GUIDANCE DOCUMENT FOR THE SHIPMENT OF WASTE ELECTRICAL AND ELECTRONIC EQUIPMENT (WEEE)
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1.0 Introduction

The National Transfrontier Shipment Office, Dublin City Council (NTFSO) as the National Competent Authority administers and enforces the Waste Management (Shipments of Waste) Regulations 2007 (S.I. No 419 of 2007) and Regulation (EC) 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste. The Regulations empower the NTFSO to supervise and monitor the shipment of waste and to prevent illegal shipments for the protection of the environment and human health.

The NTFSO has produced this document for the purpose of providing direction and guidance to the business community involved in the shipment of WEEE by endeavouring to clarify the issues arising regarding regulatory requirements, classification and treatment of WEEE prior to export.

A number of export inspections carried out by the NTFSO have indicated unacceptable mixing of WEEE being notified as Green List Waste. Waste exporters, producers and holders have a responsibility to ensure that the movement and recovery of waste is managed in an environmentally sound manner for the protection of the environment and human health in compliance with National and EU law.

Having regard to the implementation of the WEEE Directive, the NTFSO supports and notes the operations and achievements of the WEEE Compliance Schemes. In common with the business community and other regulatory agencies, the NTFSO has regard to the principles of self-sufficiency, proximity, BAT in respect of waste treatment, which are enshrined in EU waste legislation.

In preparing these guidelines the NTFSO consulted with the Department of Environment, Heritage and Local Government (DOEHLG), the Environmental Protection Agency (EPA), the Irish Waste Management Association (IWMA), WEEE Ireland and ERP. The NTFSO would like to acknowledge with thanks the submissions and cooperation received.
2.0 Guidance Document


“Member States shall ensure that producers or third parties acting on their behalf, in accordance with Community legislation, set up systems to provide for the treatment of WEEE using best available treatment, recovery and recycling techniques. The systems may be set up by producers individually and/or collectively. To ensure compliance with Article 4 of Directive 75/ 442/EEC, the treatment shall, as a minimum, include the removal of all fluids and a selective treatment in accordance with Annex II to this Directive.”

In accordance with Article 6.5 of the Directive 2002/96/EC the treatment operations may be undertaken outside Ireland or the community provided that the shipment of WEEE is in compliance with the waste shipment regulations EC 1013/2006 of waste within, into and out of the European Community. Recovery, Reuse and/or any recycling operation must take place under the conditions that are equivalent to the requirements of this directive.

The sources of information for this guidance document include:

- COMMISSION REGULATION (EC) No 740/2008 of 29 July 2008 amending Regulation (EC) No 1418/2007 as regards the procedures to be followed for export of waste to certain countries.


• The Revised Correspondents Guidelines No.1 on Shipments of WEEE.

• Correspondents' Guidelines No.4 Subject: Classification of waste electrical and electronic equipment and fly ash from coal-fired power plants according to Annex IV part I note (c) of Regulation (EC) No 1013/2006 on shipments of waste.
3.0 Definitions


‘Waste’ is as defined in Article 1(1)(a) of Directive 2006/12/EC.


‘Mixture of wastes’ means waste that results from an intentional or unintentional mixing of two or more different wastes and for which mixture no single entry exists in Annexes III, IIIB, IV and IVA. Waste shipped in a single shipment of wastes, consisting of two or more wastes, where each waste is separated, is not a mixture of wastes.

‘Disposal’ is as defined in Article 1(1)(e) of Directive 2006/12/EC.

‘Recovery’ is as defined in Article 1(1)(f) of Directive 2006/12/EC.

‘Waste’ means any substance or object which the holder discards or intends or is required to discard.


‘Hazardous waste’ means waste which displays one or more of the hazardous properties listed in Annex III.

‘Waste producer’ means anyone whose activities produce waste (original waste producer) or anyone who carries out pre-processing, mixing or other operations resulting in a change in the nature or composition of this waste.

‘Waste holder’ means the waste producer or the natural or legal person who is in possession of the waste.

‘Dealer’ means any undertaking which acts in the role of principal to purchase and subsequently sell waste, including such dealers who do not take physical possession of the waste.

‘Broker’ means any undertaking arranging the recovery or disposal of waste on behalf of others, including such brokers who do not take physical possession of the waste.

‘Collection’ means the gathering of waste, including the preliminary sorting and preliminary storage of waste for the purposes of transport to a waste treatment facility.

