TRADE & ENVIRONMENT ISSUES
- SECONDARY OR RECYCLED MATERIALS
- UPCOMMING BASEL CONVENTION COP-12

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BIR Trade & Environment Director

JOINT STUDY GROUPS’ SEMINAR
TRADE POLICY ISSUES IN MINING AND METALS
22 April 2015

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BIR
- Secretariat changes, formation of EuRIC AISBL

Trade:
- Export controls
- Pre-Shipment Inspection Certification (India Changes)
- Illegal shipments

Environment:
- Extended Producer Responsibility – OECD Guidance
- Equivalent Conditions
- Hazard characterisation
THE WORLD FEDERATION OF RECYCLING INDUSTRIES

• Created in 1948 with the legal basis as an International non-profit making trade association

• From 72 countries worldwide, almost 900 members being: National trade associations from the recycling sector and direct company members that collect, process, trade and or consume secondary raw materials; as well as machine and equipment manufacturers, and other bodies and individuals with an interest in international recycling

A FOCUS ON TRADABLE COMMODITIES

<table>
<thead>
<tr>
<th>4 Commodity Divisions</th>
<th>4 Commodity Committees</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ferrous Metals</td>
<td>E-Scrap</td>
</tr>
<tr>
<td>Non Ferrous Metals</td>
<td>Plastics</td>
</tr>
<tr>
<td>Paper</td>
<td>Stainless Steel &amp; Special Alloys</td>
</tr>
<tr>
<td>Textiles</td>
<td>Tyre &amp; Rubber</td>
</tr>
</tbody>
</table>
BIR – the voice of the recycling industry at international level

BIR THE ONLY GLOBAL VOICE OF THE RECYCLING INDUSTRY

BIR – REPRESENTING THE FUTURE LEADING RAW MATERIAL SUPPLIERS
ITS FOUNDING LEGAL BASIS IN 1948, ITS INDEPENDENCE FROM NATIONAL GOVERNMENTS, AND ITS MULTI-NATIONAL INTERNAL ORGANISATION MAKES BIR THE WORLD FEDERATION OF THE RECYCLING INDUSTRIES

GENERAL ASSEMBLY

EXECUTIVE COMMITTEE

ADVISORY COUNCIL

GENERAL SECRETARIAT – multilingual staff

COMMODITY DIVISIONS & COMMITTEES

FERROUS DIVISION

NON-FERROUS DIVISION

PAPER DIVISION

TEXTILES DIVISION

40+ AFFILIATED NATIONAL ASSOCIATIONS

SINCE SEPTEMBER 2014 BIR NO LONGER ADMINISTERS ANY EUROPEAN FEDERATIONS

European Metal Trade & Recycling Federation
Tel: +32 2 627 5772
E-mail: EUROMETREC@EUROMETREC.ORG
Web: WWW.EUROMETREC.ORG

European Ferrous Recovery & Recycling Federation
Tel: +32 2 627 5771
E-mail: efr@efr2.org
Web: WWW.EFR2.ORG

European Recovered Paper Association
Tel. c/o BIR: +32 2 627 5770
E-mail c/o BIR: BIR@BIR.ORG
Web: WWW.ERPA.INFO
umbrella organisation for the recycling industries in Europe

EuRIC
(Umbrella Organization)

EFR
(Ferrous Recycling)

EUROMETREC
(Non-Ferrous Recycling)

ERPA
(Paper Recycling)

Future Members, New Materials
IN NUMBERS

- National associations & companies represented via EuRIC are present in 18 EU and EFTA countries:
  - Austria, Belgium, Bulgaria, Denmark, Finland, France, Germany, Greece, Hungary, Italy, Netherlands, Norway, Poland, Slovakia, Spain, Sweden, Switzerland, United Kingdom.

- 5 500 companies, a number of whom are SMEs, involved in the recycling and trade of various material streams since decades and which thus are key players of a circular economy

- 300 000 local jobs which cannot be outsourced
  > Recycling is labour intensive = mostly based on manual & mechanical processes

- An average of 150 million tonnes of a variety of waste streams recycled per year (paper, metals and beyond)

- An aggregated annual turnover of about 95 billion €uros

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End of Waste – Key aspects

**Objectives of provision**
- Set a high environmental standard
- Distinguish between clean + dirty recycled products
- Regulatory relief for low risk products
- Facilitate the internal market

**Waste streams eligible**
- Low environmental risk
- Potential environmental benefit
- Genuine barrier
- Solid market for recycled product

**Framework conditions**
- Governing:
  1) Objective of system
  2) Type of waste streams that can be included
  3) Type of criteria necessary
  4) Cut off level for criteria

