
2b National definition of hazardous waste

All Regions/Countries, Parties of the Basel Convention

UN Region: Africa

Burkina Faso

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Burkina Faso.

Hazardous waste is any waste presenting risks for public health and security and the environment. Waste coming from abroad is presumed to be hazardous.

Egypt

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Egypt.

Hazardous Waste is the Waste of activities and processes or its ashes which retain the properties of hazardous characteristics and have no subsequent original or alternative uses.

Paragraphe (19) Article (1), Chapter (1),

Egyptian Environment Law 4/1994, a digital copy both in English and Arabic can be downloaded from www.eea.gov.eg

Madagascar

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Madagascar.

« Est considérée comme déchet toute matière qui n'a plus aucune utilité pour son propriétaire ou producteur et qui est mise au rebut. Les déchets dangereux sont ceux qui, de par leur nature ou leur quantité, peuvent constituer une menace pour la santé ou l'environnement, ou les deux, pour lesquels il faut recourir à des techniques de traitement ou d'élimination adéquates afin de supprimer ou de réduire le risque qu'ils comportent ».

Cette définition est adoptée par le Comité National de Mise en oeuvre de la Convention de Bâle (depuis Octobre 2008).

Nigeria

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Nigeria.

The National Guidelines and Standards for Environmental pollution Control in Nigeria defines Hazardous Wastes as a byproduct of society that can pose a substantial or potential hazard to human health or the environment when it is improperly disposed.

Senegal

2008 There is no national definition of hazardous waste used for the purpose of transboundary movements of waste in Senegal.

Tanzania (United Republic of)

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Tanzania (United Republic of).

Under the national environmental legislation 'Environmental Management Act of 2004', Hazardous Waste is defined as any solid, liquid, gaseous or sludge waste which by reason of its chemical reactivity, environmental or human hazardousness, its infectiousness, toxicity explosiveness and corrosiveness is harmful to human health, life or environment

Tunisia

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Tunisia.

In Tunisia there is a national definition of hazardous wastes. Tunisian list (list available on request) of hazardous wastes consists of (i) wastes contained in Annex I (hazardous wastes list) and; (ii) any other waste containing any Annex II constituents and exhibits any Annex III hazard characteristics. Each hazardous waste is assigned a six digit code.

Uganda

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Uganda.

Hazardous waste means any waste specified in the Fifth Schedule or any waste having the characteristics defined in the Second Schedule and determined in accordance with the guidelines set out in the Third Schedule.

UN Region: Asia and Pacific

Azerbaijan

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Azerbaijan.

Transfer of hazardous cargo and wastes by car transport was approved by decree No. 10 of the cabinet of ministers from 27.01.2000 and transfer by railway by decree No. 207 as from 20.11.2000.

Bahrain

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Bahrain.

1. Hazardous Waste: any solid, semi-solid or liquid matter containing gaseous waste or a group of compounds of waste that may lead to a hazard or potential hazard to public health, environment and wildlife because of their quantity, concentration, physical, chemical or biological properties when they are managed in an environmentally improper manner. Such waste include the following:

- a. All waste having the characteristics or properties mentioned in Appendix 4 of this Resolution, including chemical waste, defined as unusable chemical products, or products that do not conform to the standards, or materials that remain of container contents or remains of leaking materials that belong to one of the categories mentioned in Appendix 3.
 - b. All waste belonging to one of the categories mentioned in Appendix 3 and possess any of the properties mentioned in Appendix 4 or if they are a mixture of hazardous waste and other materials.
 - c. Any waste that exceed the standard concentration mentioned in Appendix 5 after carrying out the Toxicity Characteristic Leaching Procedure (TCLP).
 - d. All hazardous waste mentioned in Appendix 6 of this Resolution.
 - e. Any other waste defined by the Competent Authority as hazardous waste.
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Brunei Darussalam

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Brunei Darussalam.

Hazardous waste is also identified as "Scheduled Wastes", which is defined as any waste falling within the categories of waste listed in the Fourth Schedule of the Draft Pollution Control Order of Negara Brunei Darussalam.

China

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in China.

China

"Hazardous wastes" means solid wastes included in the national catalogue of hazardous waste or solid wastes which, according to the identification standards of hazardous wastes, are determined as having the hazardous property.

Hong Kong Special Administrative Region, China: The list of hazardous wastes for the purpose of control on waste import and export in Hong Kong Special Administrative Region (HKSAR) is specified in the Seventh Schedule (Annex I, available upon request from the Secretariat) of the Waste Disposal Ordinance (WDO), the Laws of Hong Kong Chapter 354. Under the WDO, contaminated wastes are also controlled as hazardous wastes. For the purpose of control on import and export of wastes under the WDO, a waste is "contaminated" if it is contaminated by a substance to an extent which

- Significantly increases the risk of human health, property or the environment associated with the waste; or
 - Prevents the reprocessing, recycling, recovery or re-use of the waste in an environmentally sound manner.
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Cyprus

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Cyprus.

The House of Representative passed the new Law on Solid and Hazardous Waste Management on December 12, 2002. Within the new Law there is a definition of hazardous waste used for the purpose of transboundary movements of waste and it is in accordance with the provisions of the Basel Convention.

Japan

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Japan.

Hazardous wastes defined by the Basel Law are as follows:

A. The following materials which are exported or imported for the disposal operations listed in Annex IV of the Basel Convention.

1. Materials listed in Annex I of the Convention and having one or more hazardous characteristics listed in Annex III of the Convention;
2. Materials listed in Annex II of the Convention;
3. Materials to be notified to the Secretariat of the Convention by the Government of Japan through the designation by the Cabinet Order in accordance with Section 1 or 2 of Article 3 of the Convention; and
4. Materials informed by the Secretariat of the Convention in accordance with Section 3 of Article 3 of the Convention.

B. Materials, exportation, importation, transportation (including storage) and disposal of which must be regulated based on bilateral, multilateral or regional agreements or arrangements defined in Article 11 of the Convention.

(The Waste Management Law also defines hazardous waste as “Special Control Waste (hereinafter SCW)” independently, but import/export regulations under the Waste Management Law do not differ between SCW and non-SCW.)

Malaysia

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Malaysia.

Hazardous waste is defined as any waste falling within the categories of waste listed in the First Schedule of the Environment Quality (Scheduled Wastes) Regulations 2005 stipulated under The Environmental Quality Act 1974.

Qatar

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Qatar.

The national definition of hazardous waste is in accordance with the Basel Convention.

Republic of Korea

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Republic of Korea.

