

Overview on Latest Developments on Basel Convention on the Control of Transboundary Movements of Hazardous Waste and their Disposal

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Objective & Outline

To update on the latest developments on Basel Convention on the Control of Transboundary Movements of Hazardous Waste and their Disposal



Outline

- 1 Overview of Basel Convention & Singapore's Control Framework
- 2 Implementation of Plastic Waste Amendments adopted at COP-14 to the Basel Convention
- 3 New amendment proposal by Ghana & Switzerland on the Transboundary Movement Control of Waste Electrical & Electronic Equipment (WEEE)

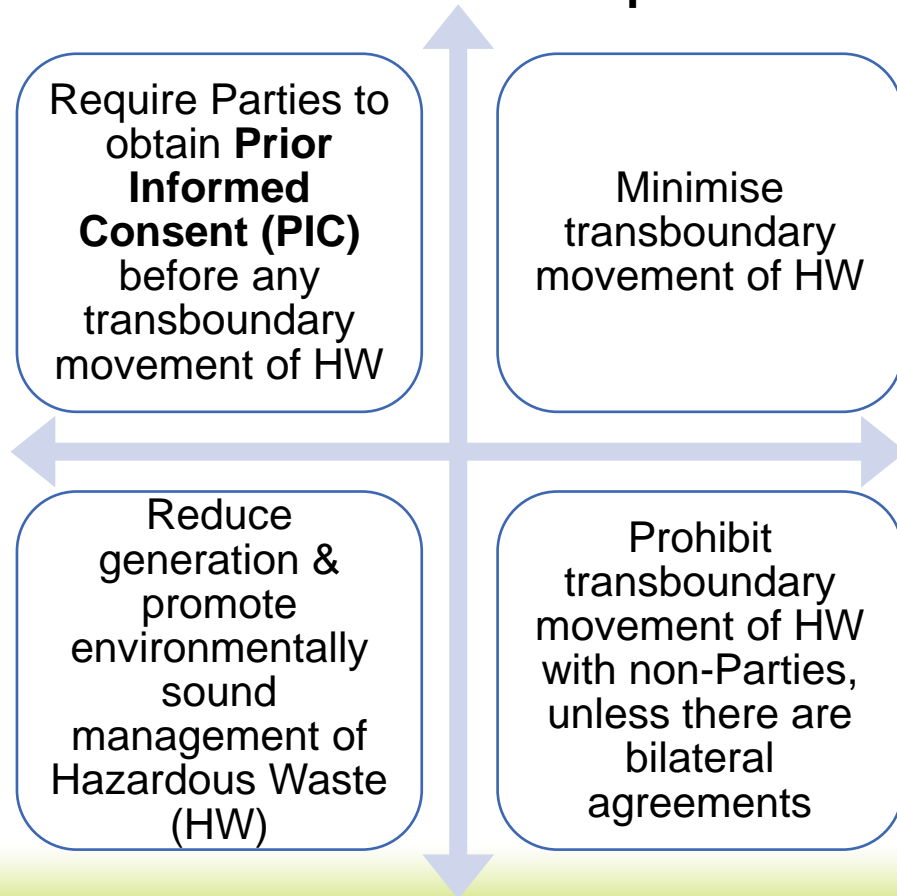
1 Overview of Basel Convention and Singapore's Control Framework

Overview of Basel Convention



Singapore's Control Framework

Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal



Chemical Control & Management Department of NEA is the National Competent Authority (CA) for implementation of the Convention

- Hazardous Waste (Control of Export, Import and Transit) Act (HWA)
- Hazardous Waste (Control of Export, Import and Transit) Regulations
- Hazardous Waste (Extended Meaning of Hazardous and Other Wastes) Notifications



Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal

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Require Parties to obtain **Prior Informed Consent (PIC)** before any transboundary movement of HW

Prior to the export, NEA requires the PIC procedure to be initiated with the States of Import/Transit for their consent of the intended shipments

The exports will not be permitted if any Party involved in the movement does not provide its consent

Local companies involved in the export of the hazardous waste are required to obtain a Basel Export Permit from NEA and Banker's Guarantee from a bank

Reduce generation & promote environmentally sound management of Hazardous Waste (HW)

Prohibit transboundary movement of HW with non-Parties unless there are bilateral agreements

2 Implementation of Plastic Waste Amendments adopted at COP-14 to the Basel Convention

Summary on the Plastic Waste Amendments under Basel Convention

Transboundary movement of plastic waste listed under the Basel Convention (BC) is controlled and subject to prior informed consent (PIC) procedure since 1 January 2021

Key examples of such controlled plastic waste:

Halogenated* plastic waste, regardless of whether they are segregated into homogenous streams (e.g. Polyvinyl chloride (PVC))

Mixed plastic waste other than mixtures comprising Polyethylene (PE), Polypropylene (PP) and Polyethylene terephthalate (PET)

Plastic waste containing or contaminated with hazardous waste (e.g. heavy metals, waste oil etc)

Singapore's Response to the Plastic Waste Amendments

Legislative Amendments to the Hazardous Waste (Control of Export, Import and Transit) Act (HWA) and its Regulations

- i. The Schedule to the HWA were amended to reflect the plastic waste amendments adopted at 14th Conference of the Parties Meeting (COP-14) to the Basel Convention in 2019
- ii. Plastic waste classified under Annexes II* and VIII# of the HWA is subject to transboundary movement control under the Prior Informed Consent (PIC) procedure
 - Valid **Basel Permit** from NEA required prior to import/export/transit
- iii. **Domestic implementation took effect on 1 Oct 2020, ahead of the 1 Jan 2021 international obligation to prepare the industries for their compliance**

