

USER'S GUIDE
to
**The Natural Resources (Hazardous Wastes) (Control of
Transboundary Movements) Regulations, 2002**

(First Edition)



**National Environment
and Planning Agency**

TABLE OF CONTENTS

DEFINITIONS	5
1. INTRODUCTION	8
1.1 Background	8
1.2 What is the purpose of this guide?	8
1.3 How do I use this guide?	9
2. FREQUENTLY ASKED QUESTIONS	9
2.1 Exporting hazardous waste	9
2.2 Transiting hazardous waste	10
2.3 Importing hazardous waste	15
3. GENERAL INFORMATION	15
3.1 What is the purpose of the Natural Resources (Hazardous Waste) (Control of Transboundary Movements) Regulation, 2002?	15
3.2 What do the Regulations cover?	16
3.3 How do the Regulations work?	17
3.3.1 Importation of Hazardous Wastes	18
3.3.2 Application for a Permit	18
3.3.3 Refusal of a Permit	20
3.3.4 Inspection of the Wastes	21
3.3.5 Movement of the Wastes to the Port	21
3.3.6 Transboundary Movement of the Wastes	21
3.3.7 Receipt of the Wastes	22
3.3.8 Disposal of the Wastes	22
3.3.9 Duty to Return Wastes	22
3.4 Which authorities are involved in the administration of these Regulations?	23
4. GENERAL PROVISIONS	24
4.1 Who does the notifications?	24
4.2 Can the Import State and/or Transit State request documentation not required by NEPA?	24

4.3 Can I ship hazardous waste to any country?	24
5. SUMMARY OF CONDITIONS ON EXPORTS, IMPORTS, AND TRANSITS	25
5.1 Under what conditions will NEPA grant an export Permit?	25
6. GENERAL REQUIREMENTS	26
6.1 What are the general requirements in completing the Forms?	26
7. INSTRUCTIONS FOR COMPLETING THE NOTIFICATION & MOVEMENT FORMS	27
7.1 Notification Procedures	27
7.1.1 What does notification involve?	27
7.1.2 How do I complete the Notification Form?	28
7.1.3 How do I notify for multiple shipments?	34
7.1.4 What can I do if the information related to the shipment changes after I have submitted the Notification Form?	35
7.1.5 What are the language requirements for completion of the Notification Form and supporting documentation?	35
7.1.6 How soon before the intended shipment must I notify?	35
7.1.7 How soon after applying will I receive my export permit?	36
7.2 Movement & Tracking Procedures	36
7.2.1 How do I complete the Movement/Tracking Form?	37
7.2.2 Who must be notified in case of an accident or unforeseen change in the shipping route?	40
8. TRANSPORT AND DOCUMENTATION	41
8.1 What papers should accompany the shipment?	41
9. OFFENCES AND PENALTIES	41
9.1 When is the trafficking of hazardous wastes considered illegal under the regulations?	41
9.2 What is the penalty for failing to return the wastes?	42
9.3 What is the penalty for illegal dumping of hazardous wastes?	42

10. POST PERMIT ACTIVITIES	42
10.1 Are there any post-permit reporting requirements?	42
10.2 Who must complete the Return on activities Form?	43
APPENDICES	44
Appendix 1 – URL Access to the Natural Resources (Hazardous Waste) (Control of Transboundary Movements) Regulations, 2002	45
Appendix 2 – URL Access to the State Parties to the Basel Convention	46
Appendix 3 – Some Important Timelines for Permit Holders	47
Appendix 4 – Form 2: Notification Document for Transboundary Movements/Shipments of Waste Form	49
Appendix 5 – Form 3: Movement Document for Transboundary Movements/Shipments of Waste Form	51
Appendix 6 – List of OECD Countries	55
Appendix 7 – UN Recommendations on the Transport of Dangerous Goods	56
Appendix 8 – Selected Annexes of the Basel Convention	57
Appendix 9 – Appendices 1, 3, & 4 of the OECD Decision	75
Appendix 10 – Permit Application Checklist for the Export of Hazardous Waste	83
Appendix 11 – Guidelines: Emergency Response Plan for the Transport of Hazardous Wastes	85

DEFINITIONS

For the purposes of these guidelines:

Basel Convention:

Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal adopted on March 22, 1989 in Basel, Switzerland and entered into force on May 5, 1992;

Competent Authority:

The designated government authority/authorities in a Convention State responsible for the control of transboundary movements of hazardous wastes or other wastes in that country; receiving and responding to notifications, and any information related to it, pursuant to Article 6 of the Basel Convention;

Convention State:

a country that has ratified the Basel Convention;

Disposal:

any operation listed in the 4th Schedule of the Natural Resources (Hazardous Waste) (Control of Transboundary Movement) Regulations, 2002;

Disposer:

any person who disposes of waste;

Environmentally Sound Management (ESM):

environmentally sound management of hazardous wastes means taking all necessary steps to ensure that hazardous wastes are managed in a manner which will protect human health and the environment against the adverse effects which may result from such wastes;

Export State:

the country from which hazardous wastes are exported or planned to be exported;

Exporter:

any person in the Export State, who exports, proposes to export or re-export hazardous wastes;

Focal Point:

the entity of a Convention State (referred to in Article 5 of the Basel Convention) responsible for receiving and submitting information stated in Articles 13 and 16 of the Basel Convention;

Hazardous Wastes:

- a. wastes that belong to any category contained in the First Schedule of the Regulations, unless they do not possess any of the characteristics specified in the Third Schedule of the Regulations;
- b. wastes which belong to any category contained in the Second Schedule of the Regulations; and
- c. such wastes as the Minister may, by order, declare to be hazardous

Import State:

any country into which hazardous wastes are imported or planned to be imported;

Importer:

any person in the Import State who imports or proposes to import hazardous wastes;

The National Environment and Planning Agency (NEPA):

Jamaica's designated Competent Authority in accordance with Article 5 of the Basel Convention;