Pursuant to provisions in Article 2 of the Presidential Decree of the Act on the Control of Transboundary Movement of Hazardous Wastes and Their Disposal, hazardous waste is defined as:

1. Waste listed in Annex I or Annex VIII that exhibit any of the hazardous characteristics listed in Annex III.
2. Waste listed in Annex II.
3. Waste that Korea has notified to the convention secretariat as being hazardous pursuant to Article III Paragraph I, II, and III and Article XI.

Singapore

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Singapore.

Under the Hazardous Waste (control of export, import and transit) Act (HWA) "hazardous waste" means waste prescribed by any regulation made under this Act, where the waste has any of the characteristics mentioned in Annex III to the Basel Convention; or waste that belongs to any category contained in Annex I to the Basel Convention, unless it does not possess any of the characteristics contained in Annex III of the Convention.

Sri Lanka

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Sri Lanka.

All wastes defined in the Annex I of the Basel Convention and radioactive waste are considered as hazardous waste. Annex VIII and IX will be used for controlling purposes, and if the waste does not appear on either of these lists, Annex I and III will be used for decision making.

Thailand

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Thailand.

Hazardous wastes to be controlled for the import and export are defined in the List of Hazardous Substances Item: chemical wastes in the "Notification of Ministry of Industry on List of hazardous substances B.E. 2546 (2003) and Notification of Ministry of Industry on List of hazardous substances" (no. 4) B.E. 2549 (2006)" issued under the Hazardous Substance Act. B.E. 2535 (1992) in accordance with the wastes listed in Annex VIII of the Basel Convention (List A).

United Arab Emirates

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in United Arab Emirates.

All hazardous and non-hazardous remnants and wastes, including nuclear wastes, disposed of or need to be disposed of, in accordance with the provisions of the law and include:

Solid Wastes: such as domestic, industrial, agricultural, medical, construction and demolition wastes.

Liquid Wastes: produced by domestic, commercial, industrial and other premises.

Gaseous (smoke, vapour and dust) Wastes: produced by domestic premises, bakeries, incinerators, factories, crushing plants, stone quarries, power stations, oil works and means of transportation and communication.

Hazardous Wastes: residues or ash of different activities and operations containing properties of hazardous substances.

Medical Wastes: Wastes constituted wholly or partially of human or animal tissues, blood or other body fluids or excretions or drugs or other pharmaceutical products or bandages, needles, syringes, sharp medical objects or any other contagious, chemical or radioactive wastes produced by medical or nursing activities, treatment or health care, dentistry or veterinary and pharmaceutical practices or manufacturing, research, teaching, sample taking or storage.

Yemen

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Yemen.

ENVIRONMENT PROTECTION LAW No. (26) Of 1995 Republic of Yemen:

Hazardous waste: Any waste that is generated from industrial, chemical or radiation operations and becomes hazardous due to its contents of materials or concentrations of materials or due to its chemical reactions or due to its toxic character or being liable to explosion or to create corrosion or any other characteristics that arise danger to human being, fauna and flora or to the environment whether independently or intermixed with other waste.

Andorra

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Andorra.

There is a definition of hazardous in our national law "Llei 25/2004, del 14 de desembre, de residus", article 3.

The following are defined in article 3 as hazardous waste: "Are considered hazardous waste:

- that figuring in appendix I to the Basel Convention of 22 May 1989 in accordance with section 1a) or article 1 of this Convention;
- that qualified as hazardous under community law and regulations;
- that prescribed by the Government in the form of regulation.

By the other hand, in the new regulation of transboundary movements of waste (14/05/2008) there are different procedures depending on the classification of waste. We can find too, the dangerous waste characteristics in the decree. This reglamentation is according with the Regulation (EC) no 1013/2006 of the European parliament and of the council of 14 June 2006 on shipments of waste which repeal the Council Regulation (EEC) No 259/93 of 1 February 1993 .

Australia

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Australia.

Hazardous waste means:

- (a) waste prescribed by the regulations, where the waste has any of the characteristics mentioned in Annex III to the Basel Convention; or
- (b) wastes covered by paragraph 1(a) of Article 1 of the Basel Convention; or
- (c) household waste; or
- (d) residues arising from the incineration of household waste; but does not include wastes covered by paragraph 4 of Article 1 of the Basel Convention.

Note 1:Section 4A provides for an extended meaning of hazardous waste. The extended meaning relates to the following matters:

- (a)a case where a foreign country has classified a particular substance or object as hazardous waste;
- (b)a case where a foreign country has classified waste collected from households as hazardous waste.

Note 2:Section 4F provides for an extended meaning of hazardous waste. The extended meaning relates to substances or objects subject to notification or control under Article 11 arrangements.

Austria

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Austria.

The definition of hazardous waste is laid down in the Ordinance on a Waste Catalogue (Fed. Law Gaz. II 2003/570, as amended by Fed. Law Gaz. II 2008/498). The text can be obtained via Internet:

<http://www.lebensministerium.at/article/articleview/32254/1/6969/>

Belgium

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Belgium.

In Belgium the definition of waste and hazardous waste is in accordance with the European Law. With regard to transboundary movements of wastes the Council Regulation (EEC) N° 1013/2006 is applied.

Canada

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Canada.

In Canada, the definition of hazardous waste and of hazardous recyclable material for the purposes of controlling transboundary movements destined for final disposal or recycling is set out in the Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations, (EIHWHRM). These Regulations came into force on November 1st, 2005 and replaced the former Export and Import of Hazardous Wastes Regulations (EIHWR) of 1992.

In order to meet this definition, a hazardous waste or hazardous recyclable material must be intended for a listed disposal or recycling operation and either be found on a series of lists comprised of substances and mixtures, or meet one of the hazard class characteristics. Specific testing, criteria and protocols exist in the Canadian Transportation of Dangerous Goods Regulations (TDGR) for the following hazard classes (which in most cases are analogous to the Basel Annex III characteristic identified): substances that are compressed gases or aerosols (Class 2), flammable liquids (H3), flammable solids (H4.1), liable to spontaneous combustion (H4.2), emit flammable gases in contact with water (H4.3), oxidizing (H5.1), organic peroxides (H5.2), poisonous (H6.1), infectious (H6.2), corrosive (H8), or are otherwise designated as hazardous (miscellaneous Class 9).

