

Three Current Examples of Likely Illegal Plastic Waste Exports from US

Date	Exporter (Declared)	US Port	Destination Country	Container Quantity	Metric Tons	Full Container Description	Container Number	Bill of Lading Nbr.	HS	Shipping Line	Voyage	Vessel	Destination Port	Arrival Date
2/16/2021	SCAN SHIPPING INC	NEW YORK/NEWARK AREA, NEWARK, NEW JERSEY	INDIA	1.00	16.18	1 X 40 DRY 9'6 CY/CY 36 BOXES PVC REGRIND GROSS WEIGHT : 35680LB, 16.18MT NET WEIGHT : 33680 LB, 15.28 MT X20210208317689 SHIPPER PROVIDED HS CODE : 391590 TGBU6850769 36 BOXES 16184.000 KGS 55.0000 CBM	TGBU6850769	MARU208863589	391590	MAERSK	104W	MAERSK EDINBURGH	MUNDRA	3/28/2021
2/10/2021	NEWPORT CH INTERNATIONAL	LOS ANGELES, CA	INDONESIA	3.00	53.45	3 X 40 DRY 9'6 CY/CY 107 BALES 3 CONTAINERS 107 BALES COMMODITY: LDPE PLASTIC SCRAP HS CODE : 39151090 FREIGHT PREPAID DTHC PREPAID AES X0210122455227 *FAX: 051-2865081 TAX ID: 02-596-523-3-121,000 SHIPPER PROVIDED HS CODE : 391510 MRSU3491218 33 BALES 19541.000 KGS TGBU9361880 59 BALES 17137.000 KGS TRHU4145845 35 BALES 16774.000 KGS	MRSU3491218 TGBU9361880, TRHU4145845	MARU207878736	391510	MAERSK	102S	MSC OLIVER	MEDAN/BEILAWAN PORT BELAWAN, INDONESIA	3/16/2021
2/14/2021	SIGMA RECYCLING INC C/O	LOS ANGELES, CA	MALAYSIA	2.00	38.46	2X40HC CONTAINERS: BALES PLASTIC SCRAP BALES PLASTIC SCRAP ----- 21 DAYS FREE TIME MERGED AT THE PORT OF DESTINATION ----- OF LADING, IT SHALL BE GOVERNED BY THE TERMS AND CONDITIONS AVAILABLE ES/SHIPPING-GUIDE/BL-CLAUSES) WHICH THE MERCHANT HAS READ	GLDU7651849, TCLU6543718	CMDUNAM41959 92	3915	CMA CGM	0TUFCW1MA	CMA CGM ANDROMEDA	PORT KLANG	3/22/2021

Source: Materials Research L3C

Notes on the Three Shipments

PVC Waste to India: This shipment is highly likely to be illegal because India, as a Basel Party, is not able to accept PVC from the US (a Basel non-Party) due to the Party to non-Party trade ban found in the Convention (Article 4.5). PVC waste is listed as Y48 now in Basel as it is a halogenated polymer. India should likely seize this shipment and prosecute the exporters and importers.

MAERSK is the carrier of this shipment and is one of the shipping lines that BAN and other NGOs have called upon to refuse plastic waste shipments to developing countries.

LDPE Plastic Scrap to Indonesia: This shipment is likely to be illegal because Indonesia, as a Basel Party, is not able to accept Basel controlled wastes from the US (a Basel non-Party) due to the Party to non-Party trade ban found in the Convention (Article 4.5). This waste is characterized as LDPE Scrap. This type of waste was highlighted being burned in Indonesia in the film "Plastic Wars". Bales of LDPE scrap are typically known to have high levels of contamination and are difficult to recycle. Meanwhile, Indonesian government officials have stated to the press that they will tolerate no contamination. If this waste is mixed or contaminated to any significant degree, it is likely to be an illegal shipment. Further, if any of it is burned in Indonesia, as reported, it is clearly an illegal shipment. If it proves to, in fact, be illegal, we hope that the Indonesian government will press to have this shipment seized.

Mediterranean Shipping Company (MSC) is the carrier of this shipment and is one of the shipping lines that BAN and other NGOs have called upon to refuse plastic waste shipments to developing countries.

