



turn back the toxic tide

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The Norwegian Amendments / Summary of Implications for Recyclers

Basel Action Network
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Before the Amendment

Currently there is no listing for hazardous plastic waste in Annex VIII (presumed hazardous) listing and no Annex II (wastes requiring special consideration) plastic waste listing. There was only an entry (B3010) for Annex IX (presumed non-hazardous). One can presume that without a mirror entry to the B3010 in Annex VIII, very few countries would have applied the overarching Annexes I and III to describe plastics as being hazardous. Thus, it is likely that unless somebody really scrutinized the plastic exports, looking for hazardous characteristics (Annex III), it is unlikely there were in the past any controls on plastic waste trade. That will change.

When in Force (January 1, 2021)

1. A new listing (A3210) on Annex VIII (presumed hazardous) has been created. Such wastes will be subject to the full regime of Basel control procedures and obligations and will be subject to the Basel Ban Amendment when it enters into force (2 countries still needed for global entry into force).

With the exception of the 4 categories (,a-d) listed below all plastic waste that are not subject to the new hazardous waste listing A3210 will be listed on new Annex II (wastes requiring special consideration) listing (Y48). Annex II will be subject to the Prior Informed Consent (PIC) procedure for Basel Parties (not the USA), unless countries have already included Annex II in more strict procedures (e.g. the EU member states).

To qualify for an exemption to Annex VIII and II, and thus to be considered non-hazardous (new B31011), the wastes must be non-hazardous clean, unmixed, uncontaminated plastic waste, going only to an Annex IV R3 organic compounds recycling operation (not energy recovery or final disposal, such as landfill or incineration) and only fitting the following 4 categories:

- a. Plastic wastes almost exclusively consisting of one non-halogenated polymer. This means that mixed computer plastics for example will need to be sorted prior to export to avoid PIC procedure being on Annex II.
- b. Plastic waste almost exclusively consisting of one cured resins or condensation

product. Again, these will need to be sorted or be disqualified. However this section is bracketed for further work during the next few months to finalize it and could change.

c. Plastic waste consisting of one of 6 (listed) fluorinated polymer wastes.

d. Mixed plastic waste but only consisting of PP, PE and/or PET provided they are destined to be separately recycled upon arrival in the importing state.

For trade between Parties where at least one of the countries concerned (export, import, or transit) are not a Parties to the Basel Convention (e.g. the USA) there will be a ban absent a special valid multinational or bilateral agreement in place.

For trade between countries where at least one of the countries concerned has listed the plastic waste as hazardous waste on a national basis, the Basel Convention will apply (e.g. PIC procedure).

For halogenated plastics like PVC, they are going to be considered on Annex II and so will be controlled under Basel Convention.

Take-aways for recyclers:

1. For US (non-party) recyclers all exports except for a.-d. above will be prohibited to export to non-OECD countries that are Parties to the Basel Convention.
2. For EU recyclers, all exports except a.-d. above will be prohibited to export to a non-OECD country.
3. All recyclers will now need to carefully sort the different polymers (e.g. HIPs, ABS, PVC) with the exception of mixtures of PE, PP, PET, prior to export and be sure they all such plastics exports are only going to an R3 destination (no final disposal, no energy recovery), and are cleaned of non-target contaminants (e.g. paper, metal) if they wish to avoid the PIC procedure or the prohibitions noted in 1. and 2. above.
4. Halogenated polymers like PVC will be controlled (PIC, export prohibition to non-OECD in US and in EU).

END