‘Waste management’ means the collection, transport, recovery and disposal of waste, including the supervision of such operations and the after-care of disposal sites, and including actions taken as a dealer or broker.
‘Separate collection’ means the collection where a waste stream is kept separately by type and nature so as to facilitate a specific treatment.

‘Re-use’ means any operation by which products or components that are not waste are used again for the same purpose for which they were conceived.

‘Treatment’ means recovery or disposal operations, including preparation prior to recovery or disposal.

‘Recovery’ means any operation the principal result of which is waste serving a useful purpose by replacing other materials which would otherwise have been used to fulfil a particular function, or waste being prepared to fulfil that function, in the plant or in the wider economy. Annex II sets out a non-exhaustive list of sets out a non-exhaustive list of recovery operations.

‘Preparing for re-use’ means checking, cleaning or repairing recovery operations, by which products or components of products that have become waste are prepared so that they can be re-used without any other pre-processing.

‘Recycling’ means any recovery operation by which waste materials are reprocessed into products, materials or substances whether for the original or other purposes. It includes the reprocessing of organic material but does not include energy recovery and the reprocessing into materials that are to be used as fuels or for backfilling operations.

‘Disposal’ means any operation which is not recovery even where the operation has as a secondary consequence the reclamation of substances or energy. Annex I sets out a non-exhaustive list of disposal operations.


‘Electrical and electronic equipment’ means equipment which is dependent on electric currents or electromagnetic fields in order to work properly and equipment for the generation, transfer and measurement of such currents and fields falling under the categories set out in Annex IA of European Parliament and Council Directive 2002/96/EC on waste electrical and electronic equipment and designed for use with a voltage rating not exceeding 1,000 volt for alternating current and 1,500 volt for direct current.

‘Waste electrical and electronic equipment’ means electrical and electronic equipment, which is waste within the meaning of article 1(a) of Council Directive 75/442/EEC of 15 July 1975 on waste, including all components, subassemblies and consumables which are part of the product at the time of discarding.
4.0 Guidance Procedure

Waste Electrical and Electronic equipment is categorised in the First Schedule of the Waste Management (Waste Electrical and Electronic Equipment) Regulations 2005 (S.I. No. 340 of 2005) as follows:

1. Large Household Appliances
   - Large cooling appliances, refrigerators, freezers.
   - Air conditioner appliances, electric stoves, microwaves.
   - Electric heating appliances, electric fans, electric radiators, cooking equipment, electric hot plates.
   - Washing machines, dish washing machines, clothes dryers.
   - Other large appliances used for refrigeration, conservation and storage of food.
   - Other fanning, exhaust ventilation and conditioning equipment.
   - Other large appliances used for cooking and other processing of food.
   - Other large appliances for heating rooms, beds and seating furniture.

2. Small Household Appliances.
   - Vacuum cleaners, carpet sweepers, other appliances for cleaning.
   - Appliances used for sewing, knitting, weaving and other processing for textiles.
   - Irons and other appliances for ironing, mangling and other care of clothing.
   - Toasters, fryers, grinders, coffee machines, other small appliances used for cooking and other processing of food and equipment for opening or sealing containers, or packages.
   - Appliances for hair-cutting, hair drying, tooth brushing, shaving, massage and other body care appliances.
   - Clocks, watches and equipment for the purpose of measuring, indicating or registering time.
   - Scales, electric knives.

3. IT and Telecommunications Equipment.
   - Centralised data processing: mainframes, minicomputers.
   - Personal computing: personal computers (CPU, mouse, screen and keyboard included). Laptop computers, CPU, mouse, screen and keyboard included). Notebook computers, notepad computers, printer units, printers, copying equipment.
   - Electrical and electronic typewriters, pocket and desk calculators and other products, equipment for the collection, storage, processing, presentation or communication of information by electronic means.
   - User terminals and systems, facsimile, telex, telephones, pay telephones, cordless telephones, cellular telephones answering systems and other products or equipment of transmitting sound, images or other information by telecommunications.
4. Consumer Equipment

- Radio sets, television sets, video cameras, video recorders, Hi-fi recorders, audio amplifiers.
- Musical instruments, and other products or equipment for the purpose of recording or reproducing sound or images, including signals or other technologies for the distribution of sound and image than by telecommunications.

5. Lighting Equipment *

- Luminaries, for fluorescent lamps with the exception of luminaries in households.
- Straight fluorescent lamps, compact fluorescent lamps.
- High intensity discharge lamps, including pressure sodium lamps and metal halide lamps, low pressure sodium lamps.
- Other lighting or equipment for the purpose of spreading or controlling light with the exception of filament bulbs.