Notification:

written request for the import or transit of hazardous wastes into or through Jamaica's jurisdiction utilizing the forms included in the Fifth Schedule of the Natural Resources (Hazardous Waste) (Control of Transboundary Movement) Regulations, 2002;

OECD:

Organization for Economic Cooperation and Development (*see Appendix 6 for member countries of the OECD*);

Permit holder:

any person to whom a Permit has been granted under The Natural Resources (Hazardous Waste) (Control of Transboundary Movement) Regulations, 2002;

Person:

any natural or legal person;

Regulations:

refers to The Natural Resources (Hazardous Wastes) (Control of Transboundary Movements) Regulations, 2002

Transboundary Movement:

in relation to hazardous wastes, means the movement of wastes from an area under the national jurisdiction of one country to or through an area under the jurisdiction of another country; or not under the jurisdiction of any country, provided that at least two countries are involved in the movement;

Transit:

in relation to hazardous wastes, means the continuous passage through an area under the national jurisdiction of a State without regard to any temporary storage related to its transportation;

Transit State:

any country, other than the country of export or import, through which a movement of hazardous wastes or other wastes is planned or takes place without the waste being disposed of or recycled;

Wastes:

this includes any material, substance or object, or its residue or by-product which is rejected, discarded or abandoned; or is disposed of or is intended to be disposed of or is required to be disposed of in accordance with The Natural Resources (Hazardous Waste) (Control of Transboundary Movement) Regulations, 2002.

1. INTRODUCTION

1.1 Background

In March 1989, the international community adopted the Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (hereinafter referred to as the 'Basel Convention') in Basel, Switzerland. This was in response to the uncontrolled movements of hazardous wastes across borders and the resultant indiscriminate dumping of such wastes in developing countries which were not able to manage the wastes in an environmentally sound manner.

The Basel Convention has as its overall objective the environmentally sound management (ESM) of hazardous wastes. This involves the reduction in the quantity of hazardous wastes created and the use of strict controls on the storage, transportation, recycling, recovery and final disposal of such wastes. The Basel Convention also advocates for the reduction in the transboundary movements of hazardous wastes and the disposal of the wastes as close to the source of generation as possible.

Jamaica acceded to the Basel Convention on January 23, 2003. In keeping with the country's commitments under the Basel Convention, The Natural Resources (Hazardous Waste) (Control of Transboundary Movement) Regulations were enacted in 2002 to regulate the import, transit and export of hazardous wastes into, through, from all areas under Jamaica's jurisdiction, including its Exclusive Economic Zone (EEZ).

1.2 What is the purpose of this User's Guide?

The Guide is to be used in conjunction with the Natural Resources (Hazardous Wastes) (Control of Transboundary Movement) Regulations, 2002 and is intended to assist persons who generate hazardous wastes and/or proposes to export or transit hazardous wastes from or through any area under Jamaica's jurisdiction, so that the provision of the regulations can be better understood.

1.3 How do I use this Guide?

For ease of reference, the Guide should be read in conjunction with the Natural Resources (Hazardous Wastes) (Control of Transboundary Movement) Regulations, 2002.

The Guide is divided into seven (7) sections each addressing a different aspect of the Regulations. Each section includes answers to some common questions regarding the Regulations.

Included in the Appendices to this Guide, is a list of useful definitions and websites where relevant information relating to hazardous wastes management may be downloaded, including: (1) a copy of The Natural Resources (Hazardous Waste) (Control of Transboundary Movement) Regulations, 2002; (2) the countries which are Parties to the Basel Convention; and 3) some useful timelines extracted from The Natural Resources (Hazardous Waste) (Control of Transboundary Movement) Regulations, 2002; and copies of relevant forms.

2. FREQUENTLY ASKED QUESTIONS

2.1 Exporting hazardous waste

Do I need a permit for the waste I want to export?

If the waste is defined as hazardous under *The Natural Resources (Hazardous Waste) (Control of Transboundary Movements) Regulations, 2002*, and you want to export it from Jamaica, you must apply for a permit to do so.

Please contact the Applications Secretariat of the National Environment and Planning Agency (NEPA) to receive specific advice and guidance on how to submit an application.

It is best to seek advice and clarification before you submit a formal application and the required fees as if it is determined that you do not require a permit, the monies paid will **not** be refunded.

What types of export permits are there?

Export permits can either be general or special.

A general export permit allows for **multiple** shipments of hazardous within the year.

A special export permit allows for a **single** shipment of hazardous waste within the year.

How long is my export permit valid for?

All export permits are valid for up to one (1) year.

What forms will I need to use to apply for a permit to export hazardous waste?

If you are applying for a permit to **export** hazardous waste the following forms must be completed:

1. **Form 4: The Natural Resources (Hazardous Waste) (Control of Transboundary Movements) Regulations, 2002, Application for Permit to Export Hazardous Waste (Pursuant to Regulation 9)**
2. **Form 2: Notification Document for Transboundary Movements/Shipments of Waste**
[Note: Three (3) copies of this form should be completed.]
3. **Form 3: Movement Document for Transboundary Movements/Shipments of Waste**
[Note: This form is issued by NEPA to the permit holder at the time of inspection of export shipment(s).]

