (s) | <p>The objectives of this project are:</p> <ol style="list-style-type: none"> 1. To work towards an adequate level of inspections in all Member States and a consistent level of enforcement at all exit points of the EU; 2. Promote site inspections at points of loading and encourage a cradle-to-grave approach to inspection to minimise illegal shipments; 3. To verify waste destination and the treatment at their destination within or |

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| | <p>outside Europe;</p> <ol style="list-style-type: none"> 4. To provide an easily accessible European enforcement project for all Member States, and encourage them to co-operate; 5. To detect illegal shipments and deter future ones through effective communication and guidance; 6. To facilitate take-back procedures after an illegal shipment has taken place; 7. To maintain and improve the network of front line inspectors, inspection methods, exchange of information and knowledge; and 8. Demonstrate that the Member States take the enforcement of the WSR seriously. |
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3. Structure of the project

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| 3.1. Activities | <p>Co-ordinated exchanges between participating countries during 2012 and 2013. Inspections during three months in 2012 and 2013.</p> <ul style="list-style-type: none"> - undertaking an adequate level of inspections with other competent authorities (such as Police and customs) on waste shipments (harbours, trains, companies and road traffic) - Chain approach: competent authorities to check the recovery facility in order to check that a shipment accords with the principle of 'environmentally sound management'. Also verification within non-OECD countries which have interrelation with another TFS-project on the establishment of an enforcement network in Asia. - Communication about this project and the different inspections. - Collation and analysis of the results of the inspections by a consultant - Organisation of an 'annual best practice' meeting - 16 exchanges of front-line inspectors during inspections periods. - Attendance at National Contact Point meeting in September 2012 and 2013 to reflect upon project and discuss requirements and proposals for next phase. - Attendance at General Assembly to present draft ToRs for Enforcement Actions III. |
| 3.2. Product(s) | <ul style="list-style-type: none"> - A report that contains the following information: <ul style="list-style-type: none"> ✦ The results of the exchanges and the lessons learned by inspectors; ✦ An evaluation of existing enforcement gaps, based on the results of inspections and verifications, Enforcement Actions II outcomes and co-ordinated analysis by competent authorities (and possibly Europol); ✦ The maintenance of a network of operational contacts, extending to all Member States (if possible); incorporating the principles of Article 50 of the EU waste shipment regulation; and ✦ Recommendations for future activities. - Template press release for use by participant competent authorities. - A network of contacts in countries needed for the collaboration on enforcement of the Regulation, e.g. the Police and Customs . - Update newsletters to participants - Guidance on risk-assessment and information-led operations - A recommendation for a minimum level of inspections and enforcement of the Waste Shipment Regulation in order to institutionalise waste shipment enforcement. |
| 3.3. Planning (Milestones) | <p>January 2012 onwards – approval of exchanges and organisation February 2012 – Best Practice meeting and Meeting of Project Group February 2012 – Dissemination of questionnaire on risk assessment March 2012 – Inspection and exchange period June 2012 – Inspection and exchange period October 2012 – Inspection and exchange period November 2012 - Compilation of results into Interim Report and update to</p> |

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| | <p>General Assembly February 2013 – Best Practice meeting and Meeting of Project Group March 2013 – Inspection Period October 2013 – Inspection Period November 2013 – Update to General Assembly and Final Conference December 2013 – Finalisation of Project Report February 2014 - Best Practice meeting and Meeting of Project Group to approve report. Spring 2014 – Presentation of final report to General Assembly</p> |
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4. Organisation

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| 4.1. Lead | Katie Willis, Scottish Environment Protection Agency |
| 4.2. Project team | Scotland, Northern Ireland, The Netherlands, Germany and Malta. (Sweden, Austria, Germany, Northern Ireland and The Netherlands have agreed to review the Road Inspections Matrix and guidance on risk assessments). |
| 4.3. Participants | <p>The following countries participate actively within the current Enforcement Actions project: Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, England and Wales, Estonia, Finland, France, Germany (some Federal States), Hungary, Ireland, Latvia, Lithuania, Luxembourg, Malta, Macedonia, The Netherlands, Northern Ireland, Poland, Portugal, Romania, Scotland, Serbia, Slovenia, Spain and Sweden.</p> <p>Others to be encouraged to join: Greece, Italy, Iceland and Slovakia.</p> <p>Also Croatia, Norway, Turkey, Serbia and Switzerland participate in the previous Enforcement Action.</p> |

5. Quality review

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| NCP meeting and IMPEL-TFS Steering Committee. |
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6. Communications

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| 6.1. Dissemination of results | When completed, the (interim) results will be disseminated to the various stakeholders: IMPEL network, European Commission, INECE, Member States, National Contact Points, European Parliament, Waste Shipment Correspondents Group, Basel Secretariat and NGOs. Furthermore shall the reports be published on the IMPEL Website. |
| 6.2. Main target groups | European Commission, IMPEL and Member States' competent authorities. |
| 6.3. Planned follow up | Enforcement Actions III (2012-14) |

