



European Union Network for the Implementation  
and Enforcement of Environmental Law

# Waste Shipment Inspection Planning (WSIP)

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*Final project report*

***Date of report: 9 November 2016***

***Report number: 2015/04-2016/05***



## 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 EU Member States, acceding and candidate countries of the European Union and EEA countries. 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 7th Environment Action Programme 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](http://www.impel.eu)



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<b>Project Manager/Authors:</b>  Thomas Ormond (DE)	<b>Report adopted at IMPEL General Assembly Meeting:</b>  1-2 December 2016, Bratislava, Slovakia
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<b>Executive Summary</b>  <p>Due to the amendment of the Waste Shipment Regulation (WSR) which obliged EU Member States to ensure that waste shipment inspection plans are established for their territory as from January 2017, a two-year IMPEL project was started in 2015 to prepare useful guidance for inspection planners. The German-led project team consisted of members from six countries; altogether 20 countries participated actively in the project. In a first stage, existing inspection plans were collected and discussed and a survey organised to get more information on the status of inspection planning in participant countries. On the basis of the survey results and of input from an expert workshop and other discussions, a “Guidance on Effective Waste Shipment Inspection Planning” was drafted, circulated in various versions and finalised in November 2016. The guideline explains relevant requirements of the WSR, presents best practice examples and gives recommendations on how to plan effective waste shipment inspections. This report outlines the objectives and structure of the project, the results of the survey, the evolution of the WSIP guideline, and the issues and results of discussion.</p>	
<b>Disclaimer</b>  <p>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.</p>	



# TABLE OF CONTENTS

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<b>1. INTRODUCTION .....</b>	<b>6</b>
1.1. Background .....	6
1.2. Objectives and structure of the project .....	7
1.3. Participants .....	8
<b>2. SURVEY ON INSPECTION PLANNING IN PARTICIPANT COUNTRIES .....</b>	<b>9</b>
2.1 Questions .....	9
2.2 Replies.....	9
2.2.1 Existence of written inspection plans (Feb. 2016) .....	10
2.2.2 Drafting of inspection plan envisaged?.....	10
2.2.3 Number of waste shipment planning authorities in the country .....	10
2.2.4 Number of waste shipment inspectors working in the field (2015) .....	10
2.2.5 Main focus of inspections .....	11
2.2.6 Identification of waste transports.....	11
2.2.7 Number and type of inspections.....	12
2.2.8 Joint inspections with Police, Customs and other authorities .....	12
2.2.9 Training for waste shipment inspectors and others .....	13
2.2.10 Comments on the “DTRT-TFS” guidance book.....	13
2.3 Results of the survey .....	13
<b>3. WORK ON THE WSIP GUIDELINE .....</b>	<b>15</b>



3.1 Organisation of the work .....	15
3.2 Evolution of the guidance document .....	15
<b>4. ISSUES OF DISCUSSION AND CONCLUSIONS.....</b>	<b>17</b>
<b>ANNEX I. TERMS OF REFERENCE (UPDATE 2016 AFTER GEN. ASSEMBLY 2015) .....</b>	<b>20</b>
<b>ANNEX II. PROGRAMME OF EXPERT WORKSHOP .....</b>	<b>29</b>



## 1. Introduction

### 1.1. Background

The new Art. 50(2a) of the EU Waste Shipment Regulation (WSR) - as amended by Regulation (EU) No 660/2014 - lays down that by 1 January 2017, Member States shall ensure establishment of one or more inspection plans in respect of their entire geographical territory. These plans refer to inspections under Art. 50(2) WSR, i.e. of establishments, undertakings, brokers and dealers under Art. 34 of Directive 2008/98/EC (the Waste Framework Directive), and of shipments of waste and of the related recovery or disposal.

Under the new WSR rules, inspection plans (IPs) must meet the following requirements:

- IPs shall be based on a risk assessment
  - covering specific waste streams and source of illegal shipments,
  - considering intelligence-based data, if available and where appropriate,
  - aiming to identify minimum number of required inspections and physical checks.
- IPs shall be reviewed at least every 3 years.
- Plans shall include certain elements:
  - objectives and priorities,
  - geographical area covered,
  - information on planned inspections, including physical checks,
  - tasks assigned to each authority involved,
  - arrangements for cooperation between authorities involved,
  - information on the training of inspectors,
  - information on the human, financial and other resources for the implementation of the IP.

Inspections of shipments may take place:

- at the point of origin (producer, holder, notifier),
- at the point of destination (consignee, facilities),
- at the frontiers of the Union,
- during the shipment within the Union.

Inspections shall include:

- administrative checking (verification of documents, confirmation of identity), and
- physical checking of the waste (if appropriate).



During the IMPEL-TFS conference of 2014 participants expressed the need to develop a standard format/template or at least a guideline for an inspection plan in line with the requirements of the WSR which should make IPs also more comparable. They also supported an exchange of existing plans, experiences and priorities. Consequently, terms of reference (ToR) were drafted for an IMPEL project to that effect (“Waste Shipment Inspection Planning - WSIP”) and adopted by the IMPEL General Assembly in Rome on 11-12 December 2014 as project 2015/04. Updated ToR were prepared for 2016 and adopted by the next General Assembly in Luxembourg on 1 December 2015 as project 2016/05 (see Annex).

