

# “IMPEL-TFS seaport project”

**Currently an European enforcement project “enforcement of waste shipment regulations in large seaports” is being carried out. This leaflet gives you some general information about the aim of the project, its participants, a short description of the project and relevant legislation. Also contact persons are enclosed where additional information can be gained.**

## IMPEL-TFS network

The seaport project is carried out under the umbrella of the IMPEL-TFS network. The IMPEL-TFS network is a network of representatives from enforcement authorities of the Member States and some other European countries dealing with matters on Transfrontier Shipments of Waste. The IMPEL-TFS network was set up in 1992 in order to harmonise the enforcement of EU Regulation 259/93 (replacing EC Directive 84/631) on Transfrontier Shipments of Waste with regard to the supervision and control of waste shipments into, out of and through the European Union. More information about this regulation is presented below.

## Project aim

One of the main purposes of transfrontier shipment regulations of waste (TFS), is to prevent shipments of environmentally harmful waste to countries that do not have the provisions to cope with these wastes. Examples are shipments of hazardous electronic scrap to Asian countries and shipments of dangerous chemical waste to Africa. Even if companies and/or transporters fully comply with existing regulations, the companies that are involved in these shipments have proven to be very sensitive to enforcement activities. If control and enforcement in one port increases, companies quickly move their activities to an adjacent port in another European country. So, if a real influence of enforcement on the destinations of these waste streams is desired, enforcement authorities in the European seaports have to cooperate in order to align their enforcement activities.

The main aim of the project is therefore to improve the enforcement of TFS Regulations in the participating seaports by improving communication and cooperation between the participating authorities, in order to align their enforcement activities. Enforcement structures in the seaports concerned have therefore been identified and uniformed and/or coordinated. Joint enforcement actions will be carried out during the operational phase of the project. Furthermore experiences and

practical knowledge about the execution and enforcement of TFS Regulations will be expanded and shared with all countries involved.

The project will also accomplish:

- A network of contacts for enforcement activities;
- Cooperation between national and international authorities;
- Description of specific seaport problems, resulting from the enforcement activities;
- Agreements about exchanging enforcement information.

## Project participants

Representatives of a number of European countries are participating in this project, namely Belgium, Germany, Latvia, Netherlands, Poland and United Kingdom. Within these countries the cooperation is focussed on the authorities that are responsible for the enforcement of waste shipment regulations within the harbours of respectively Antwerp, Hamburg, Riga, Rotterdam, Gdansk and Felixstowe. The national contact person for this project, where additional information can be gained, is presented at the end of this leaflet. Participation of Poland and Latvia as future EU Member States gives them the opportunity to get acquainted with European TFS regulation and the way this regulation is enforced.