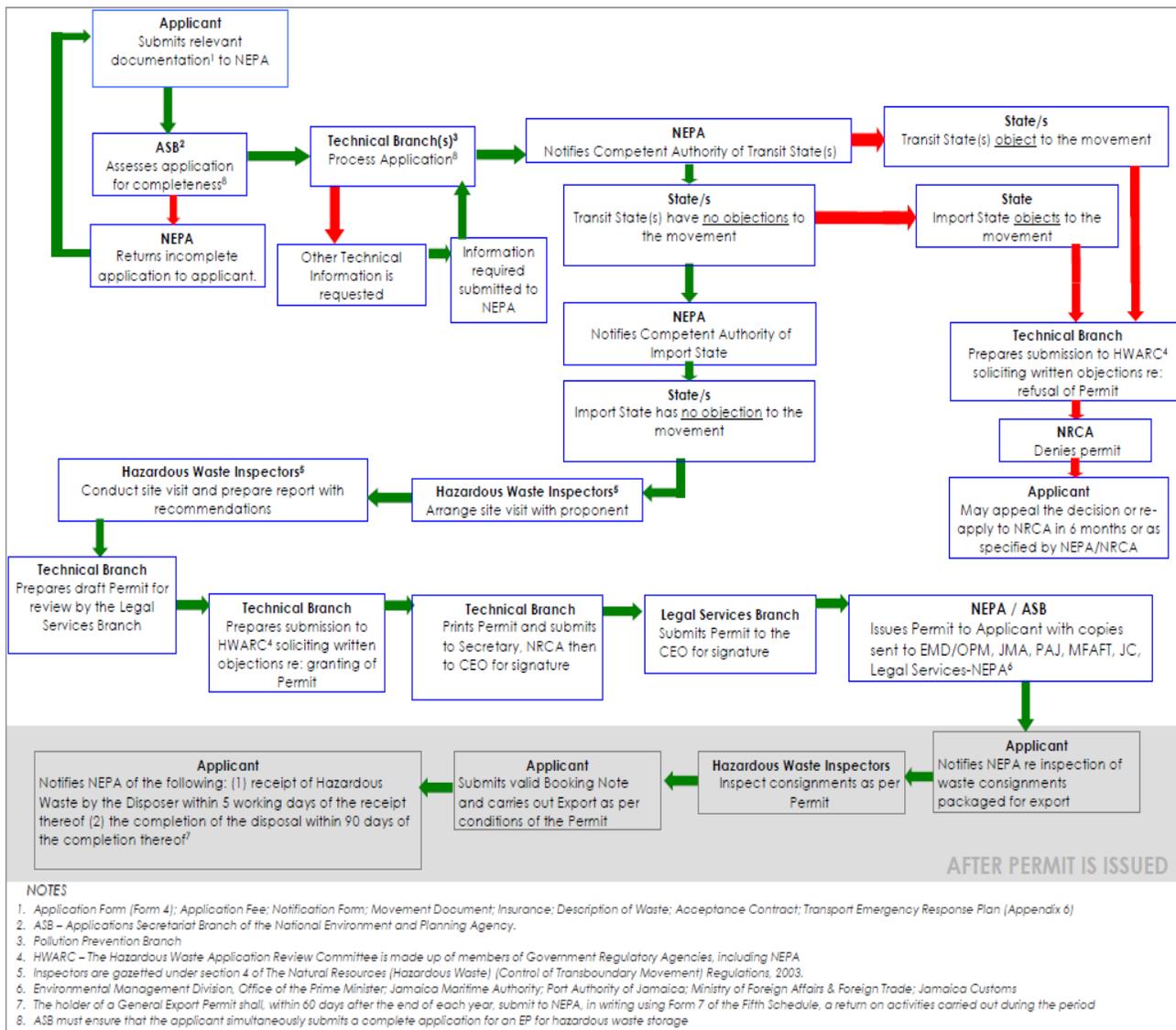
What are the application requirements for an export permit?

An **export permit** applicant must provide:

- a completed Application Form (Form 1)
- three (3) completed copies of the Notification Form (Form 2) evidence of appropriate insurance coverage for the shipment(s)
- a Transport Emergency Response Plan to cover the movement of the waste from the storage/packing site to the port.
- a copy of the contract between the exporter/generator of the waste and the disposer/recycler, specifying the planned environmental sound management of the waste. In the case where the importer is not the disposer of the waste, the contract should include each entity (i.e. exporter, importer, and disposer) and their role in the movement.
- documented evidence of how the hazardous waste was generated
- an environmental permit for the storage and transportation of hazardous waste (or an application submitted for the same)
- an application fee of two thousand, five hundred dollars (\$2,500).

Who assesses my application for an export permit?

The diagram below shows the steps taken in the assessment of applications for **export** permits.



How long before I can get an export permit?

If you are applying to **export** hazardous waste from Jamaica the application should be submitted to NEPA is **at least one hundred and twenty (120) days** before the intended date of shipment of the waste.

Most permits are processed during these times; however, delays in processing applications may occur when authorities in other countries involved do not reply to our requests for a decision about consent.

How much would my export permit cost?

A **General Export Permit** costs thirty thousand dollars (\$30,000).

A **Special Export Permit** costs fifteen thousand dollars (\$15,000).

2.2 Transiting hazardous waste

Do I need a permit for the waste I want to transit through Jamaican waters?

If the waste is defined as hazardous under *The Natural Resources (Hazardous Waste) (Control of Transboundary Movements) Regulations, 2002*, and you want to transit it through Jamaican waters, you must apply for a permit to do so.

Please contact the Applications Secretariat of the National Environment and Planning Agency (NEPA) to receive specific advice and guidance on how to submit an application.

It is best to seek advice and clarification before you submit a formal application and the required fees as if it is determined that you do not require a permit, the monies paid will **not** be refunded.

What types of transit permits are there?

Transit permits can either be general or special.

A general transit permit allows for **multiple** shipments of hazardous within the year.

A special transit permit allows for a **single** shipment of hazardous waste within the year.

How long is my transit permit valid for?

All transit permits are valid for up to one (1) year.

What forms will I need to use to apply for a permit to transit hazardous waste?

If you are applying for a permit to **transit** hazardous waste the following forms must be completed:

1. **Form 1: The Natural Resources (Hazardous Waste) (Control of Transboundary Movements) Regulations, 2002, Application for Permit to Transit Hazardous Waste (Pursuant to Regulation 9);**
2. **Form 2: Notification Document for Transboundary Movements/Shipments of Waste**
[Note: This form must be sent in as part of the application for a transit permit.]
3. **Form 3: Movement Document for Transboundary Movements/Shipments of Waste**
[Note: This form must accompany the shipment(s) of hazardous waste.]

