

Experiences from the European Commission, by Nancy Isarin
 "The idea for this traineeship was born when I presented the final report of the first IMPEL-TFS Seaport project at the responsible unit of the European Commission, in July last year. A traineeship could give me an insight in the procedures and the work of the EC on the regulation. The Commission on their side could benefit from the experiences of the IMPEL-TFS Seaport project regarding the inspections and practical work of the regulation.

One of the subjects I am working on is the correspondents meeting which is organised by the EC. Correspondents responsible for Regulation 259/93 from each Member State join the meeting to discuss informally issues and grey areas in relation to practical, legal and technical problems and questions encountered during the implementation of the regulation. For example the classification of certain waste streams. Another topic I am dealing with is the future of IMPEL-TFS and the role of the EC in this network. Furthermore I am learning a lot about other developments that can have influence on the waste shipment regulation. For example the relation with the Basle convention, the OECD and the WTO (World Trade Organisation). The field of activities of the EC is more focused on policy development, legislation and monitoring the implementation of directives and regulations in the Member States, and less on inspections.

Although being very different from my daily job as an inspector and manager of an enforcement project, the work is very interesting and I am convinced that the experiences gained here, can support us in drafting even better recommendations for the final report of the Seaport project.

During my traineeship, I am temporarily replaced by Ms Jenny van Houten, e-mail jenny.vanhouten@minvrom.nl."

For more information please contact Ms Nancy Isarin, via nancy.isarin@cec.eu.int

13. Other things worth knowing

- Rectification: In the previous newsletter it was mentioned that the ZAPP-system is a German system. This is incorrect: the ZAPP-system is only used in Hamburg.
- As a participant of the IMPEL-TFS Seaport II project you have access to Viadesk (<https://vrom.viadesk.com/>, please take notice of the s after http). This online database shows you inspection results of all country members. So visit Viadesk regularly to stay well informed about project developments!
- The fourth, and also last, newsletter will be published around June 2006. If you have interesting enforcement cases or particular subjects for this newsletter, please contact the editors.
(See colophon below for contact information.)
- The Basel Action Network published an interesting report on export of hi-tech to Africa, 'The digital dump'. The report can be downloaded via www.ban.org.
- Finally we hope that Seaport II project participants keep exchanging knowledge and experiences. All together we make this project and its follow up successful!

Colophon

Final editor: Nancy Isarin, VROM Inspectorate,
 P.O. Box 29 036, 3001 GA Rotterdam,
 The Netherlands

Editors: ARCADIS, Ms Sandra Kraan / Mr Charles Nijssen

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Contact

| Country | Contact person | Tel nr. | Email |
|-------------|-------------------------------------|------------------|--|
| Belgium | Mr. Bart Palmans | +32 15 284511 | bart.palmans@ovam.be |
| German | Mr. Klaus Willke | +49 40 428452249 | klaus.willke@bsu.hamburg.de |
| France | Mr. Frédéric Thomas | +33 1 56287190 | oclaesp@gendarmerie.org |
| Ireland | Mr. Pat Fenton | +351 1 8882616 | pat_fenton@environ.ie |
| Latvia | Ms. Evija Smite | +371 7469 388 | evija.smite@jiup.gov.lv |
| Malta | Mr. Kevin Sciberras | +356 2290 0000 | kevin.sciberras@mepa.org.mt |
| Netherlands | Mr. Huib van Westen | +31 10 224 4444 | huib.vanwesten@minvrom.nl |
| Poland | Ms. Malgorzata Kolodziej-Nowakowska | +48 91 4303725 | mkn@wios.szczecin.pl |
| Portugal | Ms. Sara Manilha | +351 213215538 | smanilha@ig-amb.pt |
| Slovenia | Ms. Marija Urankar | +386 1 420 4480 | marija.urankar@gov.si |
| Sweden | Ms. Lena Pettersson | +46 8 785 51 01 | lena.pettersson@ab.lst.se |
| Spain | Mr. Oriol Roselló I Molinari | +34 93 567 3300 | orosello@gencat.net |
| UK | Ms. Debbie Eley | +441278 484665 | debbie.eley@environment-agency.gov.uk |

VROM

Third edition

Newsletter IMPEL-TFS Seaport Project II



November 2005

1. Introduction

In the summer of 2004 the second IMPEL-TFS Seaport project has started. By means of this newsletter the project management informs all their contacts about the progress and findings of the project so far.