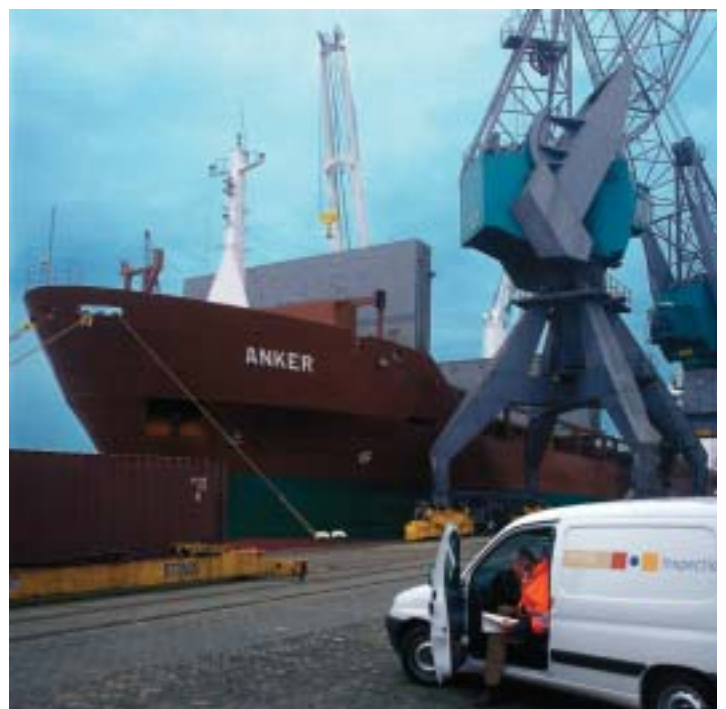


### **Description of the project**

The relevant enforcement networks within the participating countries and seaports were identified during the preparation phase of the project, which was carried out during spring 2003. General agreements on working procedures, type and amounts of inspections, priorities and the way of reporting the results were agreed during a first conference, which was organised on 4 – 6 June 2003 in Rotterdam, The Netherlands. Concerning uniform working methods (manuals) agreements were made on the inspection of custom documents, inspection of storage locations and warehouses and traffic inspections. The involved European Member States will focus their inspections on the export of wastes to non-OECD countries, and to the export of all kinds of wastes to Latvia and Poland. Latvia and Poland will focus their inspections on the export of wastes to non-OECD countries as well, and to the import of wastes into their own country. All checks will focus on the inspection of waste which is transported as green listed waste.

The operational phase of the project has started in June 2003. During the operational phase the participating authorities will carry out joined and coordinated enforcement activities and inspections 'on site'. Enforcement actions will be carried out and follow up actions will be reported.

The results of the operational phase will be discussed at a second conference, which is foreseen during spring 2004. Also conclusions and recommendations will be drawn up at this conference on how enforcement of waste shipments regulations at seaport can be improved.





## International and European waste shipment regulations

### International waste shipment agreements and regulations

A number of international regulations are in force, aiming at preventing shipments of environmentally harmful waste to countries that do not have the provisions to cope with these wastes. The most important agreements and regulations are the Basel Convention, the OECD Decision of 30 March 1992, EU framework Directive 75/442 and EU Regulation 259/93.

### European waste shipment regulations

In 1994 the Council Regulation on the supervision and control of shipments of waste within, into and out of the European Community (hereafter referred to as EU Regulation 259/93), came into force. Regulation 259/93 gives effect in the EU to a number of important international agreements and conventions, including the aforementioned Basel Convention and the OECD Decision. The Regulation 259/93 makes a distinction between recovery and disposal operations of waste and lays down the notification procedures. The definition of waste and which actions are defined as recovery and disposal, are laid down in EU framework directive 75/442.

### Recovery operations

Waste mentioned for recovery is divided in annex II, III and IV (the green, amber and red list of waste). Movements of green listed waste between Member States must be accompanied by information in Article 11. Transfrontier shipments of amber and red listed waste and not mentioned waste for recovery, always need to be notified to involved competent authorities.

### Disposal operations

Transfrontier shipments of waste mentioned for disposal, always need to be notified to involved competent authorities.

### Notifications procedures

The notification procedure for waste shipments, and the administrative requirements following out of these procedure, depends on:

- The country of origin and the country of destination;
- The transport route (including the countries of transit);
- Purpose of the shipment: ultimate disposal or recovery;
- The sort of waste.

### Export ban

Additionally, EU Regulation 259/93 was amended by Council Regulation 120/97 implementing what is referred to as the Basel export ban. This amendment prohibits the export of hazardous wastes listed in Annex V of EU Regulation 259/93 to countries that are not parties to the OECD Decision.

### More information

More information about TFS regulations in general, and EU Regulation 259/93 can be found on internet. See further "Relevant internet links" at the end of this leaflet. Also the text of EU Regulation 259/93 (and other regulations) can be found on these internet sites.





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### Contact persons for additional information

Country specific information or questions about this enforcement project can be gained at the national contact person of this project:

#### Belgium

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Information about the project in general and the IMPEL-TFS enforcement network is available at the project manager of this project:

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### Relevant Internet links

Other information about different aspects of TFS regulations and its enforcement can be gained via Internet:

- The IMPEL-TFS network:  
[http://europa.eu.int/comm/environment/impel/impel\\_tfs.htm](http://europa.eu.int/comm/environment/impel/impel_tfs.htm)
- EU waste shipment regulations:  
<http://europa.eu.int/comm/environment/waste/shipments/index.htm>
- The Basel Convention:  
[www.basel.int](http://www.basel.int)
- Ministry of VROM:  
[www.vrom.nl/international](http://www.vrom.nl/international)

The national representatives of countries participating in the IMPEL-TFS seaport project.

