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COUNCIL

DECISION OF THE COUNCIL

**amending the Decision on
Transfrontier Movements of Hazardous Wastes**

(adopted by the Council at its 834th Session on 28 and 29 July 1994)

COMPLETE DOCUMENT AVAILABLE ON OLIS IN ITS ORIGINAL FORMAT

THE COUNCIL,

Having regard to Article 5 a) of the Convention on the Organisation for Economic Co-operation and Development of 14 December 1960;

Having regard to the Decision of the Council of 27 May 1988 on Transfrontier Movements of Hazardous Wastes [C(88)90(Final)], the Annex of which provides for definition and classification of hazardous wastes according to a series of seven tables;

Having regard to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, adopted on 22 March 1989, and noting that most Member countries have become parties to this Convention;

Noting that two tables of Council Decision C(88)90(Final), the "core list of wastes to be controlled" (Table Y) and the "list of hazardous characteristics" (Table 5), have been incorporated into the Basel Convention, with some modifications, to fix the scope of this Convention;

Considering that the differences so introduced between these two legal instruments are minor but may create confusion when implementing these instruments, and that the relevant tables in Decision C(88)90(Final) should be modified to make them conform to the corresponding tables in the Basel Convention;

On the proposal of the Environment Policy Committee;

DECIDES that:

- a) Table Y (Core list of wastes to be controlled) and Table 5 (List of hazardous characteristics) set out in the Annex of Decision C(88)90(Final) shall be replaced by those attached to this Decision;
- b) Table 3 (Generic types of potentially hazardous wastes) and Table 4 (Constituents of potentially hazardous wastes) set out in the Annex of Decision C(88)90(Final) shall be adjusted to reflect changes made in Table Y and shall be replaced by those attached to this Decision.

TABLE Y**CORE LIST OF WASTES TO BE CONTROLLED
(revised May 1994)****Waste streams:**

- Y1 Clinical wastes from medical care in hospitals, medical centers and clinics
- Y2 Wastes from the production and preparation of pharmaceutical products
- Y3 Waste pharmaceuticals, drugs and medicines
- Y4 Wastes from the production, formulation and use of biocides and phytopharmaceuticals
- Y5 Wastes from the manufacture, formulation and use of wood preserving chemicals
- Y6 Wastes from the production, formulation and use of organic solvents
- Y7 Wastes from heat treatment and tempering operations containing cyanides
- Y8 Waste mineral oils unfit for their originally intended use
- Y9 Waste oil/water, hydrocarbon/water mixtures, emulsions
- Y10 Waste substances and articles containing or contaminated with polychlorinated biphenyls (PCB's) and/or polychlorinated terphenyls (PCT's) and/or polybrominated biphenyls (PBB's)
- Y11 Waste tarry residues arising from refining, distillation and any pyrolytic treatment
- Y12 Wastes from production, formulation and use of inks, dyes, pigments, paints, laquers, varnish
- Y13 Wastes from production, formulation and use of resins, latex, plasticizers, glues/adhesives
- Y14 Waste chemical substances arising from research and development or teaching activities which are not identified and/or are new and whose effects on man and/or the environment are not known
- Y15 Wastes of an explosive nature not subject to other legislation
- Y16 Wastes from production, formulation and use of photographic chemicals and processing materials
- Y17 Wastes resulting from surface treatment of metals and plastics
- Y18 Residues arising from industrial waste disposal operations

Wastes having as constituents:

Y19	Metal carbonyls
Y20	Beryllium; beryllium compounds
Y21	Hexavalent chromium compounds
Y22	Copper compounds
Y23	Zinc compounds
Y24	Arsenic; arsenic compounds
Y25	Selenium; selenium compounds
Y26	Cadmium; cadmium compounds
Y27	Antimony; antimony compounds
Y28	Tellurium; tellurium compounds
Y29	Mercury; mercury compounds
Y30	Thallium; thallium compounds
Y31	Lead; lead compounds
Y32	Inorganic fluorine compounds excluding calcium fluoride
Y33	Inorganic cyanides
Y34	Acidic solutions or acids in solid form
Y35	Basic solutions or bases in solid form
Y36	Asbestos (dust and fibres)
Y37	Organic phosphorous compounds
Y38	Organic cyanides
Y39	Phenols; phenol compounds including chlorophenols
Y40	Ethers
Y41	Halogenated organic solvents
Y42	Organic solvents excluding halogenated solvents
Y43	Any congener of polychlorinated dibenzo-furan
Y44	Any congener of polychlorinated dibenzo-p-dioxin
Y45	Organohalogen compounds other than substances referred to in this Table (e.g. Y39, Y41, Y42, Y43, Y44)