## 1.2. Objectives and structure of the project

The objectives of the project were:

- to develop a guideline for waste shipment inspection planning and the preceding risk assessment;
- to exchange best practices and experiences regarding inspection plans.

As a result, Member States should be able to draft comparable inspection plans by using the same or equivalent IP elements, e.g. concerning risk assessment. This is important for creating a level playing field since there exist currently huge differences in the implementation of the WSR while illegal trafficking within Europe and port hopping constitute serious challenges (see recent reports of the IMPEL Enforcement Actions project).

As a first step to achieve these objectives, a platform was established on the IMPEL Basecamp where project participants could upload their own existing or draft inspection plans and exchange views and experiences with other participants about those plans and the problems encountered in inspection planning as well as the best practices for their solution. A special project site was set up on Basecamp for this purpose in February 2015.

Next, a questionnaire was developed with 10 questions on the current status of waste shipment inspection planning and the envisaged changes in the participant countries. This questionnaire was sent to project participants in March 2015. Most participants answered in the following three months but some replies were received as late as February 2016. Altogether 23 competent authorities in 17 IMPEL member countries provided information on the questions asked. More details on the survey will be given in section 2 below.

On the basis of this information and after a workshop discussion at the IMPEL-TFS Conference in Ljubljana (Slovenia) in October 2015, the project team started work on a guidance document for effective inspection planning. The tasks were distributed at a first team meeting in Frankfurt (Main) on 21-22 October 2015. A first draft of the guideline was circulated to participants via e-mail and Basecamp in March 2016. The discussion was continued in the following months, especially at an expert workshop in Frankfurt on 12-13 April 2016, at the IMPEL Waste & TFS Conference in Eschborn on 8-10 June 2016 and at the final project team meeting in Frankfurt on 27-28 October 2016. The last (17<sup>th</sup>) version of the



document was finalised under the title “Guidance on Effective Waste Shipment Inspection Planning” on 9 November 2016. More information can be found below in section 3.

### 1.3. Participants

The project was led by Germany, with Thomas Ormond of RP Darmstadt (Regional authority of South Hessen) acting as project manager. Apart from him, the project team consisted of

- Katharina Aiblinger Madersbacher, Regional authority of Lower Bavaria, DE
- Jürgen Decker, Regional authority of Central Hessen, DE
- Katie Olley, Scottish Environment Protection Agency (SEPA), UK
- Bart Palmans, Flemish Environmental Inspection Service, BE
- Frank Peen, Environment & Transport Inspectorate (ILenT), NL
- Bojan Počkar, Slovenian Inspectorate for Environment etc, SI
- Maria Polixa, Regional authority of South Hessen, DE
- Mark Preston, Northern Ireland Environment Agency (NIEA), UK
- Hilde Sundt Skålevåg, replaced in January 2016 by Thor Jostein Dahlstrøm, both from the Norwegian Environment Agency, NO

24 IMPEL member countries registered as such on the project site on Basecamp: Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, Germany, Hungary, Ireland, Italy, Latvia, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Spain, Switzerland and the United Kingdom. Another three (Iceland, Kosovo, Slovenia) registered with their national coordinators. 20 countries, including France and Sweden, participated in the expert workshop in Frankfurt in April 2016 which means that altogether 29 IMPEL member countries participated in the project in some way or the other.

Peter Wessman from the European Commission (DG Environment) also took part in the WSIP workshop and provided information and advice.





## 2. Survey on inspection planning in participant countries

### 2.1 Questions

With the questionnaire of March 2015, the following questions were asked to the participants:

1. Do you have written inspection plans (of any kind) for waste shipment inspections in your country or region/organisation respectively? If so, please send examples.
2. If not, when is it envisaged to draw up such plan(s)?
3. How many and which authorities are competent for waste shipment planning in your country?
4. If your organisation is the or one of the competent authorities, for which geographic area are you responsible? How many waste shipment inspectors are working in the field?
5. What is the main focus of your inspections – road transports, containers in seaports, railways, waste sites at origin or destination, others?
6. How do you identify waste transports, e.g. on the road? Do they have to carry a certain sign (like “A” in Germany)? Do you use police intelligence or information from customs to identify them beforehand?
7. How many and what kind of waste shipment inspections do you (does your organisation) carry out per year?
8. Do you carry out these inspections jointly with police, customs, other domestic and/or foreign authorities? Do you participate in IMPEL-TFS “Enforcement Actions”?
9. Does your organisation carry out training for waste shipment inspectors and other officers (of police, customs etc.) participating in the inspections?
10. Please take a look at the uploaded copy of the “DTRT-TFS” guidance book (especially chapters 3.3-3.5). Do you think this is a useful basis for inspection planning and for the envisaged IMPEL guideline? What needs to be added? What is not necessary?