6. Electrical and Electronic Tools*

*With the exception of large-scale stationary industrial tools.

- Drills, saws, sewing machines.
- Equipment for turning, milling, sanding, grinding, sawing, cutting, shearing, drilling, making holes, punching.
- Folding bending or similar processing of wood, metal and other materials.
- Tools for riveting, nailing or screwing or removing rivets, nails, screws or similar uses.
- Tools for welding, soldering or similar use.
- Equipment for spraying, spreading, dispersing or other treatment of liquid or gaseous substances by other means.
- Tools for mowing or other gardening activities.

7. Toys, Leisure and Sports Equipment

- Electric trains or car racing sets, hand-held video game consoles, video games, computers for biking, diving, running, rowing, etc.
- Sports equipment, with electric or electronic components.
- Coin slot machines.

NOTE ◘: Glass that has been properly separated and from which activated coatings, frit and other contaminants have been removed may be classified under entry B2020, provided that the remaining heavy metals are enshrined in the glass, that there is no risk of dispersion and that all the heavy metals or the glass itself can be recycled as set out in Correspondent’s Guidelines No. 7 classification of glass waste originating from cathode ray tube (CRT) under entries B2020 or A2010.
4.0 Guidance Procedure Contd.

8. Medical Devices **

**With the exception of all implanted and infected products.

- Radiotherapy equipment.
- Cardiology.
- Dialysis.
- Pulmonary ventilators.
- Nuclear medicine, laboratory equipment for in-vitro diagnosis, analysers, freezers, fertilization tests.
- Other appliances for detecting, preventing, monitoring, treating, alleviating illness, injury or disability.

9. Monitoring and Control Instruments

- Smoke detectors (many units contain a ‘radioactive source’), heating regulators, thermostats.
- Measuring, weighting or adjusting appliances for household or as laboratory equipment.
- Other monitoring and control instruments used in industrial installations (e.g. in control panels).

10. Automatic Dispensers

- Automatic dispensers for cold bottles or cans.
- Automatic dispensers for hot bottles, cans, hot drinks.
- Automatic dispensers for solid products, for money and all appliances which deliver automatically all kinds of products.
4.1 Interim Policy for the Export of WEEE

1) Procedures for the Shipment of WEEE

**SHIPMENTS OF WEEE MUST COMPLY WITH EITHER:**

**Procedure A:** prior written notification and consent - the amber list procedure for hazardous WEEE.

This procedure applies to shipments of the following WEEE:

(a) if destined for disposal operations - all WEEE.

(b) if destined for recovery operations:
   (i) wastes listed in Annex IV, which include, inter alia, wastes listed in Annexes II and VIII to the Basel Convention,
   (ii) wastes listed in Annex IVA,
   (iii) wastes not classified under one single entry in either Annex III, IIIB, IV or IVA,
   (iv) mixtures of wastes not classified under one single entry in either Annex III, IIIB, IV or IVA unless listed in Annex IIIA.

The classification of waste electrical and electronic equipment is set out in accordance with the **CORRESPONDENTS’ GUIDELINES No 4**. Hazardous WEEE according to the European list of wastes should, for the purposes of Regulation (EC) No 1013/2006, be classified as hazardous WEEE by using the Basel entry A1180, unless another entry contained in Annex IV applies, and that hazardous WEEE cannot be classified appropriately as either GC010 or GC020.

**OR**

**Procedure B:** the general information requirements of Article 18 of the TFS Regulation - the green list procedure for non-hazardous WEEE.

This procedure applies to shipments of the following WEEE destined for recovery, if the amount of waste shipped exceeds 20 kg:

(a) waste listed in Annex III or IIIB,

(b) mixtures; not classified under one single entry in Annex III, of two or more wastes listed in Annex III, provided that the composition of these mixtures does not impair their environmentally sound recovery and provided that such mixtures are listed in Annex IIIA of the TFS Regulation.