An important part of this third newsletter is focussing on the practical enforcement experiences during the operational phase of the project, also illustrated by actual results out of the European inspection week (week number 41/2005). You will find several enforcement cases, each one enlightened with the results and experiences from the countries involved. And, last but not least, some information is given on the final IMPEL-TFS Seaport II conference, which will be held in the United Kingdom.

Read it, recognise experiences and reward your own enforcement activities!

2. European inspection week

During week 41 of 2005, enforcement authorities of nine European countries carried out several joint inspections in seventeen European seaports. Inspections were done at seaports in Germany, United Kingdom, France, Ireland, Poland, Latvia, Slovenia, Sweden and The Netherlands. In total, 3.000 documents were checked while 258 cargo-holds were 'physically' inspected, and 140 of these were waste shipments. 68 of these shipments turned out to be illegal. In accordance with international agreements, the illegal waste shipments will be sent back to the country of origin.

The press release can be downloaded from Internet via <http://europa.eu.int/comm/environment/impel/news.htm>

3. Malta exchange experiences

From the 7th until the 9th of November 2005, two inspectors of the VROM Inspectorate of The Netherlands visited the Malta Environment & Planning Authority (MEPA) in Malta for an exchange programme. Malta is a member of both the team of the IMPEL-TFS Verification project and of the Seaport project. Unfortunately, inspectors from Poland and Slovenia were not able to attend the programme.

Experiences with the exchange programme, by Ms Jenny van Houten (VROM-Inspectorate, The Netherlands)

"For the very first time in Malta, the container terminal at the

seaport of Malta was visited by MEPA for a TFS inspection with the help of Maltese customs 'Dwana'. The inspectors checked the manifests and the bills of lading together to select interesting shipments. The selected containers were opened and inspected on the next day. There was no luck this first time and the containers that were opened did not contain waste materials. Customs were very helpful and more of these TFS inspections will probably be performed by MEPA and customs in the near future. Malta is an important transit port for the Mediterranean area and an essential link for shipments to Asia and North Africa. Lots of feeders from Italy and France transfer their containers into deep sea vessels in Malta. Big chances ahead for the MEPA in TFS Seaport work!



Inspectors at the container terminal in Malta

During the exchange, two landfills, a waste transfer station and one waste treatment plant were also visited. Malta has 14 landfills of which one is isolated.

Further, a traffic inspection was held next to a landfill in cooperation with the police, health and safety inspectors and the traffic inspectorate. No transfrontier waste shipments were encountered during this inspection. All the inspected waste carriers were not registered at the MEPA though. The waste carriers received a notice from the MEPA."

For more information please contact Ms Jenny van Houten, via jenny.vanhouten@minvrom.nl

4. Cooperation between Denmark and Germany

Because of staff shortage, Hamburg could not take part in the European inspection week in week 41 of this year. On the other hand inspections are executed on a regular base by the police and the port customs. If there is the need, the State Ministry of Urban Development and Environment (BSU) as the competent authority (CA) supports these two enforcement institutions to handle particular cases.

Experiences with inspections by Mr Klaus Willke

“In August this year police, customs officers and one environment inspector from the South of Denmark met in Hamburg with their counterparts to discuss the movement of used cars from Denmark to West Africa, via Hamburg. Out of this discussion and with a confirmation from the Danish Environmental Protection Agency in Copenhagen, it is apparent that used cars becoming waste after they have been given to a disposal facility and the recovery bonus is paid. Out of 50 cars from Denmark, which the police visual inspected in the port of Hamburg, the recovery bonus was paid in Denmark for 24 old cars. Now we are in the stage to find an appropriate way to send these cars back to Denmark.