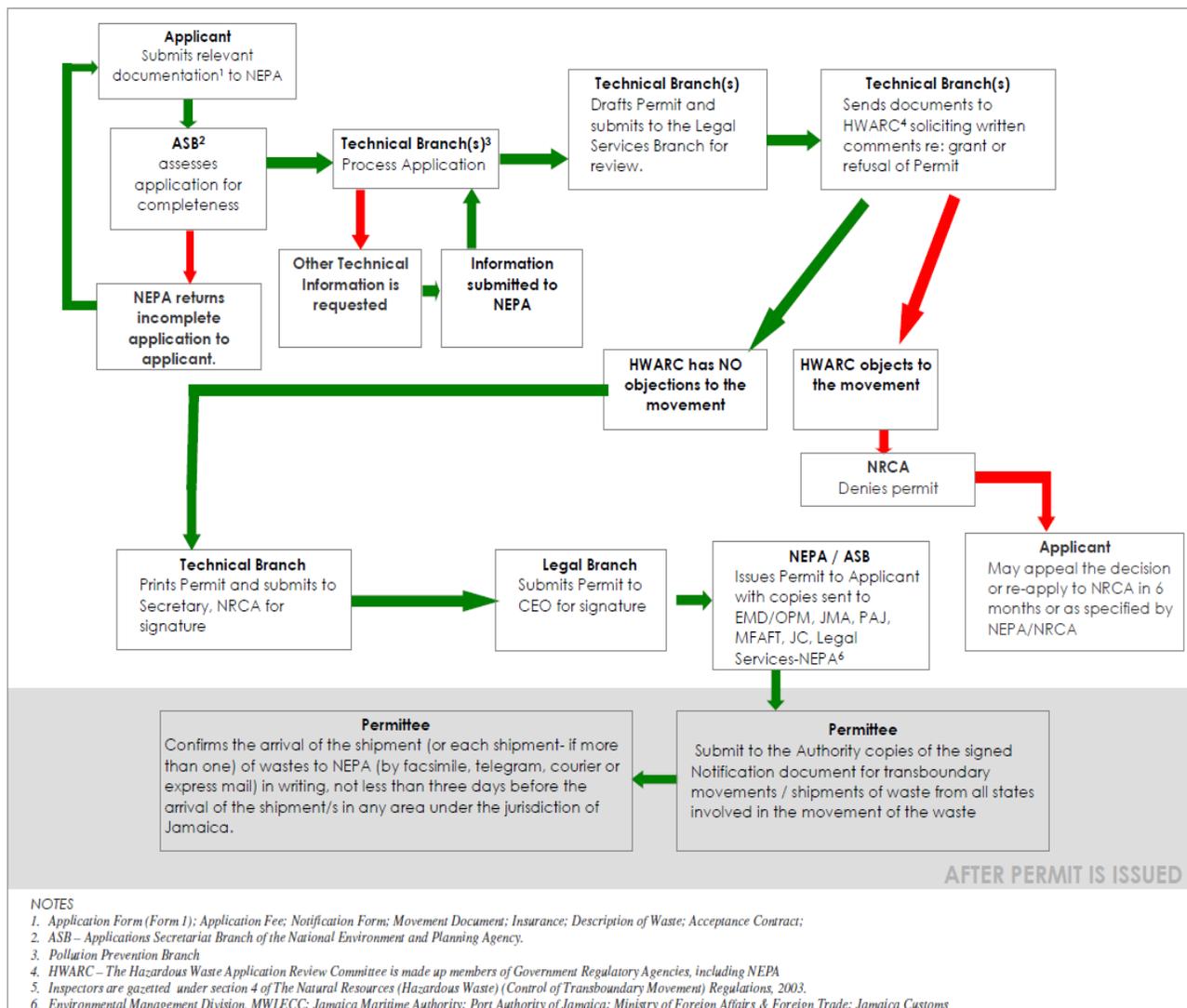
What are the application requirements for a transit permit?

A **transit** permit applicant must provide:

- evidence of appropriate insurance coverage for the shipment
- three (3) completed copies of the Notification Form (Form 2)
- a completed Application Form (Form 1)
- a copy of the contract between the exporter/generator of the waste and the disposer/recycler, specifying the planned environmentally sound management of the waste
- an application fee of one hundred and fifty US dollars (US\$150) or the Jamaican dollar equivalent.

Who assesses my application for a transit permit?

The diagram below shows the steps taken in the assessment of applications for **transit** permits.



How long before I can get a transit permit?

If you are applying to **transit** hazardous waste through Jamaican waters the application requirements should be submitted to NEPA is **at least ninety (90) days** before the intended date of shipment of the waste.

Most permits are processed during these times; however, delays in processing applications may occur when authorities in other countries involved do not reply to our requests for a decision about consent.

Prepared by The National Environment and Planning Agency & The Environmental Management Division, Office of the Prime Minister
Approved September 2010

Revised January 2015

How much would my transit permit cost?

A **General Transit Permit** costs one thousand, one hundred US dollars (US \$1,100) or the Jamaican dollar equivalent.

A **Special Transit Permit** costs five hundred and fifty dollars US dollars (US \$550) or the Jamaican dollar equivalent.

2.3 Importing hazardous waste

Do I need a permit for the waste I want to import?

Note: The importation of hazardous waste into Jamaica is **strictly prohibited** under *The Natural Resources (Hazardous Waste) (Control of Transboundary Movements) Regulations, 2002*.

3. GENERAL INFORMATION

3.1 What is the purpose of The Natural Resources (Hazardous Wastes) (Control of Transboundary Movement) Regulations, 2002?