**Non-hazardous WEEE may be classified by using OECD entries GC010 or GC020.**

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1 “disposal” is as defined in article 1(1) (e) of Directive 2006/12/EC, “recovery” is as defined in article 1(1) (f) of Directive 2006/12/EC,
2 “mixtures of wastes” means waste that results from an intentional or unintentional mixing of two or more different wastes and for which mixture no single entry exists in Annexes III, IIIB, IV and IVA. Waste shipped in a single shipment of wastes, consisting of two or more wastes, where each waste is separated, is not a mixture of waste. **CORRESPONDENTS’ GUIDELINES No 4** Subject: Classification of waste electrical and electronic equipment and fly ash from coal-fired power plants according to Annex IV part I note (c) of Regulation (EC) No 1013/2006 on shipments of waste.
3 Commission Decision 2000/532/EC as amended.
2). **Classification of WEEE in accordance with the Correspondents Guidelines No.4**:

Annex IV part I note (c) of Regulation (EC) No 1013/2006 states that Basel entries A1180 do not apply and OECD entries GC010, GC020 in Annex III, Part II **apply instead when appropriate**. As a common understanding of the correspondents it was agreed that the words “instead when appropriate” apply to the whole first phrase of note (c) in Part I of Annex IV meaning that any of the entries A1180, GC010, GC020 may apply when appropriate.

The possible entries for waste electric and electronic equipment (WEEE) are shown in Table 1.

**Table 1: Possible entries for WEEE according to Annexes III and IV of Regulation (EC) No 1013/2006**

<table>
<thead>
<tr>
<th>Entry</th>
<th>Description</th>
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<tbody>
<tr>
<td>GC010</td>
<td>Electrical assemblies consisting only of metals or alloys</td>
</tr>
<tr>
<td>GC020</td>
<td>Electronic scrap (e.g. printed circuit boards, electronic components, wire, etc.) and reclaimed electronic components suitable for base and precious metal recovery</td>
</tr>
<tr>
<td>A1180</td>
<td>Waste electrical and electronic assemblies or scrap(^6) containing components such as accumulators and other batteries included on list A, mercury-switches, glass from cathode-ray tubes and other activated glass and PCB-capacitors, or contaminated with Annex I constituents (e.g. cadmium, mercury, lead, polychlorinated biphenyl) to an extent that they possess any of the characteristics contained in Annex III.(^7)</td>
</tr>
</tbody>
</table>

Hazardous WEEE according to the European list of wastes\(^5\) (see Table 2 for the main applicable codes at the date that these guidelines were agreed) should, for the purposes of Regulation (EC) No 1013/2006, be classified as hazardous WEEE by using the Basel entry A1180, unless another entry contained in Annex IV applies, and that hazardous WEEE cannot be classified appropriately as either GC010 or GC020. Non-hazardous WEEE may be classified by using OECD entries GC010 or GC020. In some cases, hazardous and non-hazardous WEEE may not be listed in Annexes III, IIIA, IIIB, IV or IVA of Regulation (EC) No 1013/2006.

**Table 2: Hazardous WEEE explicitly listed in the European list of wastes.**

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
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<tbody>
<tr>
<td>16 02 10*</td>
<td>discarded equipment containing or contaminated by PCBs other than those mentioned in 16 02 09</td>
</tr>
<tr>
<td>16 02 11*</td>
<td>discarded equipment containing chlorofluorocarbons, HCFC, HFC</td>
</tr>
<tr>
<td>16 02 12*</td>
<td>discarded equipment containing free asbestos</td>
</tr>
<tr>
<td>16 02 13*</td>
<td>discarded equipment containing hazardous components other than those mentioned in 16 02 09 to 16 02 12</td>
</tr>
<tr>
<td>16 02 15*</td>
<td>hazardous components removed from discarded equipment</td>
</tr>
<tr>
<td>20 01 21*</td>
<td>fluorescent tubes and other mercury-containing waste</td>
</tr>
<tr>
<td>20 01 35*</td>
<td>discarded electrical and electronic equipment other than those mentioned in 20 01 21 and 20 01 23 containing hazardous components.</td>
</tr>
</tbody>
</table>

\(^6\) This entry does not include **scrap assemblies** from electric power generation. \(^7\) **PCBs** are at a concentration level of 50 mg/kg or more.
3). Enforcement: Shipment of WEEE classified as either GC010 or GC020 must meet the following conditions:

- All of the hazardous components\(^8\) removed,
- All external cables are removed and,
- Are not mixtures of waste\(^3\),
- The Basel entry B1110 does not apply and non-hazardous WEEE can only be classified as GC010 or GC020.

Any WEEE shipment, not in compliance with the above conditions shall be prohibited for onwards transport/export and shall be directed back to the waste generator /point of origin for the purpose of further investigation in accordance with Regulation 5 of the Waste Management (Shipments of Waste) Regulations 2007, and of Regulation EC No 1013/2006. Non compliance with a direction may be construed as an offence.

