

ment site. After repacking the shipment was continued towards the German treatment company. A protocol was given by the German authority.

This, and the other interceptions, were mostly based on coincidences. One can assume that more shipments of hazardous waste of involved companies are in violation with the ADR. In the Netherlands the Inspectorate for Traffic and Water is the involved competent authority for the ADR. We sincerely hope that the Irish EPA can mediate in promoting these companies to comply with the law.”

For more information contact Mrs Jolanda Roelofs via jolanda.roelofs@minvrom.nl.

11. Organisation of the interim meeting

Based on some reactions within our enforcement network the need is felt to organise an interim meeting: this meeting will be held on 1 and 2 December 2005 in Zagreb, Croatia. The project management has taken the initiative to organise this meeting and is very pleased that Croatia has given the opportunity to act as host for this meeting. The meeting can be attended by representatives of all participating countries.

Overall aims of the interim meeting are to:

- Exchange experiences on the executed inspection weeks (TC1 and TC2), in order to improve the quality and efficiency of the upcoming inspection week (TC3);
- Tackle interpretation problems in the practical implementation and enforcement of the European Waste Shipment Regulation;
- Inform recent participating countries in this project about the aims, working procedures and results;
- Mobilise new energy for the last phase of the project;
- Discuss conclusions and recommendations for the final project report.

An invitation letter was submitted to all country coordinators during half October. We would like to ask you, if not done already, to inform us about your participation at this interim meeting on short term!

12. New participating countries and project members

Recently, four new countries are joining us in the IMPEL-TFS verification 2 project, namely Poland, Greece, Switzerland and Portugal. Mr Mário Grácio from Portugal tells us his motivation in participation in this project.

“During the last IMPEL-TFS Conference in Mechelen, Portugal was asked to join the IMPEL-TFS Verification 2 project. Due to its clearly planning and good previous results Portugal gave it a go! The project is very important for Portugal to improve the national enforcement and to improve cooperation with Spanish and other European authorities in this field. In fact, the follow up of Annual Conferences and IMPEL-TFS projects made it possible that a National Network was developed to enforce the European Waste Shipment Regulation (EU Regulation 259/93). Exchange of information and experiences is in this view an important issue. The National Network is coordinated by the Environmental and Land Planning Inspectorate, which includes

the National Competent Authority for notification procedures, the environmental police and also the customs.” For more information contact Mr Mário Grácio via mgracio@ig-amb.pt

13. Spin off of the TFS-management meeting (Prague, March 2005)

On 13th October 2005 the TFS-Steering Committee had a meeting with representatives of the European Commission, DG Environment to inquire possibilities of (financial) support for the permanent TFS secretariat. Starting from the point that transfrontier shipment of waste is one of the priorities of the Commission Mr. Makela, director of Sustainable Development & Integration of DG Environment, emphasised his interest to improve his knowledge about the problems of TFS. The Commission is interested in results of concrete projects which show the consequences of the implementation of the EWSR and help to improve the cooperation of competent authorities of the Member States in enforcing the Regulation. Moreover Mr. Makela proposed to undertake political initiatives by Member States to put the item TFS on the agenda of the EU-Council. He promised to engage himself for a financial contribution of the permanent TFS secretariat in connection with the IMPEL secretariat. Therefore the TFS Steering Committee will maintain the contact with the DG Environment to talk about the technical sides for a financial support by the Commission.

For more information contact Mrs Niekol Dols via niekol.dols@minvrom.nl

14. Other things worth knowing

- The Dutch Inspectorate also aims within this project to increase the (felt) chance of being caught by Dutch transporting and treatment companies. Therefore shortly before week 38 a letter was sent to 6500 involved companies with a very global announcement of inspections in the forthcoming month. A leaflet with information on the Regulation and internal rules about registration of waste companies was attached. The effect of this announcement was enormous. Many companies called to find out loopholes in the Regulation (they are the first to inspect at site) and tried to find out when and where they were inspected.
- Inspection week 2 (19 till 23 September 2005) is successfully fulfilled by many countries. Viadesk gives you an overview of the results per country. The site also shows the most indicated waste transports and interpretations of different countries. So it is worthy to visit Viadesk (<https://vrom.viadesk.com>) frequently to stay well-informed of the project developments.
- The third newsletter will be distributed in the beginning of next year, and will mainly be focussed on results and experiences of the first and second inspection week. Also the main conclusions of the interim meeting will be highlighted. Your contribution is welcomed at any time, preferable accompanied by photos!