The Natural Resources (Hazardous Wastes) (Control of Transboundary Movement) Regulations, 2002 include provisions relating to the import, export and transit of hazardous wastes into/from/through all areas under Jamaica's jurisdiction. This Regulation is administered by the National Environment and Planning Agency (NEPA) and provides the legal framework within which the Agency, in collaboration with the relevant public sector agencies, regulates the transboundary movements of hazardous wastes.

The purpose of The Natural Resources (Hazardous Wastes) (Control of Transboundary Movement) Regulations, 2002 is to:

- promote the environmentally sound management of hazardous wastes from generation to recovery/recycling/disposal;
- facilitate a system whereby the competent authority/authorities of the transit State(s), if any, and the Import State are notified of an intended movement(s) of hazardous wastes from Jamaica and receipt of written responses to such notifications;

- facilitate the receipt of and response to notifications from competent authorities for the transit of hazardous wastes through Jamaica's jurisdiction;
- ensure that the transboundary movements of hazardous wastes are completed in accordance with internationally recognized norms and standards and that the necessary financial coverage is in place to compensate for damages to the environment which may arise as a result of such movements; and
- ensure that generators/exporters take responsibility for the transportation and handling of their wastes from generation to recovery/recycling/disposal

3.2 What do the Regulations cover?

The Natural Resources (Hazardous Waste) (Control of Transboundary Movements) Regulations, 2002 comprise nine (9) sections:

1. Part I – Preliminary (*definitions*)
2. Part II – Inspection of Hazardous Waste
3. Part III – Control of Inward Movement of Hazardous waste (*provisions relating to the importation and transit of hazardous wastes*)
4. Part IV – Export of Hazardous Waste
5. Part V – Grant or Refusal of Permits
6. Part VI – Obligation Concerning Waste (*provisions relating to accidents during movement, duty to return wastes and certification of disposal*)
7. Part VII – Enforcement
8. Part VIII – Offences and Penalties
9. Part IX – General

Five Schedules comprise this section of the Regulations:

First Schedule – Categories of Wastes to be controlled.

Second Schedule – Categories of Wastes Requiring Special Consideration

Third Schedule – List of Hazardous Characteristics

Fourth Schedule – Disposal Operations

Part A – Operations which do not lead to the possibility of Resource Recovery, Recycling, Reclamation, Direct Reuse or Alternative Uses

Part B – Operations which may lead to Resource Recovery, Recycling, Reclamation, Direct Reuse or Alternative Uses

Fifth Schedule – Form 1 – Application Form for Transit Permit

Form 2 – Notification of Movement of Waste Form

Form 3 – Certificate of Transboundary Movement of Waste

Form 4 – Application for Permit to Export Hazardous Waste

Form 5 – Transit Permit

Form 6 – Permit to Export Hazardous Waste

Form 7 – Return on Activities conducted under to the Permit

The **First** and **Second Schedules** of the Regulations outline the categories of wastes to be controlled, for example, wastes from the production, formulation or use of photographic chemicals or processing materials, used oil and used lead acid batteries as well as wastes having constituents such as heavy metals and their compounds (e.g. mercury; mercury compounds, lead, cadmium; cadmium compounds, arsenic, thallium), inorganic cyanide and phenols. The **Third Schedule** lists the characteristics which indicate wastes as being hazardous, that is explosive, toxic (delayed or chronic), eco-toxic, infectious, poisonous (acute), flammable, oxidizing and corrosive. The **Fourth Schedule** constitutes two Parts – Part A, *Operations which do not lead to the possibility of resource recovery, recycling, reclamation, direct re-use or alternative uses* and Part B, *Operations which may lead to the possibility of resource recovery, recycling, reclamation, direct re-use or alternative uses may not lead to resource recovery, recycling, reclamation, direct re-use or alternative uses*. The **Fifth Schedule** comprises the Application, Notification and Movement Forms as well as the permits for the transit and export of hazardous wastes.

3.3 How do the Regulations work?

The Regulation is based on a system of prior notification and receipt of written consent from all countries affected by the transboundary movement of hazardous wastes before beginning of the movement. A movement may involve the export of hazardous wastes from or the transit of hazardous wastes through any area under Jamaica's jurisdiction. ***Under the Regulations, the import of hazardous wastes into any area under Jamaica's jurisdiction is prohibited.***

In the case of export, NEPA notifies the country(s) concerned of the intended movement(s) and obtain their written consent for such movement(s).

With regard to the transit of hazardous wastes through Jamaica's jurisdiction, the competent authority of the State of Export or the generator/exporter of the wastes, through the channel of the competent authority of the State of Export, must notify NEPA of the intended movement(s) and obtain the Agency's written consent for such movement(s).

3.3.1 Importation of Hazardous Wastes

Under The Natural Resources (Hazardous Waste) (Control of Transboundary Movements) Regulations, 2002, the importation of hazardous wastes into any area under Jamaica's jurisdiction is **prohibited**.

3.3.2 Application for a Permit

Any person who wishes to either transit or export hazardous wastes through/from any area under Jamaica's jurisdiction must apply, in English, to the Applications Secretariat of NEPA for the required Permit under The Natural Resources (Hazardous Waste) (Control of Transboundary Movements) Regulations, 2002.

A. Transit Permit

The application fee for a Transit Permit, as outlined in **Section 7(d)** of The Natural Resources (Hazardous Waste) (Control of Transboundary Movements) Regulations, 2002, should be paid in United States dollars or the equivalent amount in Jamaican currency at the current exchange rate or via bank draft payable to the 'National Environment and Planning Agency'. Application for a transit permit must be made at least 90 days before the commencement of the movement through Jamaica's jurisdiction.