*This Interim Policy does not supersede any import control or procedure outlined by the Competent Authority of destination and transit regarding WEEE. You are advised to contact the relevant Competent Authorities prior to export of WEEE. In accordance with Article 28 of the EC No. 1013/2006, if the Competent Authorities of dispatch and of destination cannot agree on the classification of waste it shall be exported under procedure A.*

The shipment of WEEE under the TFS Regulations EC No.1013/2006 does not relieve the notifier/exporter of statutory obligations under other applicable and appropriate legislation, regulations i.e. Health & Safety or the law governing the carriage and movement of dangerous goods by road and sea (ADR & IMDG Regulations).

4). Enforcement Fee:

A shipment of WEEE not in compliance with Procedure A or Procedure B shall be prohibited for export and shall incur an enforcement fee.

\(^8\)“Hazardous components” removed as per Annex II of the Directive 2002/96/EC of the European Parliament and of the Council of 27 January 2003 on WEEE. Hazardous components removed from electrical and electronic equipment may include accumulators and batteries mentioned in 16 06 a and marked as hazardous, mercury switches, glass from cathode ray tubes and other activated glass etc.
**EXEMPTION**

The WEEE Directive requires the removal of components containing radioactive substances with the exception of those below the exemption thresholds set in Article 3 of and Annex I to Council Directive 96/29/Euratom of 13 May 1996 laying down basic safety standards for the protection of health of workers and the general public against the dangers arising from ionising radiation."

Radioactive substances in WEEE are found typically in some medical equipment, certain test instruments, and commonly in smoke detectors. Exempt quantities and exempt concentrations are laid out in Table A of Annex 1 to Directive 96/29/Euratom. Ionisation chamber smoke detectors (ICSD), used in domestic smoke detectors, use americium-241, and should be below these exemption limits.

Additionally, operators of WEEE processing facilities & consignors of WEEE should be aware of the legislation relating to use and disposal of radioactive material:


As per Article 1.3(c) of the REGULATION (EC) No 1013/2006 “shipments of radioactive waste as defined in Article 2 of Council Directive 92/3/Euratom of 3 February 1992 on the supervision and control of shipments of radioactive waste between Member States and into and out of the Community” are excluded from the scope of the Regulation.

Additional information on radioactive waste and its management can be found at the Radiological Protection Institute of Ireland website:

- [http://www.rpii.ie/](http://www.rpii.ie/)
**Procedure B Requirements:**

Procedure B applies to WEEE if:


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**Hazardous components**

- Polychlorinated biphenyls (PCB) and polychlorinated terphenyls (PCB/PCT) containing capacitors. *(See photograph example No. 7).*

- Electrolyte capacitors containing substances of concern (height >25 mm, diameter >25 mm or proportionately similar volume).

- Gas discharge lamps.

- Mercury containing components, such as switches or backlighting lamps.

- Batteries that can be removed prior to treatment and internal hazardous batteries.

- Asbestos waste and components which contain asbestos.

- Cathode ray tubes (CRT) and other activated glasses. *(See photograph example No. 4).*

- Chlorofluorocarbons (CFC), hydrochlorofluorocarbons, (HCFC) or hydrofluorocarbons (HFC), hydrocarbons (HC), Ozone-depleting gases must be treated in accordance with Regulation (EC) No 2037/2000 of the European Parliament and of the Council of 29 June 2000 on substances that deplete the ozone layer.

- Plastic containing brominated flame retardants.

- Liquid crystal displays (together with their casing where appropriate) of a surface greater than 100 square centimetres and all those back-lighted with gas discharge lamps.


- Components containing radioactive substances with the exception of components that are below the exemption thresholds set in article 3 of and Annex I to Council Directive 96/29/Euratom of 13 May 1996 laying down basic safety standards for the protection of the health of workers and the general public against the dangers arising from ionising radiation.

- Fluids/oils containing hazardous properties.
**PRIOR TO EXPORT**

**Contamination**

It should also be noted that regardless of whether or not wastes are included in the Annex III or IIIA, they **may not be shipped under procedure B** if they are contaminated by other materials to the extent that:

1. makes the waste more hazardous,

2. makes it more appropriate to classify it by another code,

3. prevents the recovery of the waste in an environmentally sound manner.

All of the above must be taken into account when determining the waste classification.

**Mixtures of waste:**

Waste that results from an intentional or unintentional mixing of two or more different wastes and for which mixture no single entry exists in Annexes III, IIIB, IV and IVA, must be exported under the prior written notification and consent as per procedure A. However waste shipped in a single shipment of wastes, consisting of two or more wastes, where each waste is separated and is accompanied by the appropriate Annex VII (Article 18 information) is not considered a mixture of waste.
5.0 Shipments of WEEE as in the Revised Correspondents Guidelines No.1

The approach to classification of waste under the Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on Shipments of Waste is partly governed by whether the waste is destined for a Member State of the EU, a country to which the OECD Decision applies or a country to which the OECD Decision does not apply.