Mixed Plastics to Malaysia: This shipment is likely to be illegal because Malaysia as a Basel Party is not able to accept Basel controlled wastes from the US (a Basel non-Party) due to the Party to non-Party trade ban found in the Convention (Article 4.5). This waste is characterized as Bales of Plastic Scrap. It is not characterized as a single polymer or a mixture of PE, PP, and PET. It is most likely, therefore, bales of mixed polymer plastic -- a Basel controlled waste as Y48. Further, it is very likely that the contamination level of this material, even if not mixed will exceed the 5% level recently specified by the Malaysian government (see below). If this proves to, in fact, be illegal as we suspect it is, we hope that the shipment will be seized and the exporters and importers prosecuted.

CMA CGM is the carrier of this shipment and is one of the shipping lines that BAN and other NGOs have called upon to refuse plastic waste shipments to developing countries.

Shipment of PVC Waste from U.S. to Mundra, India

USA Bills Export

Bill of Lading Number	MAEU208863589		
US Port	NEW YORK/NEWARK AREA, NEWARK, NEW JERSEY		
US Region	EAST		
Carrier	MAERSK LINE		
Carrier Code	MAEU		
Place of Receipt Declared	NEWARK, UNITED STATES		
Place of Receipt	NEWARK		
State of Place of Receipt	NEW JERSEY, NJ		
Date	02/16/2021	Quantity	0.00
Arrival Date		Quantity Unit	
Vessel	MAERSK EDINBURGH	Weight	16,184.00
Voyage Number	104W	Weight Unit	KG
Containerized	No	Container Quantity	1.00
Container FCL/LCL	FCL	TEUS	2.00
Type of Cargo	NON REFRIGERATED	Metric Tons	16.18
High Cube	Yes	Total Calculated Value (US\$)	6,512.45
Foreign Port Declared	SALALAH, OMAN	Final Destination Declared	MUNDRA, INDIA
Foreign Port	SALALAH	Final Destination	MUNDRA
Country of Foreign Port	OMAN	Country of Final Destination	INDIA
World Region of Foreign Port	WESTERN ASIA	Region of Final Destination	SOUTHERN ASIA
Exporter Declared	SCAN SHIPPING INC		
Exporter Address	4201 LONG BEACH BLVD STE 327 90807 LONG BEACH UNITED STATES C/O JD BROTHERS LLC		
Exporter Unified	SCAN SHIPPING INC, WO		
Exporter's State Unified	NOT CLASSIFIED		
Exporter's County Unified	NOT DECLARED		
Exporter's City Unified	NOT CLASSIFIED, WO		
Exporter's Zip Code Unified	WITHOUT ZIP CODE		

USA Bills Export

HS	Teus	Container Quantity	Metric Tons	Calculated Value (US\$)
391590 - WASTE, PARINGS AND SCRAP, OF PLASTICS, NESOI		2.00	1.00	16.18
Total		2.00	1.00	16.18
				6,512.45

HS Code	HS Description
391590	WASTE, PARINGS AND SCRAP, OF PLASTICS, NESOI

Container Description
1 X 40 DRY 9'6 CY/CY 36 BOXES PVC REGRIND GROSS WEIGHT :- 35680LB, 16.18MT NET WEIGHT :- 33680 LB, 15.28 MT X20210208317689 SHIPPER PROVIDED HS CODE : 391590 TGBU6850769 36 BOXES 16184.000 KGS 55.0000 CBM

Source: Materials Research L3C



Maersk Edinburgh -- the ship carrying PVC Waste from the US to India. Source: www.vesselfinder.com