Applicants must complete **Form 1 of the Fifth Schedule** of The Natural Resources (Hazardous Waste) (Control of Transboundary Movements) Regulations, 2002. In addition, copies of the following documents must also be submitted:

- ✓ completed Notification Form
- ✓ contract between the exporter and the disposer of the wastes in question
- ✓ proof that the carrier and exporter have adequate insurance/financial coverage to compensate for any damage or loss to human health and the environment which may

occur within any area under Jamaica's jurisdiction as a result of the transboundary movement of the wastes

- ✓ the proposed Voyage Plan indicating the responsible local shipping agent (in Jamaica), date and time of arrival, the route that the ship will take in Jamaican waters, how long the ship will be in Port etc.

The Transit Permit fee, as specified in **Sections 12(a) and 12(b)** of The Natural Resources (Hazardous Waste) (Control of Transboundary Movements) Regulations, 2002, may be paid via cash in the stipulated amount in United States dollars or the equivalent in Jamaican dollars at the current rate of exchange or via bank draft payable to the 'National Environment and Planning Agency'. This fee is due at the time of issuance of the Permit.

B. Export Permit

The application fee for an export permit, as outlined in **Section 9(2)(b)** of The Natural Resources (Hazardous Waste) (Control of Transboundary Movements) Regulations, 2002, should be paid in Jamaican dollars or via bank draft payable to 'The National Environment and Planning Agency'. Application for an export permit must be made at least one hundred and twenty (120) days before the proposed date of export.

There are two (2) types of export permits, a special export permit and a general export permit. A **special export permit** is issued when the applicant proposes to undertake a single movement of hazardous wastes. The Permit is valid for a year and the cost is specified in **Section 12(b)** of The Natural Resources (Hazardous Waste) (Control of Transboundary Movements) Regulations, 2002. A **general export Permit** allows several movements of hazardous wastes within a one year period provided that, for each individual shipment:

- a) the generator and generating site remain the same
- b) movements occur from the same customs office of exit in Jamaica to the same customs office of entry in the Import State.
- c) if any transit State(s) are involved in the transboundary movements, such movements must occur via the same customs office of entry and exit in the transit State(s)
- d) the wastes must be of the same physical and chemical characteristics.
- e) the wastes must be shipped to the same disposer or recycler at the same facilities in the Import State, and

f) the information given on each Movement Form (which accompanies each consignment) should not differ significantly from that on the Notification Form.

The cost for a general export Permit is specified in **Section 12(d)** of The Natural Resources (Hazardous Waste) (Control of Transboundary Movements) Regulations, 2002.

In applying for an export Permit, applicants must complete **Form 4 of the Fifth Schedule** of The Natural Resources (Hazardous Waste) (Control of Transboundary Movements) Regulations, 2002.

Copies of the following documents must also be submitted:

- ✓ completed Notification form
- ✓ contract between the exporter/generator and the disposer
- ✓ an emergency response plan, which should cover the movement of the wastes from the point of generation/storage to the point of exit from Jamaica.
- ✓ proof that the carrier and exporter have adequate insurance/financial coverage to compensate for any damage or loss to human health and the environment which may occur within any area under Jamaica's jurisdiction as result of the movement.

3.3.3 Refusal of a Permit

NEPA may, by giving notice to the applicant, refuse to grant an application for a permit. Where there is refusal of a permit, the Agency will inform the applicant in writing of:

- a) the reasons for its decision;
- b) the applicant's right of appeal under Section 35 of the Natural Resources Conservation Authority Act; and
- c) provision for the applicant to re-apply for a permit after the expiration of six months or such lesser period as may be determined by the Authority.

In the case of refusal of a transit permit, NEPA will advise the applicant by notice of its decision within 60 days of receipt of the application.

In the case of refusal of an export permit, NEPA will advise the applicant by notice of its decision within 6 weeks of the date of receipt of the application.

3.3.4 Inspection of the Wastes

Prior to the movement of the wastes from the site of generation/storage, the wastes will be inspected by inspectors gazetted under The Natural Resources (Hazardous Waste) (Control of Transboundary Movements) Regulations, 2002. The wastes will be inspected to ensure that, *inter alia*, the packaging and labeling are in accordance with internationally recognized rules and standards, including the International Convention for the Safety of Life at Sea (SOLAS), 1974 as amended and the International Maritime Dangerous Goods (IMDG) Code.

3.3.5 Movement of the Wastes to the Ports

The movement of the wastes from the site of storage/generation to the ports may require the presence of relevant public sector agencies, including the Jamaica Fire Brigade and the Jamaica Constabulary Force, to ensure that the movement does not pose a risk to public health and the environment en route to the ports. Additionally, an Emergency Response Plan is required for the movement of the wastes from the site of storage/generation to the ports.

In the event that an escort is required, the applicant is responsible for contacting these agencies, as per NEPA's instructions, and will be required to provide information such as the date, time, route and number of inland movements to the ports.

3.3.6 Transboundary Movement of the Wastes

The following documents must accompany the waste(s) during shipment:

- a copy of the Permit issued by NEPA
- the completed and signed Notification Form and the corresponding Movement document (See Annex 4 and 5 for examples of both forms.)
- written confirmation of consent from the Competent Authorities of all countries concerned (i.e. Transit State (s), if any, and Import State), and
- copies of any other required Permits

3.3.7 Receipt of the wastes

The holder of a **Special or General Export permit** must notify NEPA within 5 working days of the receipt of the wastes by the disposer.

3.3.8 Disposal of the Wastes

Within ninety (90) days of the completion of the disposal of the wastes, every holder of a **Special or General Export permit** shall notify NEPA in writing that the wastes have been disposed of in accordance with the permit.

Additionally, every holder of a **General Export Permit** must, within sixty (60) days after the expiration date of the Permit, complete and submit **Form 7 of the Fifth Schedule** of The Natural Resources (Hazardous Waste) (Control of Transboundary Movements) Regulations, 2002 to the Manager of the Enforcement Branch of NEPA.