**WEEE Classification:**

**Section A** details the classification process for shipments to Member States of the EU and countries to which the OECD Decision applies.

**Section B** details the two stage classification process that applies to exports to countries to which the OECD Decision does not apply:

- Firstly to determine whether or not the export is potentially permitted (**Stage 1**) and,
- Secondly, if potentially permitted, to determine the controls applicable to the export (**Stage 2**).

**Section A: Shipments within the EU and from the EU to countries to which the OECD Decision applies.**

The Annexes to the Regulation (EC) No 1013/2006 provide waste lists to be used for the classification of waste destined for recovery. For the classification of WEEE Annexes III, IIIA, IIIB, IV and IVA of the Regulation (EC) No 1013/2006 are relevant. These are referred to as:

1. The ‘green’ list (Annex III)* containing wastes not subject to the procedure of prior written notification and consent (Green listed wastes which are shipped have to be accompanied by the document contained in Annex VII according to Article 18 of the Regulation (EC) No 1013/2006),

2. Mixtures of green listed wastes (Annex IIIA),

3. Additional green listed wastes (Annex IIIB),

4. The ‘amber’ list (Annex IV) containing wastes subject to the procedure of prior written notification and consent, and,

5. Wastes listed in Annex III but subject to the procedure of prior written notification and consent (Annex IVA).

*Green listed wastes that are contaminated with hazardous materials may be classified as waste subject to the procedure of prior written notification and consent. With respect to some Member countries, transition rules according to Article 63 WSR apply. Wastes that do not feature in any of the lists are regarded as unlisted and are wastes subject to the procedure of prior written notification and consent.
Section B: **Exports to countries to which the OECD Decision does not apply.**

There is a two stage process to be completed before waste may be exported to countries to which the OECD Decision does not apply:

**STAGE 1: Export to a country to which the OECD Decision does not apply**

Annex V to the Regulation (EC) No 1013/2006 lists the wastes which fall under the prohibition of exports of hazardous wastes to countries to which the OECD Decision does not apply. This stage determines only whether a proposed export to a country to which the OECD Decision does not apply is prohibited or potentially permitted.

**Annex V has 3 parts:**

**Part 1 is divided into List A and List B:**

- **If a waste is listed on List A** - then its export to countries to which the OECD Decision does not apply is prohibited.
- **If a waste is on List B** - its export to countries to which the OECD Decision does not apply is potentially permitted. If a waste on List B is being classified as hazardous by reference to EU criteria in a Member State in accordance with Article 36(4) and (5) of the Regulation (EC) No 1013/2006, the export of this waste to a country to which the OECD decision does not apply is prohibited.

**Parts 2 and 3 of Annex V:**

- apply only if a waste does not appear in either List A or List B of Part 1. If a waste is identified as hazardous in Part 2 of Annex V (by being marked by an asterisk) or is listed in Part 3 of Annex V then its export to countries to which the OECD Decision does not apply is prohibited.
- If a waste is not marked with an asterisk in Part 2 of Annex V then its export to countries to which the OECD Decision does not apply is potentially permitted. If a waste does not appear on the lists in either Part 2 or 3 to Annex V, then its export to countries to which the OECD Decision does not apply is potentially permitted and subject the procedure of prior written notification and consent.

**In summary**, waste may potentially be exported to countries to which the OECD Decision does not apply if: it appears on Part 1, List B, or if not listed on List B, its export is not otherwise prohibited by virtue of its listing in Annex V, provided that, in both cases, an export prohibition in the Member State of dispatch does not apply by virtue of the waste being exceptionally classified as hazardous by reference to EU criteria in accordance with Article 36(4) and (5) of the Regulation (EC) No 1013/2006.
STAGE 2: Exports of waste not subject to the export prohibition to countries to which the OECD Decision does not apply.

This stage only needs to be considered if Stage 1 indicates that the waste export is potentially permitted. If the waste is not described by any entry in Annex III, its export is subject to the procedure of prior written notification and consent referred to in the Regulation (EC) No 1013/2006.

For waste listed in Annex III or IIIA, the specific requirements will depend on the waste category and country of destination. The specific requirements for each country are listed in Commission Regulation (EC) No. 1418/2007 of 29 November 2007 as amended.

The competent authority may be consulted in cases of uncertainty.