Those substances which are explosive (H1) or radioactive are excluded from the definition for hazardous waste, including hazardous recyclable material and are controlled under other Canadian federal legislation such as the Canadian Explosives Act (<http://laws.justice.gc.ca/eng/E-17/index.html>) and Canadian Explosives Regulations (http://laws.justice.gc.ca/eng/C.R.C.-c.599/page-1.html#anchorbo-ga:s_2), and the Nuclear Safety and Control Act (<http://laws.justice.gc.ca/en/N-28.3/index.html>)

Finally, the EIHWHRM define as hazardous for the purpose of export from Canada, any waste for which Canada has received information from the United States or in accordance with the Convention, that is considered or defined as hazardous under the domestic legislation of the country receiving it and is prohibited by that country from being imported or conveyed in transit.

Definition of "hazardous waste"

1. (1) In Division 8 of Part 7 and Part 10 of the Act and in these Regulations, "hazardous waste" means anything that is intended to be disposed of using one of the operations set out in Schedule 1 and that

(a) is set out in column 2 of Schedule 3;

(b) is included in at least one of Classes 2 to 6, 8 or 9 of the Transportation of Dangerous Goods Regulations;

(c) is set out in column 2 of Schedule 4 and is included in at least one of Classes 2 to 6, 8 or 9 of the Transportation of Dangerous Goods Regulations;

(d) is set out in column 1 of Schedule 5 in a concentration equal to or greater than the applicable concentration set out in column 2 of that Schedule;

(e) produces a leachate containing a constituent set out in column 2 of Schedule 6 in a concentration equal to or greater than the applicable concentration set out in column 3 of that Schedule, determined in accordance with Method 1311, Toxicity Characteristic Leaching Procedure, July 1992, in Test Methods for Evaluating Solid Waste, Volume 1C: Laboratory Manual, Physical/Chemical Methods, Third Edition, SW-846, November 1986, published by the United States Environmental Protection Agency, which, for the purposes of this definition, shall be read without reference to section 7.1.3;

(f) is set out in column 2 of Schedule 7, is pure or is the only active ingredient, and is unused; or

(g) according to information that Canada has received from the United States or in accordance with

the Convention, is considered or defined as hazardous under the legislation of the country receiving it and is prohibited by that country from being imported or conveyed in transit.

Exclusion

(2) The definition "hazardous waste" in subsection (1) does not include anything that is

- (a) exported, imported or conveyed in transit in a quantity of less than 5 kg or 5 L per shipment or, in the case of mercury, in a quantity of less than 50 mL per shipment, other than anything that is included in Class 6.2 of the Transportation of Dangerous Goods Regulations;
- (b) collected from households in the course of regular municipal waste collection services; or
- (c) part of the exporter's or importer's personal effects or household effects not resulting from commercial use.

Definition of "hazardous recyclable material"

2. (1) In Division 8 of Part 7 and Part 10 of the Act and in these Regulations, "hazardous recyclable material" means anything that is intended to be recycled using one of the operations set out in Schedule 2 and that

- (a) is set out in column 2 of Schedule 3;
- (b) is included in at least one of Classes 2 to 6, 8 or 9 of the Transportation of Dangerous Goods Regulations;
- (c) is set out in column 2 of Schedule 4 and is included in at least one of Classes 2 to 6, 8 or 9 of the Transportation of Dangerous Goods Regulations;
- (d) is set out in column 1 of Schedule 5 in a concentration equal to or greater than the applicable concentration set out in column 2 of that Schedule;
- (e) produces a leachate containing a constituent set out in column 2 of Schedule 6 in a concentration equal to or greater than the applicable concentration set out in column 3 of that Schedule, determined in accordance with Method 1311, Toxicity Characteristic Leaching Procedure, July 1992, in Test Methods for Evaluating Solid Waste, Volume 1C: Laboratory Manual, Physical/Chemical Methods, Third Edition, SW-846, November 1986, published by the United States Environmental Protection Agency, which, for the purposes of this definition, shall be read without reference to section 7.1.3;
- (f) is set out in column 2 of Schedule 7, is pure or is the only active ingredient, and is unused; or
- (g) according to information that Canada has received from the United States or in accordance with the Convention, is considered or defined as hazardous under the legislation of the country receiving it and is prohibited by that country from being imported or conveyed in transit.

Exclusion

(2) The definition "hazardous recyclable material" in subsection (1) does not include anything that is

- (a) exported, imported or conveyed in transit in a quantity of less than 5 kg or 5 L per shipment or, in the case of mercury, in a quantity of less than 50 mL per shipment, other than anything that is included in Class 6.2 of the Transportation of Dangerous Goods Regulations;
- (b) collected from households in the course of regular municipal waste collection services;
- (c) part of the exporter's or importer's personal effects or household effects not resulting from commercial use;
- (d) exported to, imported from, or conveyed in transit through a country that is a party to OECD Decision C(2001)107/Final and that
 - (i) is in a quantity of 25 kg or 25 L or less,
 - (ii) is exported or imported for the purpose of conducting measurements, tests or research with respect to the recycling of that material,

(iii) is accompanied by a shipping document, as defined in section 1.4 of the Transportation of Dangerous Goods Regulations, that includes the name and address of the exporter or importer and the words "test samples" or "échantillons d'épreuve" , and
(iv) is not and does not contain an infectious substance as defined in section 1.4 of the Transportation of Dangerous Goods Regulations; or

(e) exported to, imported from, or conveyed in transit through a country that is a party to OECD Decision C(2001)107/Final and that

(i) is set out in Schedule 8,

(ii) produces a leachate containing a constituent set out in column 2 of Schedule 6 in a concentration equal to or greater than the applicable concentration set out in column 3 of that Schedule, determined in accordance with Method 1311, Toxicity Characteristic Leaching Procedure, July 1992, in Test Methods for Evaluating Solid Waste, Volume 1C: Laboratory Manual, Physical/Chemical Methods, Third Edition, SW-846, November 1986, published by the United States Environmental Protection Agency, which, for the purposes of this definition, shall be read without reference to section 7.1.3, and

(iii) is intended to be recycled at an authorized facility in the country of import using one of the operations set out in Schedule 2.

You can also refer to one of the following links for Canada's definitions of hazardous waste and hazardous wastes recyclables and their related schedules

<http://www.basel.int/natdef/03e-canada.pdf>

http://laws.justice.gc.ca/en/showdoc/cr/SOR-2005-149/bo-ga:s_1/en#anchorbo-ga:s_1

http://www.ec.gc.ca/ceparegistry/documents/regs/g2-13911_r1.pdf

Furthermore, in Canada, each province and territory defines hazardous wastes within their jurisdiction and is responsible for the licensing or certification of authorized facilities. These definitions include requirements for both disposal and recycling. Information regarding definitions for each province and territory can be found at <http://www.ec.gc.ca/drgd-wrmd/default.asp?lang=En&n=7DA57C1E-1>

Denmark

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Denmark.