3.3.9 Duty to Return Wastes

Where a transit or export Permit is granted and:

- a) the wastes are in an area under the jurisdiction of Jamaica or the national jurisdiction of any other Convention State;
- b) the movement cannot be completed in accordance with the terms of the Permit issued by NEPA; and
- c) alternative arrangements cannot be made for the disposal of the wastes in an environmentally sound manner,

the Permit holder shall ensure that the wastes in question are:

- i) in the case of a transit Permit, taken back to the State of Export; **or**
- ii) in the case of an export Permit, taken back to an area within the jurisdiction of Jamaica, within ninety (90) days of the date on which NEPA and the Basel Convention Secretariat are so informed or within such other period as may be agreed between the parties.

3.4 Which authorities are involved in the administration of these Regulations?

The Natural Resources (Hazardous Waste) (Control of Transboundary Movements) Regulations, 2002 are administered by NEPA, Jamaica's designated Competent Authority under the Basel Convention. The **Applications Secretariat Branch of NEPA** is the contact point for all matters related to the transboundary movements of hazardous wastes from/within/through all areas under Jamaica's jurisdiction.

NEPA's role in the administration of the Regulations includes:

- processing of all Permit applications for the export and transit of hazardous wastes
 - in the case of exports, the Agency notifies the Competent Authorities of the State of Import and State(s) of Transit, if any, and obtain their written approval before the commencement of the movement
 - undertake inspection of the wastes (*coordinate multi-agency inspection team; inspectors are gazetted under the Regulations*) before the movement of the wastes from the site of generation/storage to the ports
- enforcement of the Regulations
- work in partnership with the Ministry of Water, Land, Environment and Climate Change in the development and execution of sector-specific and public awareness raising programmes; and
- making recommendations to the Ministry of Water, Land, Environment and Climate Change regarding improvements to the Regulations.

The Hazardous Wastes Applications Review Committee is a multi-agency body which is responsible for reviewing all permit applications made under The Natural Resources (Hazardous Waste) (Control of Transboundary Movements) Regulations, 2002 and recommending to NEPA the granting or refusal of such permits. The Committee includes representatives from:

- Jamaica Constabulary Force
- Jamaica Fire Brigade
- Office of Disaster Preparedness and Emergency Management (ODPEM)
- National Solid Waste Management Authority (NSWMA)
- Jamaica Customs, Port Authority of Jamaica
- Maritime Authority of Jamaica (MAJ)

- Attorney General's Office
- Ministry of Water Land Environment and Climate Change (*focal point for the Basel Convention*), and
- Bureau of Standards Jamaica

4. GENERAL PROVISIONS

4.1. Who does the notifications?

In the case of export of hazardous wastes, all notifications are carried out by NEPA, on behalf of the applicant, on submission of the required documents by the applicant. The applicant is therefore not required to contact the competent authorities of the Import State or Transit State(s), if any.

In response to NEPA's notification, the Competent Authorities of the Import State or Transit State(s) will send their response to the Agency within 60 days, consenting to the movement with or without conditions, denying permission for the movement, or requesting additional information. NEPA in turn will communicate these responses to the applicant.

4.2 Can the Import State and/or Transit State(s) request documentation not required by NEPA?

Yes. The movement must comply with the laws, norms and standards of all countries affected by the transboundary movement of the wastes and as such these countries may require additional documentation other than those required by NEPA.

4.3 Can I ship hazardous wastes to any country?

No. The requirements of the Basel Convention and The Natural Resources (Hazardous Waste) (Control of Transboundary Movements) Regulations, 2002 states that hazardous wastes cannot be exported to:

- a) the Antarctic (south of 60° South latitude), or

b) any country not a signed on to the Basel Convention, unless a bilateral agreement/arrangement exists between Jamaica and the country concerned (See Appendix 3 for a list of Basel Non-Party States). The waste disposal methods of such an agreement/arrangement must not be less environmentally sound than those required by the Basel Convention.

5. SUMMARY OF CONDITIONS FOR EXPORT OF HAZARDOUS WASTES

5.1 Under what conditions will NEPA grant an export Permit?

NEPA will only grant an export permit, if:

1. The State of Import is a Convention State
2. NEPA is satisfied that:
 - a. the transboundary movement of the hazardous wastes is or will be reduced to the minimum, consistent with the environmentally sound and efficient management of such wastes, and
 - b. the transboundary movement of the hazardous wastes is conducted in a manner which will protect human health and the environment against any adverse effects which may result from such movement
 - c. the hazardous wastes are packaged, labeled and transported using accepted and recognized international rules and standards in relation to the packaging, labeling and transport of dangerous goods.
 - d. NEPA has been advised in writing by the Competent Authority of the Import State and Transit State(s), if any, of their consent to the movement of the wastes.
3. The Import State confirms the existence of a written contract for the environmentally sound management of the wastes, between the proposed exporter and the disposer. If the person/entity is both exporter and importer/disposer there should be a written arrangement between that person's representative based in the Export State and Import State.
4. There is adequate insurance coverage, bank guarantee, trust fund, bond, line of credit, escrow account, or any other appropriate form of security, to compensate for any injury, loss or damage arising out of or in connection with the movement of the wastes. Insurance/financial guarantee should cover damage to third parties, environmental

damage and other risks that might arise in relation to the hazardous waste concerned with the movement of the waste.

The requirement for insurance/financial guarantee under the Regulations does not prevent any other country concerned with the movement of the waste (i.e. Transit State(s), if any and the Import State) from requesting such insurance/financial guarantee.

5. NEPA is satisfied that:
 - a. Jamaica does not have the technical capacity and the necessary facilities, capacity or suitable disposal sites in order to dispose of the wastes in question in an environmentally sound and efficient manner; **or**
 - b. The wastes in question are required as raw material for recovery or recycling industries in the State of Import.
6. The movement of the waste will be carried out in accordance with such technical guidelines, consistent with the Basel Convention, as agreed by the country concerned.
7. The waste is not destined for disposal within the area south of 60° latitude, and
8. The Import State has approved to the import of the waste and has notified the Authority in writing to that effect.

