



Recommendations for the Revision of the Basel Convention's Annex IV and Annex IX (B1110)

March 2019

Following decision OEWG-11/12 of the open-ended Working Group on the review of the Annexes of the Basel Convention, FEAD, the European Federation of Waste Management and Environmental Services would like to provide the following comments in view of preparing the recommendations for the revision of Annex IV and Annex IX (B1110) for consideration by the Conference of the Parties during their 14th meeting.

For both disposal and recovery codes, and for a comprehensive understanding of FEAD's comments on the recommendations for revisions to Annex IV and Annex IX, please find below our guiding principle:

1) As a general statement:

- So far, the current operation codes fit the needs of the waste management operators. Therefore, FEAD recommends choosing a status quo for most of the operation codes.
- FEAD recognises that it is better to keep a general description of each code and to improve the interpretation of the codes with the creation of a guidance document.

2) However, FEAD recognises:

- that certain codes need clarification, and some improvement could bring added value. Nevertheless, a list of techniques should never be considered as exhaustive.
- the need for a "catch-all code" in each respective category: disposal, and recovery codes, as the definition of waste is related to the identification of the operation.

APOH, Slovakia

BDE, Germany

ESA, UK

FLEA, Luxembourg

HRABRI ČISTAC,
Serbia

NORSK INDUSTRI,
Norway

SRI,
Sweden

ARMD, Romania

CAObH, Czech
Republic

EWMA, Estonia

FNADE, France

IWMA, Ireland

PASEPPE, Greece

ASEGRE, Spain

DWMA, Netherlands

FISE, Italy

go4circle, Belgium

LASUA, Latvia

PIGO, Poland

General introduction for Annex IV

Regarding the proposal of a general introduction for Annex IV, FEAD would like to amend it as follows:

Proposal	FEAD's amendment	Justification
<p>Annex IV: Disposal operations</p> <p>"There are two categories of disposal operations, namely recovery operations and final disposal operations. Section A encompasses final disposal operations and section B covers recovery operations.</p> <p>This Annex covers disposal operations including interim operations.</p> <p>This Annex covers all operations, regardless of their legal status and, as such, regardless of whether they are considered to be environmentally sound.</p> <p>The principal purpose of a treatment determines the selection of an operation."</p>	<p>Annex IV: Disposal operations</p> <p>"There are two categories of disposal waste treatment operations, namely recovery operations and final disposal operations. Section A encompasses final disposal operations and section B covers recovery operations.</p> <p>This Annex covers disposal operations including interim operations.</p> <p>This Annex covers all operations, regardless of their legal status and, as such, regardless of whether they are considered to be environmentally sound.</p> <p>The principal purpose of a treatment determines the selection of an operation."</p>	<p>Waste treatment operations consist in either recovery operations, or disposal ones. Recovery is not a subcategory of disposal operations. « Disposal » was the general term used for describing the whole waste management some decades ago, but it no longer reflects the reality, and keeping the title as proposed would be inconsistent with the logics of Disposal & Recovery codes. Additionally, disposal operations do not need to be qualified as final, otherwise some steps in the chain of waste disposal will not be covered.</p>

DISPOSAL CODES

1) Options for captions and introductory texts for Annex IV A

Options supported	Option 2 <i>“Final Disposal Operations: A final disposal operation is an operation which is not a recovery operation even where the operation has as a secondary consequence the reclamation of substances or energy.”</i>
Options to be rejected	<p>Option 1 <i>“Operations which do not lead to the possibility of resource recovery, recycling, reclamation, direct re-use or alternative uses: Section A encompasses all such disposal operations which occur in practice.”</i></p> <p>Option 4 <i>“Final Disposal Operations: A final disposal operation is an operation which is not a recovery operation. Final disposal operations include operations that have as a secondary consequence the reclamation of useful materials or energy.”</i></p> <p>Option 5 <i>“Final Disposal Operations Which Do Not Lead To The Possibility Of Resource Recovery, Recycling, Reclamation, Re-use Or Alternative Uses: Annex IV.A encompasses all operations which lead to or are final disposal operations.”</i></p>
Neutral	Option 3 <i>“Final Disposal Operations: Final disposal operations are those that don’t have as main purpose to recover resources from wastes, even if the operations recover resources as a secondary consequence.”</i>

2) In favour of a status quo for the following disposal codes

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| <ul style="list-style-type: none"> • D2 • D3 (strongly against option 1) • D6 | <ul style="list-style-type: none"> • D7 • D8 (strongly against option 1) • D10 | <ul style="list-style-type: none"> • D11 • D12 • D13 • D14 |
|--|---|--|

3) In favour of clarification for the following disposal codes

	Current	Options supported	Options to be rejected
D1	“Deposit into or onto land, (e.g., landfill, etc.)”	Option 2 “Deposit into or onto land, (e.g. non engineered landfill, dumpsites) other than by any operations D3 to D5 or D12”	Option 1 “Deposit onto land other than covered by D5, option 1 (e.g. placement of solids, liquids or sludges into pits; permanent aboveground storage)”
D4	“Surface impoundment, (e.g., placement of liquid or sludge discards into pits, ponds or lagoons, etc.)”	Option 1 “Surface impoundment, (e.g., placement of liquid or sludge discards into pits, tailings ponds, tailings dams or lagoons)”	Option 2 “Delete and merge partly with D1, option 1”