TABLE 3

**GENERIC TYPES OF POTENTIALLY HAZARDOUS WASTES* (THESE MAY BE
LIQUID, SLUDGE OR SOLID IN FORM)
(revised May 1994)**

Code Number**

1	Clinical wastes from medical care in hospitals, medical centers and clinics
2	Wastes from the production and preparation of pharmaceutical products
3	Waste pharmaceuticals, drugs and medicines
4	Wastes from the production, formulation and use of biocides and phytopharmaceuticals
5	Wastes from the manufacture, formulation and use of wood preserving chemicals
6	Wastes from the production, formulation and use of organic solvents
7	Wastes from heat treatment and tempering operations containing cyanides
8	Waste mineral oils unfit for their originally intended use
9	Waste oil/water, hydrocarbon/water mixtures, emulsions
10	Waste substances and articles containing or contaminated with polychlorinated biphenyls (PCB's) and/or polychlorinated terphenyls (PCT's) and/or polybrominated biphenyls (PBB's)
11	Waste tarry residues arising from refining, distillation and any pyrolytic treatment
12	Wastes from production, formulation and use of inks, dyes, pigments, paints, laquers, varnish
13	Wastes from production, formulation and use of resins, latex, plasticizers, glues/adhesives
14	Waste chemical substances arising from research and development or teaching activities which are not identified and/or are new and whose effects on man and/or the environment are not known
15	Wastes of an explosive nature not subject to other legislation
16	Wastes from production, formulation and use of photographic chemicals and processing materials
17	Wastes resulting from surface treatment of metals and plastics
18	Residues arising from industrial waste disposal operations

* If liquid, preface "L" is used
If sludge, preface "P" is used
If solid, preface "S" is used

** Items 1 to 18 in Table 3 correspond to items Y1 to Y18 in Table Y.

Code Number Materials which contain any of the constituents listed in Table 4 and consisting of:

- 19 Animal or vegetable soaps, fats, waxes
- 20 Non-halogenated organic substances not employed as solvents
- 21 Inorganic substances without metals
- 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
- 28 Residue from pollution control operations, except (29) and (30)
- 29 Scrubber sludges
- 30 Sludges from water purification plants and waste water treatment plants
- 31 Decarbonization residue
- 32 Ion-exchange column residue
- 33 Sewage sludges
- 34 Wastewaters not otherwise taken into account within Table 3
- 35 Residue from cleaning of tanks and/or equipment
- 36 Contaminated equipment
- 37 Contaminated containers, whose contents included one or more of the constituents listed in Table 4
- 38 Batteries and other electrical cells
- 39 Vegetable oils
- 40 Materials which have been segregated from households and which also exhibit any of the characteristics listed in Table 5
- 41 Any other wastes which contain any of the constituents listed in Table 4

TABLE 4
CONSTITUENTS OF POTENTIALLY HAZARDOUS WASTES
 (revised May 1994)

<u>Code number</u>	<u>Constituents*:</u>
C1	Beryllium, beryllium compounds [Y20]
C2	Vanadium compounds
C3	Hexavalent chromium compounds [Y21]
C4	Cobalt compounds
C5	Nickel compounds
C6	Copper compounds [Y22]
C7	Zinc compounds [Y23]
C8	Arsenic; arsenic compounds [Y24]
C9	Selenium; selenium compounds [Y25]
C10	Silver compounds
C11	Cadmium; cadmium compounds [Y26]
C12	Tin compounds
C13	Antimony; antimony compounds [Y27]
C14	Tellurium; tellurium compounds [Y28]
C15	Barium; barium compounds; excluding barium sulfate
C16	Mercury; mercury compounds [Y29]
C17	Thallium; thallium compounds [Y30]
C18	Lead; lead compounds [Y31]
C19	Inorganic sulphides
C20	Inorganic fluorine compounds excluding calcium fluoride [Y32]
C21	Inorganic cyanides [Y33]
C22	The following alkaline or alkaline earth metals: lithium, sodium, potassium, calcium, magnesium in uncombined form
C23	Acidic solutions or acids in solid form [Y34]
C24	Basic solutions or bases in solid form [Y35]
C25	Asbestos (dust and fibres) [Y36]
C26	Organic phosphorus compounds [Y37]
C27	Metal carbonyls [Y19]
C28	Peroxides
C29	Chlorates
C30	Perchlorates
C31	Azides
C32	Polychlorinated biphenyls (PCB's) and/or polychlorinated terphenyls (PCT's) and/or polybrominated biphenyls (PBB's) [Y10]
C33	Pharmaceutical or veterinary compounds
C34	Biocides and phyto-pharmaceutical substances
C35	Infectious substances

* The correspondance with Table Y is indicated in brackets.