### 2.2 Replies

By February 2016, 23 competent authorities from the following 17 member countries gave replies to the questionnaire: AT = Austria; BE = Belgium (Flanders); BG = Bulgaria; CH = Switzerland; CY = Cyprus; DE = Germany (Lower Bavaria [“L.B.”], Central Hessen [“C.H.”], South Hessen [“S.H.”], Münster [“Mü”]); DK = Denmark; EE = Estonia; HU = Hungary; LU = Luxembourg; LV = Latvia; NL = Netherlands; NO = Norway; PL = Poland; PT = Portugal; SI = Slovenia; UK = United Kingdom (England [“EN”], Northern Ireland [“N.I.”], Scotland [“SC”], Wales [“WA”]).



### 2.2.1 Existence of written inspection plans (Feb. 2016)

The following alternatives were indicated by participants:

- Yes (separate document): 5 (AT, DK, HU, NL, NO)
- Yes (part of general env. inspection plan): 4 (BE, PL, PT, SI)
- Yes (some elements): 4 (CY, DE-Mü, LU, UK-EN + SC)
- No: 9 (BG, CH, DE-L.B. + C.H. + S.H., EE, LV, UK-N.I./WA)

### 2.2.2 Drafting of inspection plan envisaged?

- In 2016 (at the latest), as a separate, formal waste shipment inspection plan:  
BG, CY, DE, DK, EE, LU?, LV, SI, UK-N.I. + SC + WA
- In 2016, as part of a general environmental inspection plan:  
BE, PL?
- Plan exists already and needs only update:  
AT, NL, NO, PT, UK-EN
- No formal plan envisaged: CH

### 2.2.3 Number of waste shipment planning authorities in the country

- One central body: 14 (AT, BG, CH, CY, DK, EE, HU, LU, LV, NL, NO, PL, PT, SI)
- Regional authorities (< 5): 2 (BE, UK)
- Regional authorities (> 5): 1 (DE)

### 2.2.4 Number of waste shipment inspectors working in the field (2015)

Most of the participants answered for smaller countries with a central authority for waste shipment inspection planning (or overall environmental inspection planning). The replies refer to the number of staff employed for waste shipment inspections; in some cases this is expressed in full-time equivalents (FTE). The numbers in brackets after the country indicate the number of millions of inhabitants, in order to give an idea of proportion.

- AT (8.5M): 7 (4 technical, 3 admin.)
- BE / Flanders (6.4M): 9 (6.3 FTE)
- DE / Central Hessen (1M): 4-5 (with small part of their time)
- DE / South Hessen (3.8M): 20 (approx.; with small part of their time)
- DE / Münster region (2.6M): 5 (+ 15 for company checks)
- LV (2M): 10 (with part of their time)
- NL (16.8M): 15 (approx.)
- NO (5.1M): 6 (with part of their time)



- PL (38.5M): 70 (approx.; with part of their time)
- PT (10.5M): 8 (with part of their time)
- SI (2.1M): 7-8 (plus potentially other env. inspectors)
- UK / Northern Ireland (1.8M): 4
- UK / Scotland (5.3M): 6 (incl. 1 intelligence officer)
- UK / Wales (3.1M): 1 FTE
- UK / England (54M): 12 (2015) + 5 in 2016

### 2.2.5 Main focus of inspections

- Road transports:  
13 (AT, BG, CH, DE-L.B. + C.H. + Mü, DK, HU, LU, LV, NL, NO, PL)
- Seaports / riverports:  
12 (AT, BE, CY, DK, EE, LV, NL, NO, PL, UK-EN + N.I. + SC)
- Railways: CH (rarely), HU
- Waste sites at origin:  
11 (AT, DE-L.B. + C.H. + Mü, EE, NL, NO, SI, UK-N.I./SC/WA)
- Waste sites at destination: 7 (AT, DE-L.B. + Mü, EE, PL, SI, UK-WA)
- Others:
  - Waste co-digestion + bunker oil facilities (BE)
  - Key players in export of specific waste materials (NL)
- No specific focus: 2 (DE/S.H., PT)

### 2.2.6 Identification of waste transports

- By an external sign carried by vehicles:  
CY, DE, SI [often]
- External appearance of vehicle, company name:  
BE, DE, DK, SI
- Use of police intelligence:  
AT, DE / C.H.+S.H. only for site inspections, SI, UK
- Use of information from Customs:  
AT, CY, DE [C.H. only for site inspections], DK, EE, LV, NL [with specific risk profiles], NO, PL, PT, SI, UK
- Other sources:  
LV (neighbour countries), UK (port systems)
- No pre-selection, check of all transports or at random:  
BG, CH, EE, HU, LU, PT, UK [on the road]