D5	“Specially engineered landfill, (e.g., placement into lined discrete cells which are capped and isolated from one another and the environment, etc.)”	<u>Option 2</u> “Engineered landfill (i.e. placement isolated from the environment with, if needed, venting systems, leachate collection and draining systems)”	n.a.
D9	“Physico chemical treatment not specified elsewhere in this Annex which results in final compounds or mixtures which are discarded by means of any of the operations in Section A, (e.g., evaporation, drying, calcination, neutralization, precipitation, etc.)”	<u>Option 1</u> “Physical/mechanical treatment (e.g. evaporation, drying), physical/chemical treatment (e.g. solvent extraction) and chemical treatment (e.g. neutralization, precipitation), immobilization (stabilization, solidification) prior to submission to any of the operations in Section A.”	n.a.
D15	“Storage pending any of the operations in Section A”	<u>Option 1</u> “Temporary storage pending any of the operations in Section A D15.01: with transfer or repackage D15.02: without transfer or repackage”	n.a.

4) Proposal of new disposal codes

Options supported	<p><u>D20 and D21 need to be merged:</u></p> <p><u>D20</u> “Final disposal operations other than covered by D1 option1, D2 option1, D3 option1, D5 option1, D6, D7 and D10 option1”</p> <p><u>D21</u> “Other treatment than covered by D8 option1, D9 option1 and D13 option1”</p>
Options to be rejected	<p><u>D16</u> “Release to the atmosphere (e.g. venting of compressed or liquefied gases)”</p> <p><u>D17</u> “Treatment of waste by nanomaterials”</p> <p><u>D22 Options 1 and 2</u> as they are already mentioned in D9 option 1</p> <ul style="list-style-type: none"> • Option 1: “Operations addressing stabilization and solidification” • Option 2: “Immobilization (e.g. stabilization, solidification) prior to submission to any of the operations in section A”
Other	<p><u>D19 needs to be merged with D9 option 1 as examples:</u></p> <p>“Treatment of sterilization or decontamination of biopathological waste D19.01: autoclave D19.02: microwave - radio waves. D19.03: physical sterilization D19.04: chemical sterilization D19.05: other method or technology not specified”</p>

RECOVERY CODES

1) Options for captions and introductory texts for Annex IV B

Options supported	<p style="color: #008000; text-decoration: underline;">Option 2</p> <p><i>“RECOVERY OPERATIONS: A recovery operation is an operation the principal result of which is waste serving a useful purpose by replacing other materials which would otherwise have been used to fulfil a particular function, or waste being prepared to fulfil that function, in the plant or in the wider economy.”</i></p>
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2) In favour of a status quo for the following recovery codes

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| <ul style="list-style-type: none"> • R2 • R3 • R4 • R5 | <ul style="list-style-type: none"> • R6 • R7 • R8 • R10 | <ul style="list-style-type: none"> • R12 (strongly against option 4) |
|--|---|---|

3) In favour of clarification for the following recovery codes

	Current	Options supported	Options to be rejected
R1	“Use as a fuel (other than in direct incineration) or other means to generate energy”	<p style="color: #008000; text-decoration: underline;">Option 1</p> <p>“Use as a fuel or other means to generate energy”</p>	n.a.
R9	“Used oil re-refining or other reuses of previously used oil”	<p style="color: #008000; text-decoration: underline;">Option 1</p> <p>“Re-refining of used oil”</p>	<p style="color: #ff0000; text-decoration: underline;">Option 2</p> <p><i>“Refining of used oils and other reusable fluids”</i></p> <p style="color: #ff0000; text-decoration: underline;">Option 4</p> <p><i>“Recovery of used oil and hydrocarbons R9.01: filtering or rectification R9.02: distillation of natural or synthetic hydrocarbon-based waste R9.03: use without the need of any further operation from this Annex”</i></p>
R11	“Uses of residual materials obtained from any of the operations numbered R1-R10”	<p style="color: #008000; text-decoration: underline;">Option 1</p> <p>Delete</p>	n.a.
R13	“Accumulation of material intended for any operation in Section B”	<p style="color: #008000; text-decoration: underline;">Option 1</p> <p><i>“Temporary storage pending any of the operations in section B”</i></p>	n.a.

4) Proposal of new recovery codes

Options supported	<p>R14 "Preparing for re-use (e.g. checking, cleaning, repair, refurbishment)"</p> <p>R16 "Repackaging prior to submission to any of the operations in Section B"</p> <p>R17 "Recovery other than covered by R1 option2, R3 option1, R4 option1, R5 option1 and R13"</p>
Neutral	<p>R15 "Co-processing"</p>

FEAD, the European Federation for Waste Management and Environmental Services, represents the private waste and resource management industry across Europe. FEAD's members are national waste management associations covering 19 Member States, Norway and Serbia.

FEAD's members represent about 3,000 companies with activities in all forms of waste management. Our companies have an approximate 60% share in the household waste market and handle more than 75% of industrial and commercial waste in Europe. Their combined annual turnover is approximately € 75 billion. These companies employ over 320,000 people who operate around 2,400 recycling and sorting centres, 1,100 composting sites, 260 waste-to-energy plants and 900 controlled landfills.

They enable the transition to a circular economy by producing resources which can be re-injected in the economy and by supplying energy. Our companies add value through innovative and cost-efficient collection, sorting, and recycling of secondary raw materials. As a result, they play a crucial role in achieving the best economic and environmental outcomes.