Colophon

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VROM

Second edition

Newsletter IMPEL-TFS Verification - 2 Project

November 2005



1. Introduction

During autumn 2004 the second IMPEL-TFS project on the verification of waste, abbreviated to “IMPEL-TFS Verification 2 project”, started. By means of this newsletter the project management informs all their contacts about the progress and findings of the project so far. Within Verification 2, four newsletters will be published.

This second newsletter presents the first results of our common enforcement activities and successes! A number of enforcement cases are being highlighted, also illustrated by some outcomes of the second European transport inspection week, which took place from 19 till 23 September 2005. Furthermore the outline of the interim meeting, which is foreseen in December 2005, is highlighted. The IMPEL-TFS project also wants to welcome four countries as new IMPEL-TFS members; our Portuguese delegate sets out their drive to join the project. Thus: lots of news!

2. Results of the inspection weeks

First period (T11, week 17)

After a lot of preparations, the first inspection period started in the last week of April. At 21 strategic points transportinspections were organised. Totally 296 international waste shipments were inspected. In total 97 shipments were selected for verification at destination of dispatch. Finally 35 verification inspections are done. There are different reasons why not all requests have been fulfilled. Some companies were located in areas of not-participating authorities. Other companies were recently inspected or the authority could answer the questions without an inspection at the company. Besides these good reasons for some requests it is unclear why no verification is done. At the end of the inspection period, 5 illegal shipments were discovered. 11 Transports did not have the right documentation or the 3-day prior notifications were not done.

Second period (T12, week 38)

The first information of the second inspection period is posted on Viadesk. In total, 109 international waste shipments were inspected. The countries asked each other to verify 28 shipments.

3. Mixed green waste

According to the Ministry of Housing, Spatial Planning and the Environment in the Netherlands the green list has a limit: in order for waste to be considered as green list, the type of waste concerned has to be mentioned explicitly in one of the categories of Annex II (E.g. GC 010, 020, GI 014). If a waste is not explicitly mentioned in one of the categories of Annexes II (green list), III (amber list) or IV (red list), it must be considered unlisted, in which case Article 10 of Regulation 259/93 is applicable. These waste materials should have been properly separated in order to be eligible for being categorised as waste materials on the green list.

This policy is based on a judgment of the European Court of Justice in the Beside case (C-192/96). Some examples of unlisted waste:

- Cable waste is a mixture of plastic waste (GH) and metals (GA) and is not explicitly mentioned in the lists, so it must be considered unlisted;
- Old transformers are a mixture of copper/steel waste (GA), paper (GA) and is not explicitly mentioned in the lists, so it must be considered unlisted;
- Demolition waste is a mixture of all kinds of waste like wood (GL), plastics (GH), stone, metals (GA), and etcetera.



Unlisted waste, transported from Denmark to Germany

4. Control of waste transports at the Danish-German border

As part of the European inspection week, a transport inspection was carried out at a small border crossing between Denmark and Germany. The inspection was carried out by enforcement authorities of LANU (Germany), the Danish police, and the County of Southern Jutland (Denmark). The first waste transports have been checked, and the same problems are ascertained as in connection with previous controls, namely: transport of, among other goods, scrap iron, aluminium, etc. without the necessary documentation as asked in article 11 of the European Waste Shipment Regulation.

Experiences from the County of Southern Jutland, by Mr Bent Petersen
“Suddenly, a great racket and an old lorry, which had seen better days, came along. The lorry stops, and an agitated person with a large vocabulary gets out of the vehicle. He is upset about us having stopped him, because we are holding him up in his work. We explain to him the purpose of our controls, which particularly does not make his blood pressure decrease.

During the control, we ascertain that he is transporting scrap electronic products, which we jointly classify as unlisted waste. As he does not have any papers with him or any permit, he is told to return to the company of dispatch, which he does under emphatic protests. We contact the relevant authority, a Danish municipality, for the company of dispatch and inform them about the matter. Currently, a ticket fine is sent to the carrier - the angry man - and legal action is pending between the authority and the company of dispatch. I classify this story as a typical article 11 – problem!”