### 2.2.7 Number and type of inspections

- **BE/Flanders:** 20 road checks (200 waste shipments), 20 port inspections (150 waste shipments), plus ad-hoc interventions +200 upstream/downstream inspections; 10 “bunker oil” + 40 “co-digestion” company inspections in 2014; port inspections to be raised to 50 in 2015.
- **CY:** 100-200 doc. checks + 10-20 physical checks per year.
- **DE / Lower Bavaria:** 26 road, border + company checks in 2014.
- **DE / Münster:** 49 transport inspections (1100 trucks) + 93 company checks in 2015.
- **DE / Central Hessen:** 2-3 inspection days for waste-related road checks per year (40-60 trucks) plus 20-30 physical ad-hoc inspections or assessments of shipments inspected by other authorities.
- **DE / South Hessen:** 5 road checks, 55 company inspections, 6 riverport inspections (TFS team) + dozens of checks without TFS focus.
- **DK:** 13 inspection days on roads in 2014, with police + customs.
- **EE:** 800 up-/downstream waste inspections, 4 port inspection days.
- **LV:** about 50 waste shipment inspections in 2014.
- **NL:** Checks of 230 containers + 600 transports + 250 administrative inspections planned for 2015; Customs controls 3,500 containers in ports, police 600 more waste transports.
- **NO:** 3 inspection weeks in 2015 (for specific info see the published Norwegian inspection plan).
- **PT:** 11 inspection days, evenly split between roads, seaports and waste sites.
- **SI:** 18 road, port + border inspections with Police + Customs, 50 company inspections in 2014.
- **UK / England:** Checks of over 1,500 shipping containers per year.
- **UK / Northern Ireland:** 200 inspections of ports and sites (evenly split)
- **UK / Scotland:** 200 inspections at loading sites, 30 in ports + others
- **UK / Wales:** 8 TFS-focused inspections in 2014 (4 at seaports)
- No specific figures: AT, BG, LU, PL

### 2.2.8 Joint inspections with Police, Customs and other authorities

The question whether the waste shipment inspection authority carries out inspections jointly with Police, Customs, domestic and/or foreign authorities was answered with “Yes” by all participants. Some of the replies, however, gave details on the type, frequency, objects and/or locations of such joint inspections. Depending on the tasks assigned to each authority, cooperation with Customs was more frequent in seaports, whereas joint action with Police tended to be more relevant in roadside inspections. In the UK (especially in England) the environment agencies often carry out their inspections alone and cooperation is practiced, if at all, rather with Police than with Customs. In Germany, roadside checks on motorways are often organised together with the Federal Office for Goods Transport (BAG).



Nearly all competent authorities who replied participate in some way or the other in the IMPEL “Enforcement Actions” project. Most of them do this in the form of joint inspections (AT, BG, CY, DE, DK?, EE, LU, LV, NL, NO, PL?, PT, SI, UK-N.I. + SC + WA), some others (BE, CH, UK-EN) only by providing inspection results. At the time of the survey only Hungary did not take part in the IMPEL inspection campaigns but participated in other international inspection projects such as the “ENIGMA III” operation organised by INTERPOL.

### 2.2.9 Training for waste shipment inspectors and others

Nearly all organisations carry out training for their waste shipment inspectors and also for officers of other authorities, such as Police and Customs. With most administrations the training is informal; there is rarely a formal programme. Often the training is connected with the briefing for an impending inspection campaign or with the debriefing after the inspections have taken place.

### 2.2.10 Comments on the “DTRT-TFS” guidance book

Asked for comments about the IMPEL step-by-step guidance book “Doing the right things for waste shipment inspections” (DTRT-TFS) of 2012, nine participants saw it as a “useful basis” while others did not know the guidance or felt unable at the time to give qualified comments. Concerning elements that needed to be added, two participants suggested an example or template for a waste shipment inspection plan and examples of a risk assessment, methods, and the use of IT tools, respectively. It was also proposed to shorten the instructions of the guidance book. In later discussions, some inspectors took the view that the manual was still too theoretical and lacked practical examples.

## 2.3 Results of the survey

- Several participating countries had already (in 2015) waste shipment inspection plans in place which could be used as examples, even if they do not meet exactly the requirements of the WSR amendment. A general difficulty was that most of these plans were not available in English and would need translation.
- Most countries will draft or adapt their inspection plans in 2016. This will happen in parallel to the drafting of the IMPEL guideline. A smart exchange of information between IMPEL and national level was thus seen as crucial.
- There are considerable differences in control standards, staffing and planning practices between project countries. Even more divergences are probable in the case of non-participants.



- The “DTRT-TFS” guidance book could be seen as a potential basis for the WSIP guideline but was not generally well known and regarded by some users as too theoretical. Practical examples for risk assessments etc. should be added.



### 3. Work on the WSIP Guideline

#### 3.1 Organisation of the work

The project team at its first meeting in October 2015 discussed the structure of the envisaged guidance documents and divided responsibilities as follows:

- 1. Introduction: Thomas Ormond
- 2. Legal and economic context: Thomas Ormond
- 3. Risk assessment: Frank Peen, Bart Palmans, Bojan Počkar, Hilde Sundt Skålevåg (with assistance from Thomas Ormond)
- 4. Necessary elements of an Inspection Plan: Katie Olley, Mark Preston, Jürgen Decker;  
4(g) Training/communication: Katharina Aiblinger-Madersbacher
- 5. Reporting: Hilde Sundt Skålevåg
- 6. Publication: Thomas Ormond
- 7. Review and evaluation: Frank Peen

Annexes (checklists, flowcharts, templates for an inspection plan and reporting, possibly a list of planning authorities and useful links) were to be provided by the team members responsible for the relevant text chapter, plus by others who could offer suitable templates and examples.

