



Expert Working Group on the review of Annexes

Fourth meeting

Geneva (online), 5–9 October 2020, 1–3 February 2021, 17–21 May 2021 and 11–15 October 2021*
Agenda item 4

Review of Annexes I and III to the Basel Convention

Review of Annex I: draft recommendations for possible amendment proposals to Annex I, including whether any additional constituents in relation to plastic waste should be added to Annex I, and findings on the consequential implications of the review of Annex I to the Convention

Note by the Secretariat

As is mentioned in the note by the Secretariat on the review of Annexes I and III to the Basel Convention (UNEP/CHW/RA_EWG.4/4/Rev.1), the annex to the present note sets out the draft recommendations for possible amendment proposals to Annex I, including whether any additional constituents in relation to plastic waste should be added to Annex I, and findings on the consequential implications of the review of Annex I to the Convention, prepared by the Secretariat under the guidance of the co-chairs, reflecting the outcome of the EWG discussions at the time of the suspension of its fourth meeting on Friday, 21 May 2021. The present note, including its annex, has not been formally edited.

* These sessions will be complemented by subsequent sessions as needed.

Annex

Recommendations by the expert working group on the review of Annexes for possible amendment proposals to Annex I, including whether any additional constituents in relation to plastic waste should be added to Annex I, and findings of the expert working group on the consequential implications of the review of Annex I to the Convention (status 21 May 2021)

I. Possible amendment proposals to Annex I of the Basel Convention

1. The expert working group on the review of Annexes recommends that possible amendment proposals to Annex I should:

(a) Be based on one or more of the objectives of the review of the annex, as set out in the annex to decision BC-13/2, which are to:

- (i) Improve/update the description of categories of wastes in Annex I;
- (ii) Improve environmental controls by including any additional categories of wastes in Annex I that occur in practice; and
- (iii) Clarify the descriptions in Annex I to address conflicts or overlaps.

[...]¹

2. The expert working group on the review of Annexes also recommends that further work on the review of Annex I be based on the general issues and the recommended options for possible amendment proposals to Annex I set out in appendix I to the present recommendations.

II. Whether any additional constituents in relation to plastic waste should be added to Annex I to the Convention

3. The expert working group on the review of Annexes also recommends that further work on whether any additional constituents in relation to plastic waste should be added to Annex I be based on the proposal from a group of Parties set out in appendix II to the present recommendations.²

III. Findings of the expert working group on the consequential implications of the review of Annex I to the Convention

[...]³

¹ See paragraphs 14–16 of the meeting report.

² See paragraph 61 of the meeting report.

³ See paragraph 62 of the meeting report.

Appendix I to the recommendations by the expert working group

I. General issues

A. Distinction between waste streams and waste components

- 0. Status quo
- 1. *Delete Y1-Y18*

B. Order of listing and subheadings for Y19-Y45 and any new constituents

- 0. Status quo
- 1. List the constituents according to the following subheadings:
 - (a) Metal constituents
 - (b) Other inorganic constituents
 - (c) Organic constituents
 - (d) Inorganic or organic constituents
- 2. Introduce a new numbering system for the constituents

Note: Annex II contains the three codes Y46 to Y48, which should be taken into account when considering new entries in Annex I.

C. Level of specification of individual Y-entries

- 0. Status quo
- 1. Increase the level of specification of Annex I categories

II. Recommended options for possible amendments to Annex I

Caption text: CATEGORIES OF WASTES TO BE CONTROLLED

- 0. Status quo
- 1. CATEGORIES OF WASTES RELEVANT FOR THE CATEGORIZATION OF WASTE AS HAZARDOUS

Subheading for Y1-Y18: WASTE STREAMS

- 0. Status quo
- 1. *Delete*

Y1: Clinical wastes from medical care in hospitals, medical centers and clinics

- 0. Status quo
- 1. Infectious biological waste from medical or veterinary services or research activities
- 2. Biopathogenic waste generated in the services of human or animal health care by carrying out activities of prevention, control, diagnosis, treatment, rehabilitation or research, as well as in other establishments
- 3. *Delete*

Note: See also the suggestion to include a new Y-entry "Infectious substances", identified as D3.