For more information contact Mr Bent Petersen via bpe@sja.dk

5. Experiences from Croatia with a transport check in the Netherlands

On 19 and 20 September 2005 representatives of the environmental inspection from the Republic of Croatia participated in three transport inspections in the Netherlands. Although Croatia is a signatory of Basel Declaration since 2000, the field of control of transfrontier shipments of waste is insufficiently covered



Inspectors at the company site

by national regulations. Since legislation is being adapted to EU regulations, involvement in this project enables environmental inspectors of Croatia to gain not only theoretical but also practical experiences with regard to this type of control.

Experience from Environmental Inspection, by Mrs Vlasta Pasalic
“The first inspection took place on highway A12 by Zevenaar at the international border with Germany. The second inspection was done at the harbour of Rotterdam, where we had a meeting with customs officers who provided explanation about the daily inspections. Last but not least, we visited a company with a landfill site, an installation to separate waste and an incineration plant. We enjoyed a presentation about the company and its manner of treating waste. After the presentation there was a tour at the site of the company.

Thanks to this visit, environmental inspectors from the Ministry of Environmental Protection, Physical Planning and Construction of the Republic of Croatia acquired valuable experience for the implementation of inspection control of transfrontier shipments of waste in its territory. This experience is of particular importance in view of the fact that currently a special regulation on transfrontier shipments of waste is being drafted.”

For more information contact Mrs Vlasta Pasalic via vlasta.pasalic@mzopu.hr

6. The Dutch visiting the Poles

On 28 October 2005 a course on the European Waste Shipment Regulation (EWSR) for the Polish authorities was organised. As a part of that training Dutch authorities told their Polish colleagues something about their experiences with the implementation and enforcement of the EWSR in the Netherlands.

Experiences from the VROM Inspectorate of the Netherlands, by Mr Ton Post
“So after we made the necessary preparations Niekol Dols and I flew to Warsaw. The course was held in a training centre of the Polish Ministry of Environment. The group to whom the training was given consisted of specially selected officials from the Polish Environmental Inspectorate, Customs and the Traffic-Inspectorate. After finishing this training, they were supposed to spread their knowledge within their own organisation. The next morning our part of the training started. The group was quite enthusiastic about our experience. We handled a variety of subjects, like the organisation of the Dutch VROM Inspectorate and its network, the implementation of the EWSR, developments in the international waste market, common problems with waste shipments, enforcement legislation in the Netherlands, enforcement instruments and possible violations of the EWSR, and tips and tricks in general. We enjoyed our stay in Poland! It was especially great to share our knowledge and experiences with our Polish colleagues. As we learned from our Polish colleagues we have something in common: both countries are dealing with export of electronic scrap to China!”

For more information contact Mr Ton Post via ton.post@minvrom.nl

7. Inspection at the Swiss-German border

On September 20th this year the Swiss-German border was the destined location for a transport inspection. Waste exports at four custom offices were controlled and the police carried out road inspections along the border.

Experiences with the inspections, by Mr Ralf Stürner
“The police offered a helping hand by carrying out road inspections along the border. There was cooperation between a lot of different organisations during the inspections: custom officers, staff from the county and regional environmental authorities, staff from our notification authority and the police. In total, 55 loadings were checked on waste transports, freight documents and/or the freight itself. It turned out that 17 loadings were waste, and 2 of the 17 shipments were initiated to return. In one case the inspection team found a waste export with no notification on hand (EWC 16 02 11). The other shipment concerned an untrue declaration in the document referring to article 11 of the EWSR. Verification request were done in three cases; the results are not known yet. After this inspection we can say that the relationship between checked transports or identified WSR-violations and the inspection team were unfavourable. This is caused by the high requirements of staff and organisation. This is also the case for verification requests.”

For more information contact Mr Ralf Stürner via ralf.stuerner@um.bwl.de

8. Animal fat & bones from the Netherlands to Germany

One week before the first inspection week the VROM Inspectorate of the Netherlands detected that a Dutch company tried to transport animal fat and bones to Germany. According to the Dutch policy animal fat and bones from butchers (designated as non-industry) are non-listed waste.