Hilde Sundt Skålevåg was replaced by her colleague Thor Jostein Dahlstrøm in early 2016.

The project team plus other project participants were asked in regular intervals for comments on the evolving document. Before, during and after the expert workshop of April 2016 and in later stages of revision the team also received comments from other experts.

Thomas Ormond as project manager was charged with the final editing of the guidance document. Katie Olley undertook a language check in October 2016.

#### 3.2 Evolution of the guidance document

A first draft of the guideline was compiled and discussed by the project team in February 2016. The first basically complete text version (no. 6) was circulated to project participants and other interested parties via e-mail and IMPEL Basecamp on 11 March 2016, also in order to help with the drafting of national or regional waste shipment inspection plans. Following a round of comments, the document was modified and an updated version (no. 7) sent out on 5 April to the registered participants of the expert workshop in Frankfurt (12-13 April 2016). The discussion there again led to changes which were fed into another version (no. 9) circulated on



27 May 2016. They concerned especially a slightly modified title (“Guidance to effective waste shipment inspection planning”), the addition of text on alternative approaches to risk assessment, changes regarding the review of risk assessments, and the addition of some more annexes, including templates for Inspection Plan structure, risk assessment and a memorandum of understanding (MoU).

The issue of waste shipment inspection planning was also discussed in one of the working groups at the IMPEL Waste & TFS Conference in Eschborn on 8 June 2016. As a result, a number of amendments and additions were made on the guidance document and version no. 10 circulated for commenting on 3 August 2016.

Following more comments from the project team and especially from the German Ministry of the Environment (who called for a closer orientation on the wording of the Waste Shipment Regulation and for more consideration of Germany’s federal structure), another update of the guideline (version no. 12) was sent to participants on 21 October 2016. A slightly modified version (no. 13) was the basis of discussion at the final project team meeting in Frankfurt on 27-28 October 2016. After more e-mail exchange, mainly on the necessary elements of an inspection plan and in particular the information on planned inspections, the last version (no. 17) was finalised on 9 November 2016.





#### 4. Issues of discussion and conclusions

The discussion at the expert workshop in April 2016 and the TFS Conference in June 2016 concentrated mainly on the following points:

1. What should be the elements of the risk assessment? What method is best?
2. How do you identify the minimum number of inspections required?
3. Should there be a clear focus on certain waste streams (e.g. WEEE, batteries, ELVs, mixed household waste)?
4. In how far do you need police intelligence for effective inspections?
5. Should the waste authority conclude formal agreements (MoUs) for cooperation with other authorities?
6. Should the inspection plan also address the follow-up to inspections?
7. What parts of the inspection plan are to be published?

The replies to these questions may be summarised as follows:

1. Different methods of risk assessment lead to different approaches. There is a body of best practices on risk assessment which can be used (described in the WSIP guideline) but methods should not be applied schematically. It is essential to think carefully about different types of risk and review the assessment regularly in tune with ongoing developments on the waste market and concerning illegal waste shipments.
2. It is difficult to determine minimum numbers of inspections, depending on differences in geography, traffic axes, frequency of waste shipments etc. However, certain practical experience can help to define a frequency of inspections which have a visible effect on the behaviour of market actors.
3. It is important to focus on priority waste streams with a high risk for the environment, in order not to dissipate the limited resources of inspection authorities. This focus should also be reflected in the inspection plan.
4. Information is crucial for the planning of inspections. Therefore it is highly recommended to establish a good working relationship with the Police (and Customs) and draw on their knowledge about waste crime when inspection authorities deal with illegal waste shipments.



5. Formal agreements with Police and Customs are not always necessary but they have proved useful to define the different tasks, contact points and exchange of necessary information and give cooperation a higher priority. Without a higher level agreement, such cooperation too often depends on individual initiative and the quality of personal relations between officers from the different authorities. In general, more awareness-raising, cooperation and coordination seems necessary if illegal waste traffic is to be combated effectively.
6. It is sensible to address also the follow-up to inspections in the inspection plan, as site closures, penal sanctions and other follow-up measures will be necessary to achieve an effect with illegal traders and site operators, and might require considerable resources.
7. It is important to distinguish carefully between the “strategic” part that is suitable for publication and the more operational part(s) that should stay internal. Also the question when to publish may be relevant as publication can be an instrument of the authority to influence public awareness and the behaviour of market actors.