In total, 142 direct inspections are done. In 24 cases criminal investigations started on the bases of illegal waste shipments, 18 cases prohibited chemical (CFC) export and in 6 cases an administrative investigation for customs infringements started. This could be the beginning of integrating the daily work into the reporting scheme of the Seaport project. In the moment this is only a list of the police. How to include the cases of the port customs and the BSU is still an open question. We are at the start of working on it.”

For more information please contact Mr Klaus Willke, via klaus.willke@bsu.hamburg.de

5. English Environment Agency steps up its response to illegal waste

Following a year of high profile and successful port inspections in England and Wales, it is clear that the Environment Agency will not tolerate illegal waste imports or exports. The latest investigation in October 2005 commenced when the Environment Agency became aware that 8 shipments of Irish municipal waste had entered England illegally. It appears that the waste may be the same waste that was repatriated by our colleagues from The Netherlands, to Ireland in 2004. Following information received, the Environment Agency was then able to act promptly and to work with its Irish colleagues to have the waste returned to Ireland. Looking forward, the work during 2005 has provided the foundation for a larger programme of intelligence led inspections to be carried out during 2006. Targets in 2006 will include illegal waste imports and WEEE (waste from electrical and electronic equipment) exports.

For more information please contact Ms Debbie Eley, via debbie.eley@environment-agency.gov.uk

6. Exchange between Latvia and the Netherlands

To encourage the enforcement of the European Waste Shipments Regulation (EWSR) in Latvia and to exchange

experiences between Latvia and the Netherlands, a workshop was organised on the 10th of November 2005 in Riga. The workshop took place at the ministry of Environment in the old part of beautiful Riga. Representatives of the Ministry of Environment, the State Environmental Service, the Ministry of Economics, the Regional Environmental Boards, and the Customs Department, attended the workshop. Also present was Ms Anne-Claire Collee of The Netherlands' VROM-Inspectorate, who was invited to share the experience of enforcement of the EWSR in the Netherlands.

Experiences of the workshop, by Ms Anne-Claire Collee (VROM Inspectorate, The Netherlands)

“Ms Evija Smite, who organised the workshop, opened with a presentation about the IMPEL-TFS Seaport project. This was followed by a more in depth look at the requirements of national and international Waste Shipment Regulations, presented by the head of the Waste Management Unit of the Environmental Protection Department (Ministry of Environment). The third speaker was a representative of Riga Customs Regional Office. He gave insight in enforcement efforts by customs in Riga Freeport. Following, I introduced the participants of the workshop with the administrative and enforcement structure of the EWSR in Netherlands, illustrated by numerous case examples and pictures. The presentation aroused true interest of Latvian specialists and was followed by a number of questions. The workshop was concluded by a discussion of representatives from different Latvian authorities on future organisation and improvement of EWSR enforcement in Latvia, taking into account also just obtained information from their Dutch colleague.”

For more information please contact Ms Anne-Claire, via anneclaire.collee@minvrom.nl

7. Waste inspections in Poland

“In range of the European inspection week (week number 41) of this IMPEL-TFS Seaport project, Poland carried out three inspections on transfrontier waste shipments. The Voivodeship Inspectorate for Environmental Protection in Szczecin performed one inspection in Szczecin Seaport in close cooperation with Customs Service. A container with second hand electric devices shipped from Poland to Gabon was chosen for inspection. Apart from declared goods, inspectors also detected wastes like waste textile floor coverings (GJ-140 green list) and electronic scrap (GC-020 green list). The company that shipped the wastes did not follow a notification procedure according to art.15 of Regulation 259/93. The export of waste detected during the inspection was banned.

The second inspection took place in the Seaport of Gdansk. The Voivodeship Inspectorate for Environmental Protection in Gdansk performed the inspection in cooperation with Customs Service. A container with goods declared as packing, which was being shipped from Canada to Poland, was chosen for inspection. The determined infraction was an uncertainty regarding a declared weight of goods.