Tracking results

From **Newark** To **Mundra** Transport document number: **208863589**

 Container details

TGBU6850769

 Container type size

40ft Dry Container

 Estimated arrival date

28 Mar 2021

 Last location

Discharge - Salalah, Oman

04 Mar 2021

Location

Apm Terminal - Berth 88 E425
Newark, New Jersey, United States

Date and time

04 Feb 2021
17:18

Activity

Gate out
Empty



08 Feb 2021

09:09

Gate in



15 Feb 2021

17:16

Load on MAERSK EDINBURGH

Voyage No.104W



Location

Salalah Terminal
Salalah, Oman

Date and time

04 Mar 2021
23:30

Activity

Discharge



23.30		
16 Mar 2021		Load on MSC LEANNE Voyage No.107E 
Location Jebel Ali Terminal 2 Jebel Ali, United Arab Emirates		
Date and time		Activity
20 Mar 2021		Discharge 
25 Mar 2021		Load on MAERSK GAIRLOCH Voyage No.112W 
Location Mundra Int.Cont.Ter. Pvt. Ltd. Mundra, GUJARAT, India		
Date and time		Activity
28 Mar 2021		Discharge 
28 Mar 2021		Gate out 

i All dates and times are given as reasonable estimates only and subject to change without prior notice.

Bill of Lading for Shipment of LDPE Scrap from U.S. to Port Belwan, Indonesia

USA Bills Export

Bill of Lading Number	MAEU207878736		
US Port	NOT AVAILABLE		
US Region	UNKNOWN		
Carrier	MAERSK LINE		
Carrier Code	MAEU		
Place of Receipt Declared	LOS ANGELES, UNITED STATES		
Place of Receipt	LOS ANGELES		
State of Place of Receipt	CALIFORNIA, CA		
Date	02/10/2021	Quantity	0.00
Arrival Date		Quantity Unit	
Vessel	MSC OLIVER	Weight	53,452.00
Voyage Number	102S	Weight Unit	KG
Containerized	No	Container Quantity	3.00
Container FCL/LCL	FCL	TEUS	6.00
Type of Cargo	NON REFRIGERATED	Metric Tons	53.45
High Cube	Yes	Total Calculated Value (US\$)	17,200.21
Foreign Port Declared	TANJUNG PELEPAS, MALAYSIA	Final Destination Declared	BELAWAN, INDONESIA
Foreign Port	TANJUNG PELEPAS	Final Destination	BELAWAN
Country of Foreign Port	MALAYSIA	Country of Final Destination	INDONESIA
World Region of Foreign Port	SOUTH-EASTERN ASIA	Region of Final Destination	SOUTH-EASTERN ASIA
Exporter Declared	NEWPORT CH INTERNATIONAL		
Exporter Address	LLC. 1100 WEST TOWN & COUNTRY ROAD SUITE 1388 ORANGE, CA 92868 USA		
Exporter Unified	NEWPORT CH INTERNATIONAL, CA		
Exporter's State Unified	CALIFORNIA, CA		
Exporter's County Unified	ORANGE, CA		
Exporter's City Unified	ORANGE, CA		
Exporter's Zip Code Unified	92868 - ORANGE, CA		

USA Bills Export

HS	Teus	Container Quantity	Metric Tons	Calculated Value (US\$)
391510 - WASTE, PARINGS AND SCRAP, OF POLYMERS OF ETHYLENE		6.00	3.00	53.45
Total	6.00	3.00	53.45	17,200.21

HS Code	HS Description
391510	WASTE, PARINGS AND SCRAP, OF POLYMERS OF ETHYLENE

Container Description
3 X 40 DRY 9'6 CY/CY 107 BALES 3 CONTAINERS 107 BALES COMMODITY: LDPE PLASTIC SCRAP HS CODE: 39151090 FREIGHT PREPAID DTHC PREPAID AES:X20210122455227 *FAX: 061-7860581 TAX ID: 02.996.523.3-121.000 SHIPPER PROVIDED HS CODE : 391510 MRSU3491218 33 BALES 19541.000 KGS TGBU9361680 39 BALES 17137.000 KGS TRHU4145845 35 BALES 16774.000 KGS

Source: Materials Research L3C



MSC Oliver -- the ship carrying LDPE Waste from the US to Indonesia. Source: www.vesselfinder.com

Tracking results

From **Los Angeles** To **Belawan** Transport document number: **207878736**

 Container details MRSU3491218	 Container type size 40ft Dry Container
 Estimated arrival date 16 Mar 2021	 Last location Discharge • Tanjung Pelepas, Johor, Malaysia 09 Mar 2021

Location	Date and time	Activity
LSA APM Terminal Pier 400(W185) Los Angeles, California, United States	21 Jan 2021 21:12	Gate out Empty 
	25 Jan 2021 16:22	Gate in 
	06 Feb 2021 03:07	Load on MSC OLIVER Voyage No.102S 