Y2: Wastes from the production and preparation of pharmaceutical products

- 0. Status quo
- 1. Wastes from the production and preparation of pharmaceutical products other than Y19 to Y45
- 2. *Delete*

Y3: Waste pharmaceuticals, drugs and medicines

- 0. Status quo
- 1. Waste from pharmaceutical, including phytopharmaceutical, or veterinary industries, e.g. cytotoxic and cytostatic drugs

2. *Delete*

Note: See also the suggestion to include a new Y-entry “Pharmaceutical, including phytopharmaceutical, or veterinary compounds, e.g. cytotoxic and cytostatic drugs”, identified as D1.

Y4: Wastes from the production, formulation and use of biocides and phytopharmaceuticals

0. Status quo

1. Wastes from the production, formulation and use of biocides and phytosanitary products, which do not meet the specifications, are expired or not suitable for the originally intended use that cannot be classified from a constituent

2. *Delete*

Note: See also the suggestion to include a new Y-entry “Biocides”, identified as D2.

Y5: Wastes from the manufacture, formulation and use of wood preserving chemicals

0. Status quo

1. Wastes from the manufacture, formulation and use of wood preserving chemicals including treated cork and wood waste

2. *Delete*

Note: See also the suggestion to include a new Y-entry “Creosotes”, identified as C9.

Y6: Wastes from the production, formulation and use of organic solvents

0. Status quo

1. *Delete*

Y7: Wastes from heat treatment and tempering operations containing cyanides

0. Status quo

1. *Delete*

Y8: Waste mineral oils unfit for their originally intended use

0. Status quo

1. *Delete*

Note: See also the proposal to include two new Y-entries “Hydrocarbons” and “Mineral oils” in the section on waste constituents to address the wastes covered by Y8, identified as C1 and C2.

Y9: Waste oils/water, hydrocarbons/water mixtures, emulsions

0. Status quo

1. *Delete*

Note: : See also the proposal to include two new Y-entries “Hydrocarbons” and “Mineral oils” in the section on waste constituents to address the wastes covered by Y9, identified as C1 and C2.

Y10: Waste substances and articles containing or contaminated with polychlorinated biphenyls (PCBs) and/or polychlorinated terphenyls (PCTs) and/or polybrominated biphenyls (PBBs)

0. Status quo

1. *Delete*

Notes: See also the suggestion to include a new Y-entry “Chemicals listed in Annexes A, B or C of the Stockholm Convention, e.g. PCDD/PCDF, PCB etc.”, identified as C10.

See also the suggestion to include a new Y-entry “Polychlorinated biphenyls (PCBs) and/or polychlorinated terphenyls (PCTs) and/or polybrominated biphenyls (PBBs)” in the section on waste constituents to address the wastes covered by Y10, identified as C13.

Y11: Waste tarry residues arising from refining, distillation and any pyrolytic treatment

0. Status quo

1. *Delete*

Y12: Waste from production, formulation and use of inks, dyes, pigments, paints, lacquers, varnish

- 0. Status quo
- 1. Wastes from production, formulation and use of inks, dyes, pigments, paints, lacquers, varnish and laboratory contrast media, including those that have solvents, heavy metals or biocides
- 2. *Delete*

Y13: Waste from production, formulation and use of resins, latex, plasticizers, glues/adhesives

- 0. Status quo
- 1. *Delete*

Y14: Waste chemical substances arising from research and development of teaching activities which are not identified and/or are new and whose effects on man and/or the environment are not known

- 0. Status quo
- 1. *Delete*

Y15: Wastes of an explosive nature not subject to other legislation

- 0. Status quo
- 1. Wastes of an explosive nature
- 2. *Delete*

Note: See also the suggestion to include a new Y-entry "Substances of an explosive character, e.g. azides, chlorates, perchlorates and peroxides", identified as D4.