The third inspection was carried out by the inspectorate at the Baltic Container Terminal in Gdynia. The container that was

inspected included wastes declared as iron or steel scrap (GA-430 green list). The wastes were shipped from Poland to South Korea. The infraction concerned differences between declared and actual weight of wastes.”

For more information please contact Ms Malgorzata Kolodziej-Nowakowska via mkn@wios.szczecin.pl



Iron or steel scrap shipped from Poland to South Korea

8. Belgium point of view on export of vehicles containing CFC's

“According to the Belgian Federal authorities and the authorities of the Flemish and Brussels Region, the export out of the EU of vehicles with airco's containing CFC's is prohibited. This on the basis of article 11.1 of Regulation 2037/2000/EG. Given the fact that these vehicles are exported to an illegal destination, the Flemish and the Brussels region consider these vehicles as hazardous waste: therefore the export is to be considered as a violation of article 26 of Regulation 259/93 as well.

It is relevant to note that the Federal authorities, who are competent for the transit of waste across the Belgian territory, do not consider such vehicles as waste. In case police or customs would stop such a vehicle, the Federal authorities would merely support this action on the basis of above mentioned article 11.1.”

For more information please contact Mr Bart Palmans, via bart.palmans@ovam.be

9. Many inspections carried out in France!

After the European inspection week, France showed some tremendous number of inspections. A short overview. 550 documents from 3 container vessels (destined for Asia and Africa) were viewed, and 70 containers were selected for inspection. After contacts with either the traders and/or the customers, 48 containers were finally checked. After physical inspections 30 shipments (23 containers and 7 trucks) were blocked: containers were found to be loaded with various waste materials, like polluted engine blocks, rags, automobile tyres, and electronic scrap metal.

“We did an inspection on the RO-RO terminal too. We inspected 60 vehicles, such as cars, trucks and busses, and we

blocked 7 trucks and defined them as hazardous waste.”

For more information please contact Mr Frédéric Thomas, via oclaesp@gendarmerie.org

10. Progress of the IMPEL-TFS Seaport Project II so far

What progress is made in the second part of the operational phase so far? The recommendations mentioned in the interim report of May 2005 are good indicators to answer this question. These recommendations are elaborated in more detail during the second part of the operational phase. Let's look at all three of them.

- “Gain a list of criteria used for waste/no waste.”
A number of countries published their information on this subject (brochures and/or guidelines) on Viadesk.
- “Provide guidelines on education”.
Ireland has developed training material for inspectors. You can find this information on Viadesk.
- “Gain an overview of contacts with countries of destination, especially non OECD countries”.
Viadesk information is available about Hong Kong, Japan, Malaysia and Basel Focal Points in Asia.

If you have additional information on these subjects, please inform the project management. This enables other countries to share the information on these issues!

11. Final conference: Liverpool, United Kingdom!

It is with great pleasure to announce that our Seaport colleagues from the United Kingdom will host the final conference of the IMPEL-TFS Seaport II project! The conference will be held from Monday 20 March till Wednesday 22 March 2006 in Liverpool.

The aims of this final conference are to:

- Discuss the overall results and conclusions of the IMPEL-TFS Seaport II project;
- Discuss the draft final project report, which also contains recommendations for those involved in policy and enforcement;
- Make agreements or create recommendations for the continuation of enforcement activities after the Seaport project;
- Discuss enforcement issues: practical enforcement problems and their solutions.

The project management welcomes two participants per country to join the final conference. An announcement letter was already submitted to the country coordinators. Further information on the programme will follow in due course!

For more information please contact Ms Nancy Isarin, via nancy.isarin@cec.eu.int

12. Message from Brussels

From October 2005 until February 2006 Ms Nancy Isarin follows a traineeship at the European Commission (DG Environment) in Brussels. At the unit Sustainable Production & Consumption she supports the desk officers who are working on the European Waste Shipment Regulation 259/93 (EWSR).