Location	Date and time	Activity
YANGSHAN, SGH GUANDONG TERMINAL Shanghai, Shanghai, China	27 Feb 2021 22:07	Discharge 

	<p>01 Mar 2021 22:00</p>	<p>Load on MSC ERICA Voyage No.108W</p> 
<p>Location Pelabuhan Tanjung Pelepas Terminal Tanjung Pelepas, Johor, Malaysia</p>		
 	<p>Date and time 09 Mar 2021 23:54</p>	<p>Activity Discharge</p> 
	<p>13 Mar 2021</p>	<p>Load on MERATUS MEDAN 5 Voyage No.110S</p> 
<p>Location Medan/Belawan Port Belawan, Indonesia</p>		
	<p>Date and time 16 Mar 2021</p>	<p>Activity Discharge</p> 
	<p>16 Mar 2021</p>	<p>Gate out</p> 
<hr/>		
<p> Container details TGBU9361680</p>	<p> Container type size 40ft Dry Container</p>	
<p> Estimated arrival date 16 Mar 2021</p>	<p> Last location Discharge • Tanjung Pelepas, Johor, Malaysia</p>	
<p>10 Mar 2021</p>		

Bill of Lading for Shipment of Mixed Plastic Waste from U.S. to Port Klang, Malaysia

USA Bills Export

Bill of Lading Number	CMDUNAM4195992		
US Port	LOS ANGELES,CA		
US Region	WEST		
Carrier	CMA-CGM		
Carrier Code	CMDU		
Place of Receipt Declared			
Place of Receipt	NOT DECLARED		
State of Place of Receipt	CALIFORNIA, CA		
Date	02/14/2021	Quantity	68.00
Arrival Date		Quantity Unit	PACKAGE
Vessel	CMA CGM ANDROMEDA	Weight	38,457.00
Voyage Number	0TUFCW1MA	Weight Unit	KG
Containerized	No	Container Quantity	2.00
Container FCL/LCL	FCL	TEUS	4.00
Type of Cargo	NON REFRIGERATED	Metric Tons	38.46
High Cube	Yes	Total Calculated Value (US\$)	9,461.16
Foreign Port Declared	PORT KLANG	Final Destination Declared	
Foreign Port	PORT KLANG	Final Destination	PORT KLANG
Country of Foreign Port	MALAYSIA	Country of Final Destination	MALAYSIA
World Region of Foreign Port	SOUTH-EASTERN ASIA	Region of Final Destination	SOUTH-EASTERN ASIA
Exporter Declared	SIGMA RECYCLING INC C/O		
Exporter Address	VANDEN RECYCLING LTD. UNIT 11A, BLARIS INDUSTRIAL ESTATE ALTONA ROAD, LISBURN , NORTHERN *		
Exporter Unified	SIGMA RECYCLING INC C O, WO		
Exporter's State Unified	NOT CLASSIFIED		
Exporter's County Unified	NOT DECLARED		
Exporter's City Unified	NOT CLASSIFIED, WO		
Exporter's Zip Code Unified	WITHOUT ZIP CODE		

Source: Materials Research L3C



CMA CGM Andromeda -- the ship carrying Plastic Scrap from the US to Malaysia. Source: FleetMon



Tracking details for Container GLDU7651849

Exported on Tuesday, March 09, 2021 at 01:14

Current status	Loaded on board	Receipt		Last discharge port	PORT KLANG (MY)	Container size	40
ETA last port	Monday, March 22, 2021	Port of Loading	LOS ANGELES, CA (US)	Destination		Container Type	HC
		Custom number	N/A				

Date	Moves	Location	Vessel	Voyage
Tuesday, January 26, 2021	Empty to shipper	LOS ANGELES, CA	CMA CGM TITAN	0TX7QW1MA
Wednesday, February 03, 2021	Ready to be loaded	LOS ANGELES, CA	CMA CGM ANDROMEDA	0TUFCW1MA
Wednesday, February 10, 2021	Loaded on board	LOS ANGELES, CA	CMA CGM ANDROMEDA	0TUFCW1MA
Monday, March 22, 2021	Arrival final port of discharge	PORT KLANG	CMA CGM ANDROMEDA	0TUFCW1MA