**Type of criteria**
- Environmental: leaching, contamination and so on
- Fitness for use: Meets market standards
EUROPEAN ENVIRONMENT LAWS FOR RECYCLERS

The EU’s waste-law landscape

Framework Legislation

- Regulation setting criteria for Copper Scrap ceasing to be Waste
- Waste Shipment Regulation (EC) No 1013/2006 to non-OECD

Waste Treatment Operations

- Recycling Technical Standards
- IPPC
- ESM

Waste Streams

- Restriction of Hazardous Substances Directive 2002/95/EC
- Batteries and Accumulators Directive 2006/66/EC
- Packaging and Packaging Waste Directive 94/62/EC
- PCBs Directive 96/59/EC
- POPs Regulation 850/2004/EC
- Mining Waste Directive 2000/60/EC
- Sewage Sludge Directive 86/278/EEC

Wide variation in waste management best practice even across the EU
A GLOBAL CIRCULAR ECONOMY

TOWARDS GREEN GROWTH
A COMPETITIVE CIRCULAR ECONOMY NEEDS GLOBAL COMPETITION


...the list of countries regulating scrap exports is long,

<table>
<thead>
<tr>
<th>Iron and steel</th>
<th>Zinc</th>
<th>Tungsten</th>
<th>Molybdenum</th>
<th>Tin</th>
<th>Cobalt</th>
</tr>
</thead>
<tbody>
<tr>
<td>234 (30 countries)</td>
<td>32 (21 countries)</td>
<td>22 (18 countries)</td>
<td>20 (17 countries)</td>
<td>21 (16 countries)</td>
<td>20 (16 countries)</td>
</tr>
</tbody>
</table>

Argentina, Guyana, Sri Lanka, Malaysia, Egypt, Uganda, Ukraine, Tanzania, Kenya, Belarus, Dominican Rep., Guinea, India, Indonesia, Paraguay, Rwanda, South Africa, Uruguay, Zambia, Algeria, Jamaica, Mauritius, Nigeria, Russia, Vietnam, Tunisia, Venezuela, Morocco, Pakistan, United Arab Emirates

Egypt, Guyana, Malaysia, Sri Lanka, Algeria, Argentina, Jamaica, Kenya, Mauritius, Morocco, Nigeria, Pakistan, Russia, Rwanda, South Africa, Tanzania, Trinidad and Tobago, Uganda, Ukraine, Vietnam, Zambia

Guyana, China, Sri Lanka, Algeria, Argentina, Jamaica, Kenya, Mauritius, Morocco, Pakistan, Russia, Rwanda, South Africa, Tanzania, Trinidad and Tobago, Uganda, Ukraine, Vietnam, Vietnam

Guyana, Sri Lanka, Algeria, Argentina, China, Jamaica, Kenya, Mauritius, Morocco, Pakistan, Russia, Rwanda, South Africa, Tanzania, Trinidad and Tobago, Uganda, Vietnam, Vietnam

Guyana, Sri Lanka, Nigeria, Argentina, Kenya, Mauritius, Morocco, Pakistan, Russia, Rwanda, South Africa, Tanzania, Trinidad and Tobago, Uganda, Vietnam, Vietnam

Guyana, Sri Lanka, Argentina, Algeria, China, Jamaica, Kenya, Mauritius, Morocco, Pakistan, Russia, Rwanda, South Africa, Tanzania, Trinidad and Tobago, Uganda, Vietnam, Vietnam

Need to ensure trade in waste/materials is fair
EXPORT RESTRICTIONS

Export Restrictions in Raw Materials Trade: Facts, fallacies and better practices

PRE-SHIPMENT INSPECTION CERTIFICATION

China – AQSIQ

India – DGFT Pre-Shipment Inspection Certification – rule changes
ILLEGAL SHIPMENTS


BIR – REPRESENTING THE FUTURE LEADING RAW MATERIAL SUPPLIERS

COPs 2015

BASEL  ROTTERDAM  STOCKHOLM
ENFORCEMENT OF ENVIRONMENTAL LAWS

Overall need to better enforce the laws we have

Need to bring in Electronic Notification technology

Currently most all is Paper based

A number of Competent Authorities are extraordinarily slow in processing normal business requests to move hazardous wastes for recycling

Nothing has been done about speeding up procedures since 1993… despite the internet, e-mail, digital signatures, etc.,

E-WASTE GUIDELINES – UN-EP BASEL CONVENTION

Draft technical guidelines on transboundary movements of electronic and electrical waste and used electrical and electronic equipment, in particular regarding the distinction between waste and non-waste under the Basel Convention
(Draft of 20 November 2014)

Note to the reader
The current draft is based on document UNEP/CHE/GW/GWG/INF6 rev.1. The text takes into account the suggestions made by the Small Intersessional Working Group on 24 October 2014 and 1 November 2014. Textual suggestions made after 5 October 2014 are other parts, except paragraph 26b, are shown in brackets.