According to the Danish Statutory Order of Waste no 1634 Hazardous waste shall mean waste featuring on the list of waste in Appendix 2 and marked as hazardous waste and which complies with the criteria mentioned in Appendices 3 and 4, as well as waste which complies with the criteria mentioned in Appendices 3 and 4.

Finland

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Finland.

According to the Waste Act (1072/1993) hazardous waste shall mean any waste which may cause particular harm to health or the environment because of its chemical or some other property. The waste definition is further defined in the Waste Decree (1390/1993). According to it, hazardous waste shall mean any waste listed in Annexes 2 (classes of hazardous wastes, 40 items) and 3 (substances according to which wastes are classified hazardous, C-list, 51 items) of the Decree if they are referred to as hazardous waste in the list of the most common waste and hazardous wastes (Ministry of the Environment Decree 1129/2001). The Annexes 2-4 of the Waste Decree are in accordance with the Annexes I, II and III of the Council Directive of the European Communities on hazardous waste (91/689/EEC), respectively, and the above-mentioned list of wastes and hazardous wastes is based on the respective EC legislation.

2008 There is no national definition of hazardous waste used for the purpose of transboundary movements of waste in Germany.

In Germany hazardous wastes are defined in accordance with the EU Directive on Hazardous Waste (91/689/EEC) as amended. Article 1(4) reads: "For the purpose of this Directive "hazardous waste" means wastes featuring on a list to be drawn up on the basis of Annexes I and II to this Directive,.....These wastes must have one or more of the properties listed in Annex III. The list shall take into account the origin and composition of the waste and, where necessary, limit values of concentration.....It is noted that Annex I.B and Annex II of this EU Directive are different from Annex I and Annex III of the Basel Convention and contain additional wastes as follows:

ANNEX I.B - Wastes which contain any of the constituents listed in Annex II and having any of the properties listed in Annex III and consisting of:

19. Animal or vegetable soaps, fats, waxes
21. Inorganic substances without metals or metal compounds
22. Ashes and/or cinders
23. Soil, sand, clay including dredging spoils
24. Non-cyanidic tempering salts
25. Metallic dust, powder
26. Spent catalyst materials
27. Liquids or sludges containing metals or metal compounds
28. Residue from pollution control operations (e.g. baghouse dusts, etc.)
29. Scrubber sludges
30. Sludges from water purification plants
31. Decarbonization residue
32. Ion-exchange column residue
33. Sewage sludges, untreated or unsuitable for use in agriculture
34. Residue from cleaning of tanks and/or equipment
35. Contaminated equipment
36. Contaminated containers (e.g. packaging ,gas cylinders, etc.)
37. Batteries and other electrical cells
38. Vegetable oils
39. Materials resulting from selective waste collections from households
40. Any other wastes

Annex II - Wastes having as constituents:

- C2 Vanadium compounds
- C4 Cobalt compounds
- C5 Nickel compounds
- C10 Silver compounds
- C15 Barium compounds
- C12 Tin compounds
- C19 Inorganic sulphides
- C22 Lithium, sodium, potassium, calcium, magnesium in uncombined form
- C28 Peroxides
- C29 Chlorates
- C30 Perchlorates
- C31 Azides
- C35 Infectious substances(partly covered by BC)
- C36 Creosotes(partly covered by BC)
- C37 Isocyanates; thiocyanates
- C43 Aromatic compounds; polycyclic and heterocyclic organic compounds
- C44 Aliphatic amines

C45 Aromatic amine

C48 Sulphur organic compounds

C51 Other hydrocarbons and their oxygen; nitrogen and/or sulphur compounds

It is also noted that Annex III of EU Directive 91/689/EEC is partly different from Annex III of the Basel Convention. Through EU Decision 2000/532/EC as amended a list of waste as refer to the definition above has been established. The list has been implemented in Germany by the Waste List Ordinance which entered into force on 1 January 2001. Wastes classified as hazardous are considered to display one or more of the properties listed in Annex III of EU Directive 91/689/EEC and, as regards H3 to H8, H10 and H11 of the said Annex, one or more of the following characteristics:

- flash point ≤ 55 °C,
- one or more substances classified as very toxic at a total concentration $\geq 0,1$ %,
- one or more substances classified as toxic at a total concentration ≥ 3 %,
- one or more substances classified as harmful at a total concentration ≥ 25 %,
- one or more corrosive substances classified as R35 at a total concentration ≥ 1 %,
- one or more corrosive substances classified as R34 at a total concentration ≥ 5 %,
- one or more irritant substances classified as R41 at a total concentration ≥ 10 %,
- one or more irritant substances classified as R36, R37, R38 at a total concentration ≥ 20 %,
- one substance known to be carcinogenic of category 1 or 2 at a concentration $\geq 0,1$ %,
- one substance known to be carcinogenic of category 3 at a concentration ≥ 1 %
- one substance toxic for reproduction of category 1 or 2 classified as R60, R61 at a concentration $\geq 0,5$ %,
- one substance toxic for reproduction of category 3 classified as R62, R63 at a concentration ≥ 5 %,
- one mutagenic substance of category 1 or 2 classified as R46 at a concentration $\geq 0,1$ %,
- one mutagenic substance of category 3 classified as R 40 at a concentration ≥ 1 %.

The classification as well as the R numbers refer to EU Council Directive 67/548/EEC on the approximation of the laws, regulations and administrative provisions relating to the classification, packaging and labeling of dangerous substances as amended. The concentration limits refer to those laid down in EU Council Directive 88/379/EEC on the approximation of the laws, regulations and administrative provisions of the EU Member States relating to the classification, packaging and labeling of dangerous preparations as amended.

Greece

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Greece.

“Hazardous Waste” is defined in Directive 91/689/EEC, as amended and implemented in national law (Common Ministerial Decision 13588/725/2006, Article 2, paragraph 2), as follows:

“Substance or object that is included in Annex I (“European Waste Catalogue”, as included in Common Ministerial Decision 13588/725/2006) or has one or more properties listed in Annex II (Annex III of 91/689/EEC Directive), which the holder discards or intends or is required to discard”

Ireland

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Ireland.