Past move
 Current move
 Provisional move

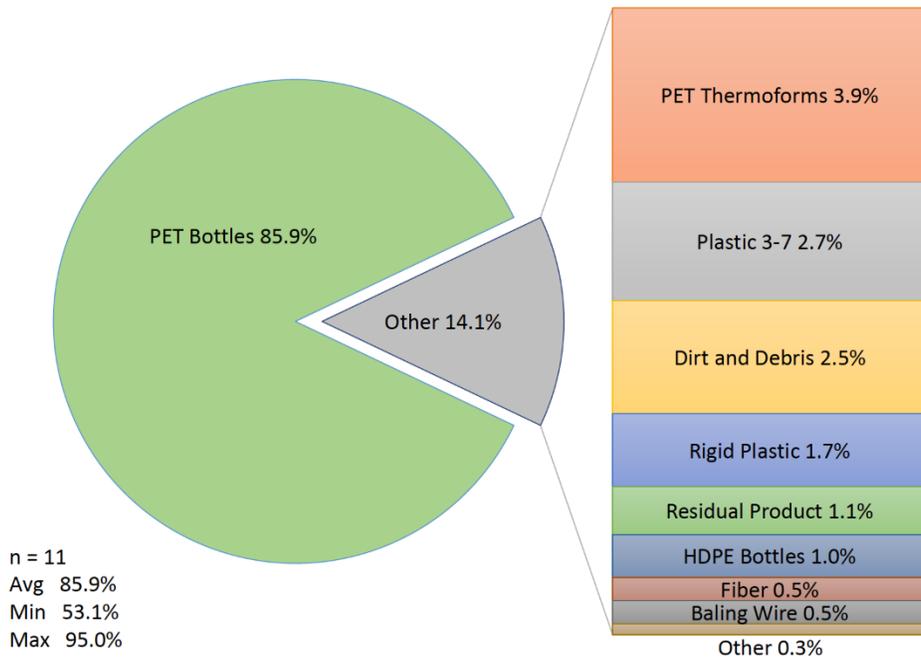
California Bale Contamination Study

Bale Rate Study

Public & Industry Workshop – February 17, 2016



PET Bale Composition (% by weight)



For further questions or comments, please contact:

Mike Miller, Chief
Operations Branch
Division of Recycling
(916) 323-0713
mike.miller@calrecycle.ca.gov



Malaysian Government Letter to Friends of the Earth Malaysia



Jabatan Alam Sekitar
Department of Environment
Kementerian Alam Sekitar dan Air
Aras 1-4, Podium 2 & 3, Wisma Sumber Asli
No. 25, Persiaran Perdana, Presint 4
62574 PUTRAJAYA
MALAYSIA

Tel 03-8871 2000 (Am)
Faks 03-8889 1040/8888 9987 (Pentadbiran)
03-8888 9984 (Teknologi Maklumat)
03-8888 2593 (Integrasi)
03-8888 4151 (Udara)
03-8889 1042 (Komunikasi Strategik)
03-8889 1045 (Pembinaan)
03-8888 4070 (Air & Maritim)
03-8888 6120 (Bahan Berbahaya)
03-8888 0067 (Penguatkuasa)
03-8888 1973/1975 (Bilik Operasi)
Laman Web : www.doe.gov.my

No. Rujukan: JAS.600-7/1/24

(29)

Tarikh: 10 Februari 2021



Presiden
Sahabat Alam Malaysia
1, Jalan Joki
11400 PULAU PINANG



Tuan,

**PER: SEEK INFORMATION REGARDING MALAYSIA'S MEASURES
IN RELATION TO THE BASEL CONVENTION PLASTIC WASTE
AMENDMENTS**

Saya dengan hormatnya diarah merujuk kepada perkara di atas.

2. Sebagai negara parti kepada 'Basel Convention', Malaysia akan memastikan pematuhan ke atas pindaan yang telah ditetapkan semasa *The fourteenth Meeting of the Conference of the Parties to the Basel Convention* iaitu kawalan ke atas pergerakan merentas sempadan bagi sisa plastik melalui prosedur *Prior Informed Consent (PIC)* mulai 1 Januari 2021.

