



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

July 3, 2019

THE ADMINISTRATOR

His Excellency Ángel Gurría  
Secretary-General  
Organisation for Economic Cooperation and Development  
2, Rue André Pascal  
75775 Paris Cedex 16  
FRANCE

Dear Mr. Secretary-General:

The United States is invoking the objection provision in Chapter II. B. Section 3 a) of the *OECD Council Decision C(2001)107/FINAL, As Amended, on the Control of Transboundary Movements of Wastes Destined for Recovery Operations*, also known as OECD-Legal-0266. Specifically, the United States wishes to express its objection to incorporating the three plastic waste amendments to Annexes II, VIII and IX of the *Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal* (the Basel Convention) adopted on May 10, 2019. The United States, in an enclosure to this letter, recommends modifications to the OECD Council Decision as an alternative proposal to the Basel Convention's amendments.

The Basel Convention's plastic waste amendments were adopted to reduce the presence of plastic litter in the environment in countries that have ineffective waste-management systems, including collection, transportation, recycling and disposal infrastructure. The United States supports efforts to reduce marine plastic litter and believes the decision to maintain trade in plastic waste and scrap within the OECD is consistent with those efforts. The OECD member countries have attained high environmental standards and have the capacity to manage waste in an environmentally sound manner. Less than one percent of plastic waste is mismanaged in OECD countries.<sup>1</sup> Subjecting plastic scrap to the Amber control procedure would impede trade for recycling and could reduce the level of recycling among OECD countries. If trade becomes more difficult, we anticipate that more OECD-generated plastic scrap will be disposed in landfills, sent for incineration or used for fuel, which are less-preferred options on the waste-management hierarchy.

The transboundary movements of plastic scrap shipped between OECD member countries for recovery operations should be subject to the Green control procedure based on the criteria for the OECD Risk-Based Approach in Appendix 6 of the OECD Council Decision. Facilitating trade


---

<sup>1</sup> Jambeck, J., R. Geyer, C. Wilcox, T. Siegler, M. Perryman, A. Andrady, R. Narayan, & Law, K. L. (2015). Plastic waste inputs from land into the ocean. *Science*. 347 (6223): 768-771.

in plastic scrap among OECD countries by making it subject to the Green control procedure will help ensure that the material can move to jurisdictions that can recycle it efficiently and in an environmentally sound manner. By volume, plastic scrap is one of the most important globally traded scrap commodities. In 2018, the United States traded nearly 610,000 metric tons of plastic scrap with OECD countries valued at more than \$315 million. Such trade occurs under the terms of contracts using internationally recognized specifications for the material.

The United States looks forward to further discussion of this matter among our OECD colleagues in the coming months.

Sincerely,



Andrew R. Wheeler

Enclosure

cc: Mr. Rodolfo Lacy, OECD Environment Directorate  
Mr. Nicola Bonucci, OECD Environment Directorate