## Annexes

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## Annex I. Terms of reference (update 2016 after Gen. Assembly 2015)



TOR Reference No.:	Author(s): Thomas Ormond
Version: 2	Date: 23-10-2015
<b>TERMS OF REFERENCE FOR WORK UNDER THE AUSPICES OF IMPEL</b>	

### 1. Work type and title

1.1 Identify which Expert Team this needs to go to for initial consideration	
Industry Waste and TFS Water and land Nature protection Cross-cutting – tools and approaches -	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
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):	<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <i>to create a platform for exchanging practises and experiences regarding inspection plans</i>
1.3 Full name of work (enough to fully describe what the work area is)	
Development of guidance regarding waste shipment inspection plans under Art. 50 (2a) of Regulation (EC) No 1013/2006	
1.4 Abbreviated name of work or project	
Waste shipment inspection planning	



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

### 2.1 Name the legislative driver(s) where they exist (name the Directive, Regulation, etc.)

- Amendment of Regulation (EC) No 1013/2006 (Waste Shipment Regulation, WSR) by Regulation (EU) No 660/2014 of 15 May 2014;
- Art. 34 of Directive 2008/98/EC on 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 checked="" type="checkbox"/> |
| 3. Work on 'problem areas' of implementation identified by IMPEL and the European Commission | <input checked="" type="checkbox"/> |

### 2.3 Why is this work needed? (background, motivations, aims, etc.)

The new Art. 50 (2a) WSR lays down that by 1 January 2017, EU Member States shall ensure establishment of one or more inspection plans in respect of their entire geographical territory. These plans refer to inspections under Art. 50(2) WSR, i.e. of establishments, undertakings, brokers and dealers in accordance with Art. 34 of Directive 2008/98/EC, and of shipments of waste and of the related recovery or disposal.

Under the new WSR rules, inspection plans (IPs) must meet the following requirements:

- IPs shall be based on a risk assessment
  - covering specific waste streams and source of illegal shipments,
  - considering intelligence-based data, if available and where appropriate,
  - aiming to identify minimum number of required inspections and physical checks.
- IPs shall be reviewed at least every 3 years.
- Plans include mandatory elements:
  - objectives and priorities,
  - geographical area covered,
  - information on planned inspections, including physical checks,
  - tasks assigned to each authority involved,
  - arrangements for cooperation between authorities involved,
  - information on the training of inspectors,
  - information on the human, financial and other resources for the implementation of the IP.

Inspections of shipments may take place:

- at the point of origin (producer, holder, notifier),
- at the point of destination (consignee, facilities),
- at the frontiers of the Union,
- during the shipment within the Union.

Inspections shall include:

- administrative checking (verification of documents, confirmation of identity), and
- physical checking of the waste (if appropriate).



During the IMPEL-TFS conference of 2014 participants expressed the need to develop a standard format/template or at least a guideline for an inspection plan in line with the requirements of the WSR which should make IPs also more comparable. They also supported an exchange of existing plans, experiences and priorities.

#### **2.4 Desired outcome of the work (what do you want to achieve? What will be better / done differently as a result of this project?)**

The objectives are:

- to develop a guideline for waste shipment inspection planning and the preceding risk assessment;
- to exchange best practices and experiences regarding inspection plans.

As a result, Member States should be able to draft comparable inspection plans by using the same or equivalent IP elements, e.g. concerning risk assessment. This is important for creating a level playing field since there exist currently huge differences in the implementation of the WSR while illegal trafficking within Europe and port hopping constitute serious challenges (see IMPEL-TFS Enforcement Actions III Final report).

#### **2.5 Does this project link to any previous or current IMPEL projects? (state which projects and how they are related)**

- Doing The Right Things for Waste Shipment Inspections (DTRT-TFS = IMPEL project 2012/14): This project produced a "Step-by-step guidance book" on waste shipment inspections on the basis of the DTRT methodology, which can be used as a starting point for a guideline on inspection planning in accordance with the latest WSR amendment.
- Project 2014/20 (Developing a tool to review the impact of new and existing legislation on Transfrontier Shipments of Waste [TFS]) aims also to support the drafting of inspection strategies by competent authorities, but in a more general way.



### 3. Structure of the proposed activity

#### 3.1 Describe the activities of the proposal (what are you going to do and how?)

The objectives will be achieved by:

##### Step 1 (completed early 2015):

Creating a special platform on Basecamp for inspectors and other participants to exchange experiences, priorities and existing IPs.

##### Step 2 (ongoing)

Participants upload the already existing IPs in their country on Basecamp.

##### Step 3

The existing IPs will be analysed to see if they meet the criteria of the new WSR amendment (see above), and the participants can discuss the pros and cons / advantages and weaknesses of these IPs and other possible options.

##### Step 4

Developing a draft guideline with elements of a model inspection plan.

##### Step 5

An expert workshop to discuss the guideline as well as problems, best practices and experiences regarding inspections of waste shipments and waste sites.

##### Step 6

Finalisation of guideline by written exchange and in a final project team meeting.