Section 4(2)(a) of the Waste Management Act, 1996, as amended defines hazardous waste to mean a waste specified in the European Waste Catalogue/ Hazardous Waste List (EWC/HWL), which has one or more hazardous properties specified in the Second Schedule of the Act.

The Minister for the Environment, Heritage and Local Government may prescribe a waste which is not specified in the HWL if it has one or more hazardous properties specified in the Second Schedule of the Act.

Israel

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Israel.

A substance of any type containing a hazardous substance as defined by the law, which is disposed of or is destined for disposal, or which has to be disposed of by the order of the Minister.

The law referred to above is the Hazardous Substances Law 1993.

The Hazardous Substances Law defines hazardous substances as "harmful chemicals" or "poisons" which are specified in the annexes to the Law. The Hazardous Substances Law came into force in 1993, and the Hazardous Substances Regulations (Import and Export of Hazardous Substances Waste), which address transboundary movement, came into force in 1994.

Italy

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Italy.

The general definition of hazardous waste is set by the DLGS No 152/2006 and by the Regulation EC 1013/2006 adopting the Directive 91/689/EEC..

Luxembourg

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Luxembourg.

The definition of hazardous waste is in accordance with the directive 91/689/CEE. The Commission Decision 2000/532/CE was adopted.

Malta

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Malta.

“Hazardous wastes” means wastes which belong to any category in Annexes I , II and VIII in Schedule 1 of these regulations, and which by virtue of articles 9 and 10 of the Act, are being declared to be toxic substances.

Netherlands

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Netherlands.

For the purpose of transfrontier movement of waste, the Netherlands uses the EC definition of hazardous waste.

New Zealand

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in New Zealand.

The definition of hazardous waste is specified in the Imports and Exports (Restrictions) Prohibition Order (No 2) 2004 available at www.legislation.govt.nz.

“hazardous waste” means any waste that—

(a) either—

(i) falls into 1 of the categories of waste specified in Part 1 of Schedule 3; or

(ii) has as a constituent any substance specified in Part 2 of Schedule 3; and

(b) has any of the hazardous characteristics specified in Part 3 of Schedule 3 .

Portugal

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Portugal.

According to the Waste act (Decree-Law 178/2006 of 5 of September of 2006) hazardous waste means waste which exhibits characteristics which can be harmful to health or environment in accordance with Council Directive 91/689/EEC of 12 December of 1991, on hazardous waste and the European Union List of Waste.

Spain

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Spain.

According to Spanish legislation, “Hazardous wastes” refer to:

wastes identified in the European Waste List as hazardous (see Orden MAM/304/2002 in the Spanish Official Gazette of 19th February 2002 and reply to question 2a);

wastes which have been classified as hazardous in pursuance of Community law; and

wastes which the Government can approve in accordance with the established European laws or international agreements to which Spain is a Party.

Sweden

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Sweden.

In the Waste Ordinance (SFS 2001:1063) hazardous waste is waste that is marked with an asterisk in annex 2 of the Ordinance or any other waste that exhibits one or more of the characteristics that are mentioned in annex 3 of the Ordinance. Annex 2 is the List of Wastes and annex 3 is the List of characteristics that render wastes hazardous wastes.

United Kingdom of Great Britain and Northern Ireland

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in United Kingdom of Great Britain and Northern Ireland.

Council Regulation (EC) No 1013/2006 on shipments of waste (‘the WSR’) which came into effect on 12 July 2007, provides the means for supervising and controlling shipments of waste within, into and out of the EC. The WSR is the means by which the UK and other EU Member States implement the Basel Convention and OECD Decision C(2001)107/FINAL.

While the WSR does not include a definition of "hazardous waste", wastes listed in Annex IV and certain ones in Annex V of the WSR are controlled as hazardous. All shipments of hazardous and non-hazardous waste for disposal are subject to hazardous waste control procedures. Shipments outside the OECD are controlled subject to the rules in relation to Annex V of the WSR. In addition, Regulation (EC) No.1418/2007, as amended, sets out the controls applicable to shipments of non-hazardous waste to non-OECD countries.

Bosnia & Herzegovina

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Bosnia & Herzegovina.

"Hazardous waste" means any waste which is covered by separate regulations and which has one or more of the properties, which poses a hazard to human health and to the environment due to its origin, composition or concentration, and which is listed in the list of wastes adopted by a separate regulation as hazardous.

Bulgaria

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Bulgaria.

"Hazardous waste" shall be waste whereof the composition, amount and properties present risks to human health and the environment, which possesses one or more properties which define it as hazardous, and/or which contains components which render it into hazardous waste and/or which is designated as such according to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal.

National definition of hazardous waste is based on Council Directive 91/689/EEC on hazardous waste as amended.

Croatia

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Croatia.

The national definition of hazardous waste is in accordance with article 3 of the Regulation on categories, types and classification of waste with a waste catalogue and list of hazardous waste (Official Gazette, No. 50/05). This Regulation establishes categories, types and classification of waste depending on its properties and place of origin, and determines the waste catalogue, list of hazardous waste and list of waste in transboundary transport. Pursuant to this Regulation, hazardous waste is waste determined by categories (generic types) and composition, and it must contain one or more properties as determined in the List of hazardous waste which is in accordance with Council Directive of 12 December 1991 on hazardous waste. Waste catalogue and list of waste in transboundary transport mentioned above are entirely compiled with Council Regulation (EEC) No 259/93 on the supervision and control of shipments of waste within, into and out of the European Community.

Czech Republic

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Czech Republic.

Act on Waste No. 185/2001 Coll., as amended, Decrees of the Ministry of the Environment No. 376/2001 Coll. and 381/2001 Coll., as amended.

National definition of hazardous waste is based on Council Directive 91/689/EEC on hazardous waste as amended. Hazardous waste means any waste featured on the list of hazardous wastes as well as any other waste displaying one or more hazardous properties.

The list of properties of wastes which render them hazardous is set up by Annex III to the Directive.

The list of hazardous waste pursuant to the Directive has been established by Commission Decision 200/532/EC as amended. The wastes featuring on the list of hazardous wastes must have on or more of the properties listed in Annex III to the Directive.

The Directive and the List of hazardous waste are transposed into Act on Waste No 185/2001 Coll. as amended, Decree 376/2001 Coll. and Decree No. 381/2001 Coll. as amended.