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- C36 Creosotes
- C37 Isocyanates, thiocyanates
- C38 Organic cyanides [Y38]
- C39 Phenols; phenol compounds including chlorophenols [Y39]
- C40 Ethers [Y40]
- C41 Halogenated organic solvents [Y41]
- C42 Organic solvents, excluding halogenated solvents [Y42]
- C43 Organohalogen compounds other than substances referred to in this Table [Y45]
- C44 Aromatic compounds; polycyclic and heterocyclic organic compounds
- C45 Organic nitrogen compounds; especially aliphatic amines
- C46 Organic nitrogen compounds; especially aromatic amines
- C47 Substances of an explosive character [Y15]
- C48 Sulphur organic compounds
- C49 Any congener of polychlorinated dibenzo-furan [Y43]
- C50 Any congener of polychlorinated dibenzo-p-dioxin [Y44]
- C51 Hydrocarbons and their oxygen, nitrogen and/or sulphur compounds not otherwise taken into account in Table 4

TABLE 5

LIST OF HAZARDOUS CHARACTERISTICS
(revised May 1994)

<u>Code Number*</u>	<u>Characteristics</u>
H1	Explosive. An explosive substance or waste is a solid or liquid substance or waste (or mixture of substances or wastes) which is in itself capable by chemical reaction of producing gas at such a temperature and pressure and at such a speed as to cause damage to the surroundings.
H3	Flammable liquids. The word "flammable" has the same meaning as "inflammable". Flammable liquids are liquids, or mixtures of liquids, or liquids containing solids in solution or suspension (for example, paints, varnishes, lacquers, etc. but not including substances or wastes otherwise classified on account of their dangerous characteristics) which give off a flammable vapour at temperatures of not more than 60.5°C, closed-cup test, or not more than 65.6°C, open-cup test. (Since the results of open-cup tests and of closed-cup tests are not strictly comparable and even individual results by the same test are often variable, regulations varying from the above figures to make allowance for such differences would be within the spirit of this definition.)
H4.1	Flammable Solids. Solids, or waste solids, other than those classed as explosives, which under conditions encountered in transport are readily combustible, or may cause or contribute to fire through friction.
H4.2	Substances or Wastes Liable to Spontaneous Combustion. Substances or wastes which are liable to spontaneous heating under normal conditions encountered in transport, or to heating up in contact with air, and being liable to catch fire.
H4.3	Substances or Wastes which, in Contact with Water Emit Flammable Gases. Substances or wastes which, by interaction with water, are liable to become spontaneously flammable or to give off flammable gases in dangerous quantities.
H5.1	Oxidizing. Substances or wastes which, while in themselves not necessarily combustible, may, generally by yielding oxygen cause, or contribute to, the combustion of other materials.
H5.2	Organic Peroxides. Organic substances or wastes which contain the bivalent-O-O-structure are thermally unstable substances which may undergo exothermic self-accelerating decomposition.

* Corresponds to hazard class numbering system included in the United Nations Recommendations on the Transport of Dangerous Goods (Orange Book) for H1 through H9; omissions of H2, H7 and H9 are deliberate.

- H6.1 **Poisonous (Acute).** Substances or wastes liable either to cause death or serious injury or to harm human health if swallowed or inhaled or by skin contact.
- H6.2 **Infectious substances.** Substances or wastes containing viable micro organisms or their toxins which are known or suspected to cause disease in animals or humans.
- H8 **Corrosives.** Substances or wastes which, by chemical action, will cause severe damage when in contact with living tissue, or, in the case of leakage, will materially damage, or even destroy, other goods or the means of transport; they may also cause other hazards.
- H10 **Liberation of toxic gases in contact with air or water.** Substances or wastes which, by interaction with air or water, are liable to give off toxic gases in dangerous quantities.
- H11 **Toxic (Delayed or chronic).** Substances or wastes which, if they are inhaled or ingested or if they penetrate the skin, may involve delayed or chronic effects, including carcinogenicity.
- H12 **Ecotoxic.** Substances or wastes which if released present or may present immediate or delayed adverse impacts to the environment by means of bioaccumulation and/or toxic effects upon biotic systems.
- H13 Capable, by any means, after disposal, of yielding another material, e.g., leachate, which possesses any of the characteristics listed above.

The potential hazards posed by certain types of wastes are not yet fully documented; objective tests to define quantitatively these hazards do not exist. Further research is necessary in order to develop means to characterise potential hazards posed to man and/or the environment by these wastes. Standardized tests have been derived with respect to pure substances and materials. Many Member countries have developed tests which can be applied to materials destined for disposal by means of operations listed in Table 2 in order to decide if these materials exhibit any of the characteristics listed in Table 5.