3. Untuk makluman tuan, tiada perubahan dibuat ke atas undang-undang sedia ada sama ada Akta Kualiti Alam Sekeliling 1974, Akta Pengurusan Sisa Pepejal dan Pembersihan Awam 2007 atau Perintah Kastam (Larangan Mengenai Import) 2017 bagi melaksanakan pindaan tersebut. Walau bagaimanapun, terdapat beberapa langkah yang akan dilaksanakan dalam memastikan pematuhan ke atas pindaan Basel Convention iaitu: -

"Pemuliharaan Alam Sekitar, Tanggungjawab Bersama"
"Environmental Conservation, Our Shared Responsibility"



PERKERTIFIKASI MS ISO 9001:2015
NO. SIJIL: QMS 03475

Translation of letter from Department of Environment, Putrajaya [Ref No: JAS.600-7/1/24(29) dated 10 February 2021] to President, Sahabat Alam Malaysia (SAM).

RE: SEEK INFORMATION REGARDING MALAYSIA'S MEASURES IN RELATION TO THE BASEL CONVENTION PLASTIC WASTE AMENDMENTS

With all due respect, I was directed to refer to the abovementioned matter.

2. As a party to the 'Basel Convention', Malaysia will ensure full adherence to the proposed amendments of The Fourteenth Meeting of the Conference of the Parties to the Basel Convention which is, to control the transboundary movements of plastic waste through the Prior Informed Consent (PIC) procedure beginning 1st January 2021.

3. For your information, there are no changes made to the current laws whether it's the Environmental Quality Act 1974, Solid Waste and Public Cleansing Management Act 2007 or Customs (Prohibition of Imports) Order 2017 to implement the amendments. However, there are few measures which will be implemented to ensure compliance towards the Basel Convention amendments, which are: -

3.1 All types of imported plastics whether B3011 (separated plastic wastes / mixed plastic PP, PE and PET) or Y48 (mixed plastics other than PP, PE and PET) must be in accordance with the criteria of plastics mentioned below: -

3.1.1 Must have 95% recycling rate, i.e. 95% of the imported plastic waste can be recycled.

3.1.2. Must not exceed 5% of plastic contaminants and non-plastic contaminants provided that all contaminants must be able to be recycled and should not be hazardous waste.

3.1.3. Dirt such as soil or dust are only allowed on the surface of the plastic bale only and not inside the plastic bale.

3.2. The Department has set that each importation of B3011 and Y48 requires a pictorial inspection report of the traded goods by the Inspecting Body appointed by the exporting country to verify the type of plastics (Annex II or IX) which complies with the criteria set by Malaysia. This was intended to control the importation traffic of B3011 without PIC and false declaration incidents at the country's entry points.

3.3. Plastic waste under Annex VIII is categorized as hazardous waste and the procedure of importing and exporting is similar to the procedure of PIC of existing hazardous waste; and

3.4 All imports of plastic waste categorized as HS 3915 or under B3011 or Y48 must have Approved Permit, AP along with e-permit approval from the National Solid Waste Management Department in advance.

4. The Department of Environment has issued a guideline on the importing of plastics which is known as National Action Plan for The Enforcement on the Importation of Plastic Waste (HS 39.15) especially for HS3915 plastic waste, launched on 10th February 2020. However, these guidelines were meant specifically as guidance for the work procedures and enforcements on the imports of plastic waste HS3915. In this regard, these guidelines will be amended so that the enforcement procedures will incorporate all types of plastic wastes which involves importing and exporting. Besides this, pursuant to the addition of plastic waste classification in the amendment of the Basel Convention on Transboundary

Movement of Hazardous Waste, the Customs (Prohibition on Exports) Order 2017 has to be amended to determine the HS Codes which is involved in the amendment, mainly to differentiate between Annex II and Annex IX.

5. Your attention and cooperation in this matter is highly appreciated. Thank you.

Yours truly,

SHAFE'EE BIN YASIN

Director General of Environmental Quality

cc. Deputy Secretary-General

Ministry of Environment and Water Malaysia