Y16: Wastes from production, formulation and use of photographic chemicals and processing materials

- 0. Status quo
- 1. *Delete*

Y17: Wastes resulting from surface treatment of metals and plastics

- 0. Status quo
- 1. *Delete*

Y18: Residues arising from industrial waste disposal operations

- 0. Status quo
- 1. Residues arising from waste disposal operations
- 2. *Delete*

Proposal for new waste stream categories

Z1: Waste electrical and electronic equipment including scrap

Subheading for Y19-Y45: WASTES HAVING AS CONSTITUENTS:

- 0. Status quo
- 1. WASTES HAVING AS CONSTITUENTS OR CONTAMINATED WITH

Y19: Metal carbonyls

- 0. Status quo

Y20: Beryllium, beryllium compounds

- 0. Status quo

Y21: Hexavalent chromium compounds

- 0. Status quo

Y22: Copper compounds

0. Status quo

Y23: Zinc compounds

0. Status quo

1. Zinc compounds, zinc in metallic dispersible form (metal powder)

Y24: Arsenic; arsenic compounds

0. Status quo

Y25: Selenium; selenium compounds

0. Status quo

Y26: Cadmium; cadmium compounds

0. Status quo

Y27: Antimony; antimony compounds

0. Status quo

Y28: Tellurium; tellurium compounds

0. Status quo

Y29: Mercury; mercury compounds

0. Status quo

Y30: Thallium; thallium compounds

0. Status quo

Y31: Lead, lead compounds

0. Status quo

Y32: Inorganic fluorine compounds excluding calcium fluoride

0. Status quo

Y33: Inorganic cyanides

0. Status quo

Y34: Acidic solutions or acids in solid form

0. Status quo

Y35: Basic solutions or bases in solid form

0. Status quo

Y36: Asbestos (dust and fibres)

0. Status quo

1. Asbestos and asbestos-like substances

Note: See also the suggestion to include a new Y-entry "Fibers other than asbestos capable of causing lung damage through inhalation", identified as B3.

Y37: Organic phosphorus compounds

0. Status quo

Y38: Organic cyanides

0. Status quo

Y39: Phenols; phenol compounds including chlorophenols

0. Status quo

1. Merge with Y40: Organic oxygen compounds, e.g. ethers and phenols including chlorophenols

Note: See also the suggestion to include a new Y-entry "Chemicals listed in Annexes A, B and C of the Stockholm Convention, e.g. PCDD/PCDF, PCB etc.", identified as C10.

Y40: Ethers

0. Status quo

1. Merge with Y39: Organic oxygen compounds, e.g. ethers and phenols including chlorophenols

Note: See also the suggestion to include a new Y-entry “Chemicals listed in Annexes A, B and C of the Stockholm Convention, e.g. PCDD/PCDF, PCB etc.”, identified as C10.

Y41: Halogenated organic solvents

0. Status quo

Y42: Organic solvents excluding halogenated solvents

0. Status quo

Y43: Any congener of polychlorinated dibenzo-furan

0. Status quo

1. Merge with Y44 and part of Y39 (pentachlorophenol) and Y40 (decaBDE, tetraBDE, pentaBDE, hexaBDE, heptaBDE) as “Chemicals listed in Annexes A, B or C of the Stockholm Convention e.g. PCDD/PCDF, PCB etc”, identified as C10.

Y44: Any congener of polychlorinated dibenzo-p-dioxin

0. Status quo

1. Merge with Y43 and part of Y39 (pentachlorophenol) and Y40 (decaBDE, tetraBDE, pentaBDE, hexaBDE, heptaBDE) as “Chemicals listed in Annexes A, B or C of the Stockholm Convention e.g. PCDD/PCDF, PCB etc”, identified as C10.