Interesting results of Bezirksregierung Düsseldorf, by Mr Bernhard Veith
“The company involved didn't have the required notification. The transport was stopped and sent to a disposal company in the Netherlands. The VROM Inspectorate informed the German authorities of Münster. Having received the Dutch investigation report, the authorities of Münster checked the consignees' address and found out that the company changed its name recently. Following, the authorities of Münster wrote an official letter to the consignee in order to stop immediately all shipments of this waste from the Netherlands to Germany. They pointed out that shipments of such a waste can take place, but only under permission according to Council Regulation (EEC) No. 259/93.

On 20 May 2005 the authorised agent for the Dutch company, submitted an application to our notification unit. Having received this application, the authorities of Münster permitted it on 28 June 2005. Till this day shipments of animal fat and bones happened 46 times and all is in best order.”
For more information contact Mr Bernhard Veith, via bernhard.veith@bezreg-muenster.nrw.de or Carl Huijbregts via carl.huijbregts@minvrom.nl

9. Illegal waste from Germany to Czech Republic

Based on experience from the Verification Project, the Czech Environmental Inspectorate (CEI) has started to carry out regular waste transport inspection together with custom authorities. During one of these checks four trucks with mixed waste, probably originated from municipal waste, from Germany was discovered.



Waste stored under inappropriate conditions

A CEI story, by Mrs Olga Klasterkova
“The waste was accompanied by article 11 information, but in question should have been classified as waste which is not listed in Annex II, III or IV of the European Waste Shipment Regulation 259/93. These trucks were held because there has been no notification made by the Czech competent authority, and the Czech consignee is not authorised to operate the waste. The on-site investigation revealed a huge amount of this material (thousands of tons) which is stored under inappropriate conditions. The German competent authorities were asked to send the four illegal shipments of unlisted waste back to Germany. The CEI will continue the investigation in the facility.”
For more information contact Mrs Olga Klasterkova via olga.klasterkova@grh.izscr.cz

10. Ireland: leaking barrels with hazardous waste

There is a lack of treatment of hazardous waste in Ireland. Most of the Irish hazardous waste is being processed in Germany and is shipped via the Port of Rotterdam (the Netherlands) and transported by trucks to the final destination in Germany. The VROM Inspectorate (competent authority for the enforcement of the Waste Shipment Regulation in the Netherlands) has intercepted a number of shipments of hazardous Irish waste in the recent past. Occurred problems were mostly caused by the way of packaging.

Experiences with leaking barrels, by Mrs Jolanda Roelofs
“One of the incidents was during the transport inspection within the framework of the IMPEL – TFS Verification 2 project. A container truck was checked at the German border. This container was loaded with barrels which did not comply with the ADR, because of one or more barrels with hazardous waste were leaking. The load contained sludge of paint mixtures (water and solvent sludge). Totally 82 barrels were repacked at a waste treat-

IMPEL-TFS Verification project 2

The project started in January 2005 with the organization of a start meeting, where the targets have been determined. Centrally in the project are three control moments where verification of waste transports takes place. Meanwhile, TC1 and TC2 have taken place and TC3 is planned in the spring of 2006. The project's main aim is to harmonise the enforcement of EC Regulation 259/93 (replacing EC Directive 84/631) on TFS with regard to the supervision and control of waste shipments into, out of and through the European Union. Differences in enforcement levels within European countries often lead to bottlenecks in transboundary cooperation and therefore not to a European level playing field. This means that, if a real influence of enforcement on the destinations of these waste streams is desired, enforcement authorities in the European countries have to cooperate in order to align their enforcement activities.

Project aims

The aims of the IMPEL-TFS Verification 2 project are to:

- Acquire insight and improve compliance with the EU Regulation 259/93 and the Basel Convention with an eye on verifying the end destination and processing of waste materials;
- Set up chain enforcement “from cradle to grave” at international level;
- Enhance European cooperation between the involved competent authorities at operational level;
- Exchange practical experiences and knowledge;
- Increase the risk of being caught as regards illegal shipments and processing by transporters and other actors in the total waste chain.

Participating countries

Until present, 15 countries have indicated to participate in this project: Austria, Belgium, Croatia, Czech Republic, Denmark, Finland, Germany (the Federal States of Northrhine-Westfalia and Baden-Wurttemberg), Greece, Ireland, Malta, Poland, Portugal, Slovakia, Switzerland and The Netherlands. The Netherlands provides the project management and project secretariat.

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