The present text of paragraph 26b and all 26b were prepared during OEWG. They were included into the document to replace the content of 26b in the draft document presented to the OEWG.

The current paragraph 26b contains 7 criteria. These have not yet been agreed and will need further development. Developing these criteria was indicated by the OEWG. The text in paragraph 26b was prepared in order to test the feasibility of applying these criteria. It is intended to be a temporary measure pending the formulation and adoption of definitive text for paragraph 26b.

The OEWG suggested that further intersessional work would still be needed on paragraph 26b. A large number of suggestions have been made already resulting in this paragraph and work on this paragraph will continue.

Pursuant to paragraph 5 of decision OEWG-03/10, parties and others are invited to provide comments by 28 February 2015. A final draft will then be presented to the COP in April 2015 in an information document taking into account comments received.
Decision steps according to paragraphs 24 and 26

Is the equipment defined as or considered to be waste in any of the countries involved?  

Yes  

No or unknown

Has the functionality of the equipment been tested and is it fully functional and can the used equipment be directly reused?  

Yes  

[For the preferred option] Are the criteria referred to in paragraph 26 (b) being met?  
[For the fall back option] Are the criteria (set) defined by Parties and communicated to the Secretariat of the Basel Convention being met?

Is the load appropriately protected against damage during transportation, loading and unloading?  

Yes  

No or unknown

Is the required documentation present?  

Yes

The equipment should not be considered to be waste [under the Convention]

No or unknown

No or unknown

The equipment should be considered to be waste [under the Convention]
HAZARD CHARACTERISATION

Study to assess the impacts of different classification approaches for hazard property "H 14" on selected waste streams

Background document
1. In order to prove that the treatment of WEEE outside the Union takes place in conditions that are equivalent to the requirements of Directive 2012/19/EU, the exporter shall provide the following:

(a) A declaration issued either by the facility in the third country receiving WEEE or by the competent authority in the third country of destination stating that the facility receiving the WEEE is authorised to conduct WEEE treatment operations in accordance with national procedures, including any applicable legal requirements. This declaration, where applicable, shall be accompanied by relevant documentation;

and

(b) (i) Evidence that the facility in the third country receiving WEEE applies treatment conditions equivalent to the requirements of Directive 2012/19/EU and in particular Article 8 and Annexes VII and VIII thereof. This evidence shall be provided through a declaration issued by an independent verifier on the basis of a site inspection; Without excluding other options to demonstrate independence and aptitude, the independent verifier shall be deemed to be independent and to have the appropriate qualifications to operate legally in the third country when certified under international standard ISO/IEC 17020 for third party inspection bodies;

or

(ii) A proof of compliance with one of the applicable standards listed in Annex I.
ANNEX 1

In the context of European standards and other existing standards for the treatment of WEEE available to prevent treatment conditions equivalent to the requirement of Directive 2012/19/EU:

A. European Standards (EN standards) for the treatment of WEEE

1. EN 50625:1 – Collection, logistics & treatment requirements for WEEE - Part 1: General treatment requirements
2. EN 50625:2 – Collection, logistics & treatment requirements for WEEE - Part 2: Treatment requirements, for lamps
3. EN 50625:3 and EN 50625:3-2 – Collection, logistics & treatment requirements for WEEE - Part 2:2 – Treatment requirements for WEEE containing CRTs and the panel displays
4. EN 50625:1 and EN 50625:2 – Collection, logistics & treatment requirements for WEEE – Part 2:2 – Treatment requirements for WEEE containing volatile fluorocarbon; or volatile hydrocarbons
5. EN 50625:1 and EN 50625:2 – Collection, logistics & treatment requirements for WEEE – Part 2:4 – Treatment requirements, for photovoltaic panels
6. EN 50744:1 – Collection, logistics & treatment requirements for end-of-life household appliances, containing volatile fluorocarbon; or volatile hydrocarbons

B. Other standards for the treatment of WEEE

1. WEEEADEN (2011) standard on “Treatment of WEEE”
2. “Responsible Recycling” (RECA) standard and the “Recycling Industry Operating Standards” (RISO) (US P2O standard)
3. Since the scope of §§ 1.2e) to concern the scope of the Directive covering only equipment designated to store and convey information electronically, any new equipment to multi-purpose, compliance with this standard is applicable only when the WEEE is to be reused outside the EU, but within the scope of the standard.
Thank you for your attention!

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