Each country has the following options:

- A prohibition of the import of a particular waste;
- A procedure of prior written notification and consent as described in Article 35 of the Regulation (EC) No. 1013/2006; or
- No control in the country of destination;
- With regard to shipments to the new EU Member States see Article 63 of the Regulation (EC) No. 1013/2006.
5.1 Exports prohibition as article 36 (1) of the EC Regulation 1013/2006

1. Exports from the Community of the following wastes destined for recovery in countries to which the OECD Decision does not apply are prohibited:

(a) wastes listed as hazardous in Annex V;

(b) wastes listed in Annex V, Part 3;

(c) hazardous wastes not classified under one single entry in Annex V;

(d) mixtures of hazardous wastes and mixtures of hazardous wastes with non-hazardous wastes not classified under one single entry in Annex V;

(e) wastes that the country of destination has notified to be hazardous under Article 3 of the Basel Convention;

(f) wastes the import of which has been prohibited by the country of destination; or

(g) wastes which the competent authority of dispatch has reason to believe will not be managed in an environmentally sound manner, as referred to in Article 49, in the country of destination concerned.
6.0 Main categories of Waste Electrical and Electronic Equipment destined for recovery


*N.B The categories below are subject to amendments by future regulations, this is a non-exhaustive list.*

- GC010 Electrical assemblies consisting only of metals or alloys.
- GC020 Electronic scrap (e.g. printed circuit boards, electronic components, wire, etc.) and reclaimed electronic components suitable for base and precious metal recovery.

**Part 1 List B of Annex V**

- B1040 Scrap assemblies from electronic power generation not contaminated with lubricating oil, PCB or PCT to an extent to render them hazardous.
- B1070 Waste of copper and copper alloys in dispersible form, unless they contain Annex I constituents to an extent that they exhibit Annex III characteristics.
- B1090 Waste batteries conforming to a specification, excluding those made with lead, cadmium or mercury.
- B1115 Waste metal cables coated or insulated with plastics, not included in list A1190, excluding those destined for Annex IVA operations or any other disposal operations involving, at any stage, uncontrolled thermal processes, such as open-burning.


- A1030 Waste having as constituents or contaminants any of the following:
  - Arsenic; arsenic compounds,
  - Mercury; mercury compounds,
  - Thallium; thallium compounds.
- A1160 Waste lead-acid batteries, whole or crushed.
- A1170 Unsorted waste batteries excluding mixtures of only list B batteries. Waste batteries not specified on list B containing Annex I constituents to an extent to render them hazardous.
- A1180* Waste electrical and electronic assemblies or scrap, containing components such as accumulators and other batteries included on list A, mercury-switches, glass from cathode-ray tubes and other activated glass and PCB-capacitors, or contaminated with Annex I constituents (e.g. cadmium, mercury, lead, polychlorinated biphenyl) to an extent that they possess any of the characteristics contained in Annex III.*
- A2010 Glass waste from cathode-ray tubes and other activated glasses; A2050 Waste asbestos (dust and fibres); AC150 Chlorofluorocarbons.

*This entry does not include scrap assemblies from electric power generation. *PCBs are at a concentration level of 50 mg/kg or more. The national legislation on the determination of PCBs must be taken into consideration (e.g. 6 or 7 PCB-congeners; sometimes multiplication of the sum of these congeners with factor 5 is required), especially considering results of analysis carried out in non-EU countries or compliance with limit values required in non-EU countries. Source: Revised correspondents’ guidelines no.1: shipments of waste electrical and electronic equipment (WEEE).

This is a Guidance Document only and does not purport to provide, nor should it be relied on, as a legal interpretation of the Regulations.
- **A3180** Wastes, substances and articles containing, consisting of or contaminated with polychlorinated biphenyl (PCB), polychlorinated terphenyl (PCT), polychlorinated naphthalene (PCN) or polybrominated biphenyl (PBB), or any other polybrominated analogues of these compounds, at a concentration level of 50 mg/kg or more.

*The 50 mg/kg level is considered to be an internationally practical level for all wastes. However, many individual countries have established lower regulatory levels (e.g. 20 mg/kg) for specific wastes. Source: Revised correspondents’ guidelines no.1: shipments of waste electrical and electronic equipment (WEEE).*
7.0 Shipment of Electrical and Electronic Equipment (EEE)

In order for opportunities for re-use of Electrical and Electronic equipment to be maximised, selection and screening of items suitable for re-use should be carried out prior to export.