7. 1 Project costs/Resources required (2012)

| | Estimated costs | Budget requested from IMPEL, 2012 (€) |
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| • Project meetings in total | | |
| Meeting 1: Best Practice Meeting | | |
| No of Participants: (30 inspectors) | 30 | 30 |
| Travel (30*360): | 10800 | 10800 |
| Accommodation: | 5400 | 5400 |
| Catering: | 1500 | 1500 |
| Meeting venue: | 500 | 500 |
| Subtotal: | 18200 | 18200 |
| Meeting 2: Exchange of Inspectors | | |
| No of Participants: Countries (16 inspectors) | 8 | 8 |
| Travel (16*360): | 5760 | 5760 |
| Accommodation: | 4320 | 4320 |
| Catering: | 1200 | 1200 |
| Sub-Total: | 11280 | 11280 |
| Meeting 3: Presentation of Enforcement Actions III at General Assembly | | |
| No of participants: | 1 | 1 |
| Travel: | 360 | 360 |
| Accommodation: | 180 | 180 |
| Catering: | | |
| Meeting venue: | | |
| Sub-Total: | 540 | 540 |
| • Consultant: | 20000 | 20000 |
| • Translation: | | |
| • Dissemination: | | |
| • Attendance for Project Manager at Cluster meetings (National Contact Point): | 650 | 650 |
| • Other (specify): | | |
| TOTAL | 50670 | 50670 |
| Human Resources | Project Manager time – 25 days Project team – 10 days Inspector days – 156 days (based on 32 countries inspecting and 30 attending best practice meeting) | |

7.2 Project costs/Resources required (2013)

| | Estimated costs | Budget requested from IMPEL 2013 (€) |
|---|-----------------|--------------------------------------|
| • Project meetings in total | | |
| <i>Meeting 1: Best Practice Meeting</i> | | |
| No of Participants: (30 inspectors) | 30 | 30 |
| Travel: | 10800 | 10800 |
| Accommodation: | 5400 | 5400 |
| Catering: | 1500 | 1500 |
| Meeting venue: | 500 | 500 |
| Sub-Total: | 18200 | 18200 |
| <i>Meeting 2: Exchange of Inspectors</i> | | |
| No of Participants: Countries (16 inspectors) | 8 | 8 |
| Travel: | 5760 | 5760 |
| Accommodation: | 4320 | 4320 |
| Catering: | 1200 | 1200 |
| Sub-Total: | 11280 | 11280 |
| <i>Meeting 3 Presentation of Enforcement Actions III at General Assembly</i> | | |
| No of participants: | 1 | 1 |
| Travel: | 360 | 360 |
| Accommodation: | 180 | 180 |
| Catering: | | |
| Meeting venue: | | |
| Sub-Total: | 540 | 540 |
| • Consultant: | 20000 | 20000 |
| • Translation: | | |
| • Dissemination: | | |
| • Attendance for Project Manager at Cluster meetings (National Contact Point): | 650 | 650 |
| • Other (specify): | | |
| TOTAL | 50670 | 50670 |

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| Human Resources | Project Manager time – 25 days Project team – 10 days Inspector days – 156 days (based on 32 countries inspecting and 30 attending best practice meeting) |
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7.3 Project costs/Resources required (2014)

| | Estimated costs | Budget requested from IMPEL, 2014 (€) |
|---|---|---------------------------------------|
| • Project meetings in total | | |
| <i>Meeting 1: Best Practice Meeting</i> - Approval of final report | | |
| No of Participants: (30 inspections) | 30 | 30 |
| Travel: | 10800 | 10800 |
| Accommodation: | 5400 | 5400 |
| Catering: | 1500 | 1500 |
| Meeting venue: | 500 | 500 |
| Sub-Total: | 18200 | 18200 |
| <i>Meeting 2: Presentation of Enforcement Actions III at IMPEL-TFS Conference</i> | | |
| No of participants: | 1 | 1 |
| Travel: | 360 | 360 |
| Accommodation: | 180 | 180 |
| Catering: | | |
| Meeting venue: | | |
| Sub-Total: | 540 | 540 |
| <i>Meeting 3: Presentation of Enforcement Actions III at IMPEL General Assembly</i> | | |
| No of participants: | 1 | 1 |
| Travel: | 360 | 360 |
| Accommodation: | 180 | 180 |
| Catering: | | |
| Meeting venue: | | |
| Sub-Total: | 540 | 540 |
| • Consultant: | 5000 | 5000 |
| • Translation: | | |
| • Dissemination: | | |
| • Other (specify): | | |
| TOTAL | 24280 | 24280 |
| Human Resources | Project Manager time – 12 days Project team – 5 days Inspector days – 60 days (best practice meetings) | |

7.4 Project costs/Resources required (Total over 2012, 2013 and 2014)

| | Estimated costs | Budget requested from IMPEL 2013 (€) |
|------------------------------------|---|--------------------------------------|
| TOTAL | 125620 | 125620 |
| Human Resources (over three years) | Project Manager time – 38 days Project team – 25 days Inspector days – 372 days | |