In the Czech Republic (and in the EU) the above mentioned definition is used only for the purpose of implementing the Basel Convention amendment (ban on export of hazardous waste destined for recovery to non-OECD countries). The control procedures for other transboundary movements of wastes destined for recovery are not based on the definition of hazardous waste, but on a specific listing system established by EU Regulation (EC) 1013/2006 on shipments of waste. The listing system consists of two lists of waste. The first one (Annex III to the EU Regulation 1013/2006 - Green listed waste) containing wastes not requiring notification and prior consent consists of wastes listed in Annex IX to the Basel Convention supplemented by several other non-hazardous wastes. The second one (Annex IV to the EU Regulation 1013/2006 - Amber listed waste) containing wastes requiring notification and prior consent consists of wastes listed in Annex VIII to the Basel Convention supplemented by several other not necessarily hazardous wastes. Transboundary movements of all wastes (both hazardous and non-hazardous) destined for final disposal are either prohibited or subject to notification and prior consent.

Estonia

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Estonia.

Hazardous waste is defined by § 6 and 8 of the Waste Act (2004).

§ 6. Hazardous waste

"Hazardous waste" means waste which due to at least one of the hazardous properties set out in § 8 of this Act may cause a hazard to health, property or the environment.

§ 8. Hazardous properties of waste

The hazardous properties on the basis of which waste is considered hazardous are similar to the hazardous properties of:

- 1)H1- explosive substances and preparations which may explode under the effect of flame or which are more sensitive to shocks or friction than dinitrobenzene;
- 2)H2- oxidising substances and preparations which exhibit highly exothermic reactions when in contact with other substances, particularly flammable substances;
- 3)H3-A- highly flammable liquid substances and preparations having a flash point below 21o C (including extremely flammable liquids), or substances and preparations which may become hot and finally catch fire in contact with air at ambient temperature without any application of energy, or solid substances and preparations which may readily catch fire after brief contact with a source of ignition and which continue to burn or to be consumed after removal of the source of ignition, or gaseous substances and preparations which are flammable in air at normal pressure, or substances and preparations which, in contact with water or damp air, evolve highly flammable gases in dangerous quantities;
- 4)H3-B- flammable liquid substances and preparations having a flash point equal to or greater than 21o C and less than or equal to 55o C;
- 5)H4- irritant non-corrosive substances and preparations which, through immediate, prolonged or repeated contact with the skin or mucous membranes, may cause inflammation;
- 6)H5- harmful substances and preparations which, if inhaled or ingested or if they penetrate the skin, may involve health risks;
- 7)H6- toxic substances and preparations which, if inhaled or ingested or if they penetrate the skin, may involve serious, acute or chronic health risks or death;
- 8)H7- carcinogenic substances and preparations which, if inhaled or ingested or if they penetrate the skin, may induce cancer or increase its incidence;
- 9)H8- corrosive substances and preparations which may destroy living tissue on contact;
- 10)H9- infectious substances containing micro-organisms or their toxins which are known or reliably believed to cause disease in man or other living organisms;
- 11)H10- teratogenic substances and preparations and substances and preparations toxic for reproduction which, if inhaled or ingested or if they penetrate the skin, may induce non-hereditary congenital malformations or increase their incidence;
- 12)H11- mutagenic substances and preparations which, if inhaled or ingested or if they penetrate the skin, may induce hereditary genetic defects or increase their incidence;
- 13)H12- substances and preparations which release toxic or very toxic gases in contact with water, air or an acid;
- 14)H13- substances and preparations capable by any means, after disposal, of yielding another substance, e.g. a leachate, which possesses any of the properties listed in clauses 1) -13) of this section;
- 15)H14- substances and preparations which are ecotoxic or dangerous for the environment and present or may present immediate or delayed risks for one or more sectors of the environment.

Georgia

2008 The national definition of hazardous waste to be used for the purpose of transboundary movements of waste is being prepared.

Law of Georgia on “Transit and Import of Waste into and out of the Territory of Georgia” (16th of October 1997) refers to Article 1 a) of the Basel Convention for identification of Hazardous Wastes “wastes that belong to any category contained Annex I, unless they do not possess any of the characteristics contained in Annex III”

Hungary

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Hungary.

Hazardous waste shall mean waste displaying one or more of the properties listed in Annex II to Act XLIII of 2000 and/or containing such substances or components hazardous to health and/or the environment because of its origin, composition or concentration.

Otherwise the Environmental Ministerial Decree No. 16/2001 (VII.18) adopted the EWC codes and marked with * the hazardous waste within this EWC list.

Latvia

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Latvia.

"Hazardous waste- waste which has one or more characteristics which makes it hazardous to human life and health, the environment, or the property of persons, and which conforms to a hazardous waste category specified in the waste classification."(Waste Management Law, Art.4.1)

Poland

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Poland.

In the light of the Act on Waste of 27 April 2001 (came into force in October 2001), “hazardous waste” shall mean waste:

- 1) belonging to the categories or types of waste featuring in List A in Annex II to this Act and displaying at least one of the properties enumerated in Annex IV to this Act; or
- 2) belonging to the categories or types of waste featuring in List B in Annex 2 to this Act, containing any of the constituents enumerated in Annex 3 and displaying at least one of the properties enumerated in Annex IV to this Act.

Annex II features categories or types of hazardous waste. Annex III features constituents of wastes which render them hazardous.

The minister responsible for the environment laid down the ordinance on the waste catalogue (O.J.of 2001, No.112, Item 1206). The new national list of hazardous waste is a part of waste catalogue. New waste classification is consistent with EU classification.

Republic of Moldova

2008 There is no national definition of hazardous waste used for the purpose of transboundary movements of waste in Republic of Moldova.

Definition from EU Directives is used.

Hazardous waste - waste which has one or more of the properties listed in List A (Annex 1 to Regulation on the control of transboundary movements of waste and their disposal).

Romania

2008 There is no national definition of hazardous waste used for the purpose of transboundary movements of waste in Romania.

There is no national definition of hazardous waste in Romania used specially for the purposes of transboundary movements (see 2 a). We're using the hazardous waste definition from the Basel Convention.

Serbia

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Serbia.

National definition is given in the Law of Waste Management (“The Official Gazette of the Republic of Serbia” No. 36/09) as well as types of waste and classification of waste;

Definition, Article 5

Waste means any substance or object, contained in the list of waste categories (Q list), which the holder discards or intends or is required to discard, in accordance with the law;

Types of waste, Article 7,

For the purposes of this Law, waste types shall be:

- 1) household waste (domestic waste);
- 2) commercial waste;
- 3) industrial waste.

The waste referred to in paragraph 1 of this Article, depending on the level of hazardous characteristics affecting human health and the environment, may be:

- 1) inert;
- 2) non-hazardous;
- 3) hazardous.