Operational Requirements for Import/Export of Plastic Waste

- i. Plastic waste under Customs' Harmonised System (HS) code 3915 is now controlled and managed by NEA.
 - Declarants are advised to declare using the most appropriate HS and Product code for TradeNet declaration
- ii. TradeNet permit declarations with HS code 3915 will be processed by NEA for import/export control

* Annex II: Categories of wastes requiring special consideration (i.e. PIC notification is required for transboundary movement)

Annex VIII: Waste under this Annex is regarded as hazardous waste unless proven with no hazardous characteristics (e.g. toxic, oxidising, corrosives etc) (i.e. PIC notification is required for transboundary movement)

Enhance Operationalisation of Plastic Waste Amendments

(1) Potential differences in how Parties interpret the scope of plastic waste covered in Annexes II and IX* of the Basel Convention

- The plastic waste amendments included some general guidance, e.g. “*almost exclusively consisting of...*”, “*destined for recycling in an environmentally sound manner*” and “*almost free from contamination*”

(2) There is currently no definitive level of acceptable contamination for the plastic waste which may result in varying domestic requirements for the import of plastic waste

- This poses a challenge in determining the conditions where the transboundary movement (TBM) of plastic waste could take place without the PIC procedure to facilitate recycling efforts



NEA has consulted the relevant stakeholders on the development of domestic technical guidelines to facilitate the transboundary movement control of plastic waste in compliance with the Basel Convention obligations – *in progress*

* Annex IX: Waste under this Annex is regarded as non-hazardous waste unless proven with hazardous characteristics (e.g. toxic, oxidising, corrosives etc). (i.e. PIC notification is not required for transboundary movement)

3 New Amendment Proposal by Ghana & Switzerland on the Transboundary Movement Control of Waste Electrical & Electronic Equipment (WEEE)

Background on WEEE and UEEE under Basel Convention

- i. Currently, electrical and electronic waste or scraps containing hazardous constituents (e.g. heavy metals like lead, cadmium, mercury) are controlled for transboundary movement under the Basel Convention
- ii. The Basel Convention does not provide a clear definition of waste electrical and electronic equipment (WEEE) and used electrical and electronic equipment (UEEE)
- iii. Hence, technical guidelines* were developed by the Basel Convention to serve as reference for Parties to differentiate between WEEE and UEEE
- iv. Although the technical guidelines are non-obligatory, there is still a lack of consensus among Parties on the differentiation between WEEE and UEEE

** In 2015, COP-12 adopted an interim set of technical guidelines focusing on packaging, labelling and provision of supporting documents (e.g. surveyor's report, contractual agreements etc). In 2019, COP-14 continued to adopt the interim technical guidelines with unaddressed issues such as residual lifetime and age of used equipment.*

Amendment Proposal by Ghana and Switzerland

- i. The proposed amendments are summarised as follows:
 - Expand scope of coverage to include transboundary movement (TBM) control (i.e. PIC procedure) under the Basel Convention
 - Besides waste electrical and electronic components, whole waste electrical and electronic equipment (WEEE) to also be included
 - All **hazardous and non-hazardous WEEE** are subject to TBM control
 - Besides hazardous waste electrical and electronic components/scraps, the TBM control will also include **non-hazardous components/scraps**
- ii. Amendment proposal may be tabled for consideration and possible adoption by Parties at COP-15 in Jul 2021
- iii. The online copy of the proposal could be found at:
<http://www.basel.int/TheConvention/Communications/tabid/1596/ctl/Download/mid/9471/Default.aspx?id=21&ObjID=24225>

Proposed Amendments to the Annexes of the Basel Convention

Annexes	Existing Entry	<u>Proposed Amendments</u>
Annex II (Other waste requiring special consideration) [Non-hazardous but PIC required]	No entry	Include new entry “Y49” on WEEE and its waste components
Annex VIII (Hazardous waste) [PIC required]	A1180	Amend existing entry “A1180” to include WEEE in addition to waste electrical and electronic components
Annex IX (Non-hazardous waste) [PIC not required]	B1110 B4030	Delete “ B1110 ” : Electrical and electronic assemblies Delete “B4030” : Used single-use cameras, with batteries not included on list A

Preliminary Assessment

Singapore will need to put in place regulatory measures to comply with the new obligation if the amendment proposal is adopted by Parties



The transboundary movement of non-hazardous e-waste (such as WEEE, its scraps and components) will be subject to Basel Convention obligations and Singapore's Hazardous Waste (Control of Export, Import and Transit) Act ("HWA")

Companies importing, exporting and/or transiting such waste will be required to comply and note the following:

- i. Export, import and transit of non-hazardous WEEE and electrical waste components will require a valid **Basel Permit** and other requirements under the HWA
- i. **Additional time** has to be factored in for the PIC procedure (i.e. to obtain the consent of the Parties involved) prior to transboundary movement
- ii. **Uncertainty if shipment could take place:** Shipments are not permitted if any Party involved in the transboundary movement (i.e. State of Import and State(s) of Transit) does not provide its consent

Consultation with Stakeholders and Clarification with Basel Secretariat

- i. NEA has been consulting relevant stakeholders to better understand the potential implications to the local industry
 - E.g. industry consultation conducted in the form of an online questionnaire in Jan – Feb 2021
- ii. NEA has transmitted technical comments and clarifications to the Basel Secretariat on 17 Mar 2021
 - Clearer distinction between WEEE and UEEE meant for repair, reuse, refurbishment for fault analysis is needed to minimise miscommunication between Parties with differing interpretations

Conclusion

- i. Singapore, as a Party to the Basel Convention, will continue to work with the Parties and uphold the obligations on the transboundary movement of hazardous waste and other waste, as defined under the Convention
- ii. NEA, as Singapore's Competent Authority, will continue to monitor developments relating to Basel Convention and consult the industry whenever necessary

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Thank you for your attention