Where the holder of the material declares used Electrical and Electronic equipment, not Waste Electrical and Electronic equipment for export, the following should be provided to The National Transfrontier Shipment Office, Dublin City Council on request:

- a copy of the invoice and contract relating to the sale and/or transfer of ownership of the EEE which states that the equipment is for direct re-use and fully functional;
- evidence of evaluation/testing in the form of a copy of the records (certificate of testing – proof of functional capability) on every item within the consignment;
- a declaration made by the holder who arranges the transport of the EEE that none of the material or equipment within the consignment is waste as defined by Article 1(a) of Directive 2006/12/EC (Waste Framework Directive), and
- sufficient packaging to protect it from damage during transportation, loading and unloading.

**Used Electrical and Electronic equipment would normally be considered waste if:**

- the product is not complete - essential parts are missing;
- it shows physical damage that impairs its functionality or safety, as defined in relevant standards;
- the packaging for protecting it from damage during transport and loading and unloading operations is insufficient;
- the appearance is generally worn or damaged, thus reducing the marketability of the item(s);
- the item has among its constituent part(s) anything that is required to be discarded or is prohibited under community or national legislation;
- the EEE is destined for disposal or recycling instead of re-use;
- there is no regular market for the EEE;
- it is old or out-dated EEE destined for spare parts.
8.0 References


7. Revised Correspondents’ Guidelines No.1 “Subject: Shipments of Waste Electrical and Electronic Equipment (WEEE)”. www.impeltfs.eu

8. Correspondents’ Guidelines No. 4 Subject: Classification of waste electrical and electronic equipment and fly ash from coal-fired power plants according to Annex IV part I note (c) of Regulation (EC) No 1013/2006 on shipments of waste. www.impeltfs.eu


15. OECD Website: www.oecd.org.

16. EPA Website: www.epa.ie

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APPENDIX 1: PHOTOGRAPHS

Description: Shipment of industrial fridges subject to the procedure of prior written notification and consent.

Description: Shipment of (B1115) waste metal cables coated or insulated with plastics, not included in list A1190 excluding those destined for Annex IVA operations or any other disposal operations involving, at any stage, uncontrolled thermal processes, such as open-burning) is subject to the general information requirements laid down in Article 18 of Regulation (EC) No 1013/2006.
Description: Shipment of (GC020) Electronic scrap (e.g. printed circuit boards, electronic components, wire, etc.) and reclaimed electronic components suitable for base and precious metal recovery is subject to the general information requirements laid down in Article 18 of Regulation (EC) No 1013/2006.

Description: Treated (left) and untreated (right) front panel glass. Shipment of (A2010) glass waste from cathode-ray tubes and other activated glasses is subject to the procedure of prior written notification and consent. However, when a shipment of front panel glass has been properly separated and from which activated coatings, frit and other contaminants have been removed, it may be classified under entry B2020, provided that the remaining heavy metals are enshrined in the glass, that there is no risk of dispersion, and that all the heavy metals or the glass itself can be recycled, it is then subject to the general information requirements laid down in Article 18 of Regulation (EC) No 1013/2006.
Description: Shipment of both treated and untreated funnel glass (A2010) subject to the procedure of prior written notification and consent.

Description: Shipment of (B3010) solid plastic waste: plastic or mixed plastic materials provided they are not mixed with other wastes and are prepared to a specification is subject to the general information requirements laid down in Article 18 of Regulation (EC) No 1013/2006.
Description: Shipment of Capacitors over 25 mm - wastes, substances and articles containing, consisting of or contaminated with polychlorinated biphenyl (PCB), polychlorinated terphenyl (PCT), polychlorinated naphthalene (PCN) or polybrominated biphenyl (PBB), or any other polybrominated analogues of these compounds, at a concentration level of 50 mg/kg or more) is subject to the procedure of prior written notification and consent.
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Source: [http://www.oecd.org/countrieslist/0,3351,en_33873108_33844430_1_1_1_1,00.html](http://www.oecd.org/countrieslist/0,3351,en_33873108_33844430_1_1_1_1,00.html)
Disclaimer:

This document does not purport to provide a legal interpretation of the (EC) Regulation 1013/2006 on Shipments of Waste. The National TFS Office, Dublin City Council developed this document as guidance on the export of Waste Electrical and Electronic Equipment in accordance with the EC Regulation 1013/2006 on Shipments of Waste. Users of this document should use the material provided therein for information purposes only. The National TFS Office, Dublin City Council does not accept responsibility whatsoever for loss or damage occasioned or claimed to have been occasioned, in part or in full as a consequence of any person acting or refraining from acting as a result of a matter contained in this document.