Waste classification, Article 8

Waste shall be classified according to the waste catalogue.

The waste catalogue is a cumulative list of non-hazardous and hazardous wastes classified according to the point of their creation, origin and treatment prescribed.

Hazardous waste shall be classified according to its origin, characteristics and composition which render it hazardous.

The holder of waste, that is, the operator, shall be obliged to classify waste in a manner prescribed in this Law.

For the purpose of determining the composition and hazardous characteristics of waste, the person referred to in paragraph 4 of this Article shall be obliged to perform hazardous waste testing, as well as the testing of the waste which because of its origin, composition and characteristics may be considered hazardous. The minister in charge of environment (hereinafter: the minister) shall prescribe:

- 1) the waste catalogue;
- 2) the list of waste categories (Q list);
- 3) the list of hazardous waste categories according to its origin and composition (Y list);
- 4) the list of hazardous characteristics of waste (H list);
- 5) the list of waste constituents which render it hazardous (C list);
- 6) the limit values of concentration of hazardous constituents in waste based on which the hazardous characteristics are determined;
- 7) the list of procedures and methods for waste disposal and recovery (D list and R list);
- 8) the types, content and the waste test report form;
- 9) the types of parameters for determination of physical and chemical properties of the hazardous waste intended for physical and chemical treatment;
- 10) the types of parameters for waste testing for the purpose of thermal treatment;
- 11) the types of parameters for waste testing and eluate testing intended for disposal;
- 12) the manner and procedure of waste classification.

There are two National lists of wastes with national label/code, harmonized with BC annexes and EU / OECD lists, with a few additions. These are IA- List of Hazardous wastes, and IIB- List of non-hazardous wastes (not exhibiting hazardous characteristics). The wastes from lists are subject to transboundary movement permission and control.

Slovakia

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Slovakia.

According to the Act No. 223/2001 Coll. of Laws on waste and on amendment of certain acts as amended - hazardous waste shall mean waste featuring one or several hazardous characteristics listed in Annex 4 Hazardous characteristics of wastes (H codes). The Annex 4 is equal to the Annex 3 of the EU Directive 91/689/EEC. The Decree No 284/2001 Coll. of Laws enacting Waste Catalogue as amended by subsequent regulations harmonized with European Waste Catalogue distinguishes two waste categories: - non-hazardous; - hazardous. The annex 2 of this Decree refers to the Basel Convention list of hazardous waste characteristics (H codes). Hazardous wastes are considered wastes:

- a) Listed in Annex VIII to the Basel Convention;
- b) Designated as hazardous in the Waste Catalogue;
- c) Included in the Amber List of Wastes, or included in the Red List of Wastes; and
- d) Listed in Annex IX to the Basel Convention and containing substances listed in Annex I to the Basel Convention within a scope causing the occurrence of dangerous properties listed in Annex III to the Basel Convention. The annex I of the Basel Convention is used for identification of hazardous wastes in the reporting.

Slovenia

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Slovenia.

Definition is in line with EU Council Directive 91/689/EEC on hazardous waste as amended.

According to Environmental Protection Act (2004) as amended definition of hazardous waste is (Art. 3):

Hazardous waste is waste which is due to certain hazardous ingredients or properties classified between hazardous wastes by rule.

According to Art. 4 of Decree on Waste Management (2008) hazardous waste shall be deemed to be waste marked with asteriks next to the classification number of waste in the classification list of wastes. As hazardous shall also be deemed waste which can be classified under one of the groups or general types of wastes in Annex 2 and content constituents listed in Annex 3 (constituents which render them hazardous) with properties from Annex 4 (hazardous properties).

Ukraine

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Ukraine.

"Hazardous wastes" mean the wastes included in Section A of "Yellow" Waste List", which has been approved by the Cabinet of Ukraine, and having one or more hazardous characteristics specified in the Hazardous Characteristics List, which has been approved by the Ministry of Environmental Protection, and the wastes included in "Green Waste List", which has been approved by the Cabinet of Ukraine, in case that those contain materials listed in Annex 2 of the Regulation in such quantities that those can show hazardous characteristics specified in the above Hazardous Characteristics List (as stated in the Regulation on the Control of Transboundary Movements of Hazardous Wastes and their Utilization/Disposal and "Yellow Waste List" and "Green Waste List" under the Decree of the Cabinet of Ukraine of July 13, 2000, No. 1120).

UN Region: Latin America and the Caribbean

Argentina

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Argentina.

National Law 24.051 (approved by the National Congress on 17 December 1991; published in the Official Bulletin on 17 January 1992) rules the generation, handling, transport, treatment, and final disposal of hazardous wastes. It include those wastes that are listed in Annex I of the Law as well as those having the characteristics set forth in Annex II (these annexes are identical to Annexes I and III of Basel Convention, which Argentina approved through Law 23.922).

The National Law 23.922 of “Approval of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal” is applied when wastes are subject to a transboundary movement for it disposal or recovering.

National Law 24.051 establishes in its Article 2°: "It will be considered hazardous, to the effects of this law, every waste that could cause damage, direct or indirectly, to living beings, or contaminate the ground, water, atmosphere or environment in general. Particularly, will be considered hazardous those wastes indicated in the Annex I or those that have any of the characteristics listed in the Annex II of this Law. The provisions of the Hazardous Waste Law are also applied to those hazardous wastes that could, in the future, be used as input in other industrial processes. The scope of this law excludes household and radioactive wastes, and those derived from the normal operations of ships, that shall be ruled by special laws and international conventions in force on the matter".

Radioactive wastes and those derived from the normal operations of ships are excluded from the application of National Law of Hazardous Wastes, but ruled by other regulations and international instruments.

Barbados

2008 There is no national definition of hazardous waste used for the purpose of transboundary movements of waste in Barbados.

There is no legal definition of hazardous waste. Shipments of hazardous waste materials however, are shipped in accordance with procedures and guidelines established under the Basel Convention.

However, a definition is proposed in the revised "Policy Paper: Management of Toxic Chemicals and Hazardous Waste."

Hazardous waste means waste that has one or more of the following properties:

1. has flashpoint of less than 61°C;
2. ignites and propagates combustion in a test sample;
3. at a rate that is equal to or greater than that provided by ammonium persulfate, potassium perchlorate or potassium bromate;
4. the pH value is less than 2.0 or greater than 12.5;
5. it contains polychlorinated biphenyls at a concentration equal to or greater than 50mg/kg;
6. its leachate contains any substance listed in Table 2 in excess of the concentrations listed; and
7. it contains any of the following substances in a concentration greater than 0.001mg/L:

Hexachloro-dibenzo-p-dioxins

Pentachloro-dibenzo-p-dioxins

Tetrachloro-dibenzo-p-dioxins

Hexachloro-dibenzofurans

Pentachloro-dibenzofurans

Tetrachloro-dibenzofurans.