#### 3.2 Describe the products of the proposal (what are you going to produce in terms of output / outcome?)

1. A platform on Basecamp
2. Overview of existing IPs
3. Guideline for an inspection plan
4. Expert workshop with report

#### 3.3 Describe the milestones of this proposal (how will you know if you are on track to complete the work on time?)

Milestone 1: January 2015 Establishment of special platform

Milestone 2: September 2015 Collection of existing IPs

Milestone 3: November 2015 Overview of existing IPs

Milestone 4: February 2016 First draft of IP guideline

Milestone 5: March or April 2016 Expert workshop

Milestone 6: September 2016 Finalisation of IP guideline

Milestone 7: September/October 2016 Final project report

#### 3.4 Risks (what are the potential risks for this project and what actions will be put in place to mitigate these?)

- Overlap with work of project 2014/20: To be avoided by timely coordination.
- Obsolescence of "Existing IP overview" by new Member State IPs drafted in 2016: Broad participation and continual information should help to update the IP overview and provide a solid basis for the guideline at least until the expert workshop in spring 2016.



#### 4. Organisation of the work

##### 4.1 Lead (who will lead the work: name, organisation and country) – this must be confirmed prior to submission of the TOR to the General Assembly)

Thomas Ormond (RP Darmstadt – Regional government of South Hesse, DE)

##### 4.2 Project team (who will take part: name, organisation and country)

Katharina Aiblinger-Madersbacher (Regional gov't of Lower Bavaria, DE)  
 Jürgen Decker (Regional gov't of Central Hesse, DE)  
 Maria Polixa (RP Darmstadt, DE)  
 Katie Olley (Scottish CPA, UK)  
 Mark Preston (Northern Ireland Env. Agency, UK)  
 Bart Palmans (Flemish Env. Inspectorate, BE)  
 Frank Peen (ILT - Inspectorate for Environment & Transport, NL)  
 Bojan Počkar (Slovenian Inspectorate of Environment & Spatial Planning, SI)  
 Hilde Sundt Skjælevåg (Norwegian Environment Agency, NO)

##### 4.3 Other IMPEL participants (name, organisation and country)

Currently 13 other competent waste authorities in 12 countries: AT, BG, CH, CY, DK, EE, HU, LU, LV, PL, PT, UK (England + Wales)

##### 4.4. Other non-IMPEL participants (name, organisation and country)

tbd (if possible EU Commission)

#### 5. High level budget projection of the proposal. In case this is a multi-year project, identify future requirements as much as possible

	Year 1 / 2015 (exact)	Year 2 /2016	Year 3	Year 4
How much money do you require from IMPEL?	2,700 €	14,510€		
How much money is to be co-financed	650 € (for participation in TFS Conference)	aprox. 1,000 € (for catering costs/overhead / participation in TFS Conference)		
Total budget	3,350 €	15,510 €		



## 6. Detailed event costs of the work for year 1 and 2

	Travel € (max €360 per return journey)	Hotel € (max €90 per night)	Catering € (max €25 per day)	Total costs €
<b>Event 1</b>	1,525	675	500	2,700
Project team meeting				
October 2015				
Frankfurt am Main, DE				
7				
1-2				
<b>Event 2 (year 2!)</b>	7,560	2,700	1,000	11,260
Expert workshop + project team meeting				
March/April 2016				
Frankfurt am Main, DE				
21 (workshop) / 8 (team mtg.)				
2				
<b>Event 3 (year 2!)</b>	2,000	750	500	3,250
Project team meeting				
September 2016				
Frankfurt am Main, DE				
8				
1-2				
<b>Event 4</b>				
<Type of event>				
<Data of event>				
<Location>				
<No. of participants>				
<No. of days/nights>				
<b>Total costs for all events (in year 1 and 2!)</b>	12,525 €	4,125 €	2,000 €	17,210 €

## 7. Detailed other costs of the work for year 1

7.1 Are you using a consultant?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
7.2 What are the total costs		



for the consultant?	
7.3 Who is paying for the consultant?	
7.4. What will the consultant do?	
7.5 Are there any additional costs?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Namely: approx. 650 €
7.6 What are the additional costs for?	Participation of project manager (for project presentation) in TFS Conference 2015
7.7 Who is paying for the additional costs?	Lead country (DF / Hessen)
7.8. Are you seeking other funding sources?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Namely:
7.9 Do you need budget for communications around the project? If so, describe what type of activities and the related costs	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Namely:

## 8. Communication and follow-up (checklist)

	What		By when
8.1 Indicate which communication materials will be developed throughout the project and when  (all to be sent to the communications officer at the IMPEL secretariat)	TOR**	<input checked="" type="checkbox"/>	2014
	Interim report**	<input checked="" type="checkbox"/>	After step 3, Nov. 2015
	Project report**	<input checked="" type="checkbox"/>	Nov. 2016
	Progress report(s) *	<input checked="" type="checkbox"/>	When asked
	Press releases	<input type="checkbox"/>	
	News items for the website**	<input checked="" type="checkbox"/>	When asked
	News items for the e-newsletter	<input type="checkbox"/>	
	Project abstract**	<input checked="" type="checkbox"/>	When asked
	IMPEL at a Glance *	<input type="checkbox"/>	
	Other, (give details):	<input type="checkbox"/>	
8.2 Milestones / Scheduled meetings (for the website diary)	October 2015 - first project team meeting March/April 2016 - expert workshop September 2016 - final project team meeting		
8.3 Images for the IMPEL image bank	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
8.4 Indicate which materials will be translated and into which languages	Guideline for IPs have to be translated by participating Member States.		
8.5 Indicate if web-based tools will be developed and if hosting by IMPEL is required	Yes, a platform for national IPs on Basecamp.		
8.6 Identify which groups/institutions will be targeted and how	Member States and EU Commission will be asked for comments as project participants and at the envisaged expert workshop, respectively.		
8.7 Identify parallel developments / events by other organisations, where the project can be promoted	<ul style="list-style-type: none"> <li>Drafting of inspection plans by EU Member States</li> <li>"Risk assessment" guidance by EU Commission</li> </ul>		