Y45: Organohalogen compounds other than substances referred to in this Annex (e.g. Y39, Y41, Y42, Y43, Y44)

0. Status quo

1. Organohalogen compounds, e.g. brominated or chlorinated flame retardants, chlorofluorocarbons, bromofluorohydrocarbons, other than the chemicals referred to in Y41 and the new entry for merging Y43 and Y44 and part of Y39 (pentachlorophenol) and Y40 (decaBDE, tetraBDE, pentaBDE, hexaBDE, heptaBDE)

Note: See also the suggestion to include a new Y-entry “Chemicals listed in Annexes A, B and C of the Stockholm Convention, e.g. PCDD/PCDF, PCB etc.”, identified as C10.

Proposals for new waste constituents**A. Metal constituents**

A1 Aluminium in metallic dispersible form (metal powder), aluminium compounds

A2 Alkaline or alkaline earth metals: lithium, sodium, potassium, calcium in uncombined form and magnesium in metallic dispersible form (metal powder); lithium compounds

A3 Vanadium compounds

A4 Nickel, nickel compounds

A5 Cobalt; cobalt compounds

A6 Silver compounds

A7 [Organic] Tin compounds

A8 Barium; barium compounds, excluding barium sulfate

B. Other inorganic constituents

B1 Inorganic isocyanates

B2 Inorganic sulphides

B3 Fibers other than asbestos capable of causing lung damage through inhalation

C. Organic constituents

C1 Hydrocarbons

C2 Mineral oils

C3 Aromatic compounds

C4 Polycyclic aromatic hydrocarbons

C5 Organic nitrogen compounds, e.g. aliphatic or aromatic amines

C6 Organosulfur compounds

C7 Organic oxygen compounds, e.g. ethers and phenols including chlorophenols

C8 Organic isocyanates, e.g. methyl isocyanate

C9 Creosotes

C10 Chemicals listed in Annexes A, B or C of the Stockholm Convention, e.g. PCDD/PCDF, PCB etc.

C11 Perfluorooctane sulfonic acid, its salts and perfluorooctane sulfonyl fluoride

C12 Short-chain chlorinated paraffins

C13 Polychlorinated biphenyls (PCBs) and/or polychlorinated terphenyls (PCTs) and/or polybrominated biphenyls (PBBs)

D. Organic or inorganic constituents

D1 Pharmaceutical, including phytopharmaceutical, or veterinary compounds, e.g. cytotoxic and cytostatic drugs

D2 Biocides

D3 Infectious substances

D4 Substances of an explosive character, e.g. azides, chlorates, perchlorates and peroxides

Appendix II to the recommendations by the expert working group

Whether any additional constituents in relation to plastic waste should be added to Annex I to the Convention

The following codes seem relevant in relation to plastic wastes:

- a) From the current codes: Y24 (Arsenic; arsenic compounds), Y26 (Cadmium; Cadmium compounds), Y27 (Antimony; antimony compounds), Y31 (Lead; lead compounds) and Y45 (Organohalogen compounds, other other than substances referred to in this Annex (e.g. Y39, Y41, Y42, Y43, Y44));
 - b) From the codes suggested to be added or amended the following seem relevant: C30 (Polycyclic aromatic hydrocarbons), C34 (Organic oxygen compounds, e.g. ethers and phenols including chlorophenols) – *e.g. phthalates and bisphenol A are covered by this –*, C37 (Chemicals listed in Annexes A, B or C of the Stockholm Convention, e.g. PCDD/PCDF, PCB etc.) and C41 (Organohalogen compounds, e.g. brominated or chlorinated flame retardants, chlorofluorocarbons, bromofluorohydrocarbons, other than chemicals referred to in C37 and C38) – *this suggestion amends Y45*.⁴
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⁴ Text put forward by the European Union and its Member States in document UNEP/CHW/RA_EWG.4/INF/16.