"Special wastes" are non-hazardous wastes that require special handling and disposal procedures. These would include, for example: gasoline contaminated soil and wastes from international flights or ports.

Bolivia

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Bolivia.

A la fecha en Bolivia en la legislación nacional se utiliza el término "Residuos Peligrosos" y no así "desecho peligroso", y su definición es el siguiente, RESIDUOS PELIGROSOS: Son aquellos que conllevan riesgo potencial al ser humano o al ambiente, por poseer cualquiera de las siguientes características: corrosividad, explosividad, inflamabilidad, patogenicidad, bioinfecciosidad, radiactividad, reactividad y toxicidad.

Asimismo, indicar que a la fecha se tiene proyectado trabajar en la revisión del Reglamento para Actividades con Sustancias Peligrosas.

Brazil

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Brazil.

Hazardous Waste - Class I - are those belonging to any category listed in the Annex 1-A to 1-C of the CONAMA Resolution no 23, from December 12, 1996, unless they do not present any characteristics listed in Annex II of the same legislation.

Furthermore, the Brazilian legislation defines as 'hazardous' all wastes listed in Annex 10-A (Hazardous Wastes - Class I - Importation Prohibited) of the CONAMA Resolution no 235, from January 7, 1998, and as 'controlled' all the wastes listed in Annex 10-B (Non-Inert Wastes - Class II - Controlled by IBAMA) of the Resolution.

Colombia

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Colombia.

Colombian Law No. 1252 as of November 27, 2008, which promulgates prohibition rules in environmental matters, relating to hazardous wastes and other provisions", in Chapter II Art 3, defines the concept of "hazardous wastes" as "those residues or waste which, due to their corrosive, reactive, explosive, toxic, flammable, infectious, radioactive characteristics, can result in risk, damage, or unwanted effects, direct and indirect human health and the environment. It also considers as hazardous wastes all packaging materials and recipients which had contact with them.

Cuba

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Cuba.

In the article 3 of the Resolution 136/2009 of the Ministry of Science, Technology and Environment (CITMA) is defined:

ARTICLE 3.-To the effects of this disposition is defined as hazardous wastes as all substance or article that it becomes waste and, for their physical, biological or chemical characteristics, it can represent a danger for the environment and the human health always that it belongs to anyone of the categories included in the Annex I of the present Resolution that is integral part of the same one, except in the cases in that it doesn't present none of those characteristics that are related in the Annex II of this own Resolution for those substances.

The Annex I is added to this document (at the end). The Annex II of this Resolution is the same the Annex III of the Text of the Basel Convention.

Ecuador

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Ecuador.

Hazardous wastes are those solid, mixed, liquid or gaseous wastes resulting from a process of production, transformation, recycling, use or consumption which contain some compounds with reactive, inflammable, corrosive, infectious or toxic characteristics that represent a risk to human health, natural resources or the environment according to existing legal provisions.

Guatemala

2008 There is no national definition of hazardous waste used for the purpose of transboundary movements of waste in Guatemala.

Guyana

2008 The national definition of hazardous waste to be used for the purpose of transboundary movements of waste is being prepared.

The following definition extracted from the Environmental Protection (Hazardous Waste Management) Regulations 2000 although not specific to transboundary movement is currently used to guide the management of transboundary movements. The Regulations defines "hazardous waste" - a waste or combination of wastes which, because of its quantity, concentration or physical, chemical or infectious characteristics, may pose a substantial hazard to human health and belong to any category contained in Schedule I (Please see Appendix I) unless they do not contain any of characteristics contained in Schedule II (Please see Appendix I) and includes waste that is-

- (i) hazardous industrial waste;
- (ii) acute hazardous waste chemical;
- (iii) hazardous waste chemical;
- (iv) severely toxic waste;
- (v) flammable waste;
- (vi) corrosive waste;
- (vii) reactive waste;
- (viii) radioactive waste;
- (ix) clinical waste; or
- (x) leachate toxic waste, or polychlorinated biphenyl.

And includes a mixture of acute hazardous waste chemical, hazardous waste chemical, pathological waste, radioactive waste or severely toxic wastes and any other waste or hazardous material;

(f) "hazardous waste chemical" means a commercial waste chemical having a generic name specified in Schedule I.

Honduras

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Honduras.

“Residuos peligrosos: Son los que de acuerdo a su composición poseen alguna de las siguientes características de peligrosidad: inflamabilidad, corrosividad, reactividad, explosividad, toxicidad y bio-infecciosidad, y que puede presentar riesgo a la salud pública o causar efectos adversos al medio ambiente.”

Jamaica

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Jamaica.

Pursuant to the paragraph 2 of the Natural Resources (Hazardous Waste)(Control of Transboundary Movement), "Hazardous waste" means -

- a) waste that belongs to any category contained in the First Schedule unless it does not possess any of the characteristics specified in the Third Schedule;
- b) waste which belongs to any category contained in the Second Schedule; and
- c) Such waste as the Minister, by order, may declare to be hazardous

Mexico

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Mexico.

Hazardous waste: They are those that have some of the following characteristics: corrosively, reactivity, explosive, toxicity, inflammability, or that contains infectious agents that confers danger to them, as well as packages, containers, packing and soils that have been contaminated when they are transferred to another site, according with which it establishes the Law.

Article 5 Fraction XXXII of the General Law of Prevention and Integral Management of Wastes.

Saint Lucia

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Saint Lucia.

The definition of hazardous waste is in accordance with the Basel Convention.

Uruguay

2008 National definition of hazardous waste used for the purpose of transboundary movements of waste exists in Uruguay.

Law n° 17.220 de 11 of November 1999. Law about Transboundary Movements of Hazardous Wastes and its modification by article 367 of Law n° 17. of 19th December 2005.

The law establishes that hazardous wastes are those which being substances or objects, no matter its origin are categorized as hazardous by law bearing in mind those physical, chemical, biological and radioactive characteristics that could be of risk for the environment including human, animal or vegetable health.

Besides this, hazardous wastes are those radioactive wastes and those which are included in the annexes of Basel Convention on the control of transboundary movements of hazardous wastes and their disposal.