\* ) Templates are available and should be used. \*\* ) Obligatory



#### 9. Remarks

*Is there anything else you would like to add to the Terms of Reference that has not been covered above?*

*In case of doubts or questions please contact the  
IMPEL Secretariat.*

*Draft and final versions need to be sent to the  
IMPEL Secretariat in word format, not in PDF.*

*Thank you.*



## Annex II. Programme of expert workshop



IMPEL-TFS „Waste Shipment Inspection Planning“ (WSIP) project

### **EFFECTIVE PLANNING OF WASTE SHIPMENT INSPECTIONS**

Expert workshop 12-13 April 2016 in Frankfurt am Main

#### **PROGRAMME**

**Venue:** Administrative Centre Gutleutstrasse 130 (Central building), Room U 1.50 a-c

**Times:** - Tuesday 12 April, 14.00-18.00h; Wednesday 13 April, 09.00-12.30h and 13.30-15.00h

<b>12 April 2016</b>	
<b>Afternoon session: Introduction, problems, experiences</b>	
13.00 hrs	Registration of participants
14.00 hrs	Words of welcome  - <i>Thomas Ormond (Regierungspräsidium Darmstadt – Regional government of South Hesse, DE - and Project manager “WSIP”)</i>  - <i>Anne-Karin Walter (Hessian Ministry of the Environment, Climate Protection, Agriculture and Consumer Protection, DE)</i>
14:20 hrs	Introduction to the IMPEL “Wastes Shipment Inspection Planning” project  <i>Thomas Ormond</i>



14.40 hrs	Importance of inspection planning for the implementation of waste shipment law and the EU circular economy  <b><i>Peter Wessman (European Commission)</i></b>
15.00 hrs	The threat of criminal waste shipments and possible ways to tackle it  <b><i>Katie Olley (Scottish Environmental Protection Agency, UK)</i></b>
15.20 hrs	Coffee / tea break
15.50 hrs	Resources as a limiting factor for effective inspections  <b><i>Jürgen Decker (Regional gov't of Central Hesse, DE)</i></b>
16.10 hrs	Planning of waste inspections in seaports  <b><i>Frank Peen (Environment and Transport Inspectorate, NL)</i></b>
16.30 hrs	Planning of waste shipment inspections by Customs  <b><i>Lisa Zitzmann (German Customs)</i></b>
16.50 hrs	Planning of roadside checks in Germany by the BAG  <b><i>Bettina Spies (BAG - Federal Office of Goods Transport, DE)</i></b>
17.10 hrs	Waste shipment inspection planning in Norway  <b><i>Thor Jostein Dahlström (Norwegian Environment Agency, NO)</i></b>
17.30 hrs	Inspection planning in a small country - Slovenia  <b><i>Anita Berginc (Environment Inspectorate, SI)</i></b>
18.00 hrs	Closing day 1
19.00 hrs	Departure from lobby of Ibis Hotel (Speicherstr. 4) for dinner
<b>13 April 2016</b>	<b>Morning session: Best practices + key elements of the draft guideline</b>
09.00 hrs	Use of police intelligence for inspection planning  <b><i>Rob Wood (Environment Agency England, UK)</i></b>
09.30 hrs	Risk assessment  <b><i>Bart Palmans (Flemish Inspection Agency, BE)</i></b>
10.00 hrs	Necessary elements of an inspection plan  <b><i>Mark Preston (Northern Ireland Environment Agency, UK)</i></b>



10.20 hrs	Effective controls through close cooperation and concentrated training  <b><i>Katharina Aiblinger-Madersbacher</i></b> (Regional gov' of Lower Bavaria, DE)
10.40 hrs	Coffee / tea break
11.00 hrs	<b>Working groups on key aspects of the draft IMPEL guideline</b>  1) Risk assessment and prioritisation (Chair: <b><i>Bart Palmans</i></b> )  2) Cooperation arrangements and exchange of information (Chair: <b><i>Katharina Aiblinger-Madersbacher</i></b> )
12.30 hrs	Lunch break

<b>13 April 2016</b>	<b>Afternoon session</b>
13.30 hrs	Feedback from the working groups to the plenary
14.00 hrs	Discussion on conclusions and recommendations
14.50 hrs	Final remarks  <b><i>Thomas Ormond</i></b>
15.00 hrs	End of workshop