

TOR Reference No.:	Author(s): Thomas Ormond
Version: 2	Date: 23-10-2015
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	<input type="checkbox"/>
Waste and TFS	<input checked="" type="checkbox"/>
Water and land	<input type="checkbox"/>
Nature protection	<input type="checkbox"/>
Cross-cutting – tools and approaches -	<input type="checkbox"/>
1.2 Type of work you need funding for	
Exchange visits	<input type="checkbox"/>
Peer reviews (e.g. IRI)	<input type="checkbox"/>
Conference	<input checked="" type="checkbox"/>
Development of tools/guidance	<input checked="" type="checkbox"/>
Comparison studies	<input type="checkbox"/>
Assessing legislation (checklist)	<input type="checkbox"/>
Other (please describe):	<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 checked="" type="checkbox"/> |
| 2. Build capacity in member organisations through the IMPEL Review Initiatives | <input checked="" type="checkbox"/> |
| 3. Work on 'problem areas' of implementation indentified by IMPEL and the European Commission | <input type="checkbox"/> |
| | <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 EPA, 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 Skålevåg (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)	approx. 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 €
Event 1	1,525	675	500	2,700
<i>Project team meeting</i>				
<i>October 2015</i>				
<i>Frankfurt am Main, DE</i>				
<i>7</i>				
<i>1-2</i>				
Event 2 (year 2!)	7,560	2,700	1,000	11,260
<i>Expert workshop + project team meeting</i>				
<i>March/April 2016</i>				
<i>Frankfurt am Main, DE</i>				
<i>21 (workshop) /8 (team mtg.)</i>				
<i>2</i>				
Event 3 (year 2!)	2,000	750	500	3,250
<i>Project team meeting</i>				
<i>September 2016</i>				
<i>Frankfurt am Main, DE</i>				
<i>8</i>				
<i>1-2</i>				
Event 4				
<i><Type of event></i>				
<i><Data of event></i>				
<i><Location></i>				
<i><No. of participants></i>				
<i><No. of days/nights></i>				
Total costs for all events (in year 1 and 2!)	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 (DE / 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 <i>(all to be sent to the communications officer at the IMPEL secretariat)</i>	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"> • Drafting of inspection plans by EU Member States • “Risk assessment” guidance by EU Commission 		

[✓]) 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.