6. GENERAL REQUIREMENTS

6.1 What are the general requirements in completing the Forms?

1. All forms contained in the Regulations must be completed in typescript or block capitals in permanent ink
2. Signatures should be written in permanent ink throughout.
3. The Application Form (**Form 4 of the Fifth Schedule of the Regulations**) must be completed in English. All other Forms must be completed in the language acceptable to the States concerned with the proposed transboundary movement (NEPA will advise accordingly). In the event of a minor mistake, for example the use of the wrong code for a waste, a correction can be made with NEPA's approval. The new text must be marked, signed and dated by the applicant. For major changes or corrections, a new form must be completed.

4. A six digit format should be used to indicate the date, e.g. January 29, 1995 should be written as 29.01.95.
5. To simplify translation, the Notification Form (**Form 2 of the Fifth Schedule of the Regulations**) and the Movement Form (**Form 3 of the Fifth Schedule of the Regulations**) require a code rather than text for the completion of several blocks. **PLEASE USE THE CODES, WHERE REQUIRED**, and
6. Where necessary, allowance is made for annexes or attachments to the forms providing additional information. Each annex/attachment should cite the reference number of the relevant document (Notification or Movement Form) at the top right hand corner of the document as well as the block to which the information relates.

7. INSTRUCTION FOR COMPLETING THE NOTIFICATION AND MOVEMENT FORMS

7.1. NOTIFICATION PROCEDURES

The Notification Form is intended to provide the Competent Authorities of the countries involved in the movement of the waste with the information needed to make an informed decision regarding the proposed transboundary movement(s) of the hazardous wastes to (State of Import) or through (State(s) of transit) their national jurisdiction. The form includes space for the Competent Authorities to acknowledge receipt of the notification and, where required, to give consent or refusal in writing to a proposed movement.

7.1.1 What does notification involve?

NEPA, on behalf of the applicant, notifies the Competent Authority of the countries concerned (i.e. the State of Import and the State(s) of Transit, if any) of the proposed transboundary movement and request their written consent for such movement.

No shipment can commence until NEPA has received the written consent from ALL countries concerned. In special circumstances where the Competent Authority of the countries concerned has given tacit consent, NEPA will advise the applicant accordingly.

For the purposes of The Natural Resources (Hazardous Waste) (Control of Transboundary Movements) Regulations, 2002, notification involves completing a Notification Form (**Form 2 of the Fifth Schedule of the Regulations**) specifying the details of the proposed shipment which should be accompanied by supporting documentation (see Section 2.3.2).

The completed Notification Form and the supporting documentation must be submitted to the Applications Secretariat Branch of NEPA by registered mail, facsimile, or courier.

7.1.2 How do I complete the Notification Form?

It should be noted that an agent may complete the Notification Form (**Form 2 of the Fifth Schedule of the Regulations**), on behalf of the Permit applicant; however the form must be signed by the applicant.

The generator/exporter of the waste or its agent is required to complete blocks 1–18 and is also required to sign in block 17. NEPA will provide the Notification No. required in block 3.

The specific instructions for entries on the **Notification Form** are as follows:

Blocks 1 and 2:

- Provide the registration number (where applicable), full name, address (including the name of the country), telephone and fax numbers (including the country code) and e-mail address of the exporter, importer¹ as well as the contact details of the person responsible for the shipment. The phone and fax numbers and the e-mail address should enable contact with all relevant persons at any time regarding an incident during shipment.
- Normally, the importer would be the disposal or recovery facility given in block 10. In some cases, however, the importer may be another person, for example a recognized trader, a dealer, a broker, or a corporate body, such as the headquarters or mailing address of the receiving disposal or recovery facility in block 10. In order to be recognized as an importer, a recognized trader, dealer, broker or corporate body must

¹ In the European Community, the terms notifier and consignee are used instead of exporter and importer information relating to the recognized trader, dealer, broker or corporate body should be completed in block 2.

be under the jurisdiction of the country of import and possess or have some other form of legal control over the waste at the moment the shipment arrives in the country of import. In such cases, information relating to the recognized trader, dealer, broker or corporate body should be completed in block 2.

Block 3:

- On issuance of the notification document, NEPA will provide the Notification number which will be printed in this block. The appropriate boxes should be ticked to indicate:
 - (a) Whether the notification covers one shipment (special permit) or multiple shipments (general permit);
 - (b) Whether the waste being shipped is destined for disposal or for recovery; and
 - (c) Whether the waste being shipped is destined for a facility which has been granted a pre-consent for receiving certain wastes²

Blocks 4, 5 and 6:

- For single or multiple shipments, give the number of shipments in block 4.
- In block 5, give the weight in tonnes (1,000 kg) or volume in cubic metres (1,000 litres) of the waste. Other metric units such as grams, kilogrammes or litres are also acceptable. If any of these units are used this should be indicated. For multiple shipments, the total quantity shipped must not exceed the quantity declared in this block.
- The intended date of a single shipment or, for multiple shipments, the dates of the first and last shipments, should be inserted in block 6. It should be noted that the intended period of time for movements in block 6 must not exceed one year.

Where a Competent Authority issues a written consent to the movement and the validity period of that consent in block 20 differs from the period indicated in block 6, the decision of the Competent Authority overrides the information in block 6.

Block 7:

- Types of packaging should be indicated using the codes provided in the list of abbreviations and codes attached to the Notification Form. If special handling precautions are required, such as handling instructions, health and safety information, including information on dealing with spillage, tick the appropriate box and attach the information in an annex.

² Subject to the Amber control procedure in accordance with case 2 of the “Functioning of the Amber Control Procedure” (see chapter II, section D of the OECD Decision).

Block 8:

- The following information on the carrier(s) involved in the shipment is required:
 - registration number (where applicable),
 - full name
 - address (including the name of the country)
 - telephone and fax numbers (including the country code),
 - e-mail address and
 - the contact details of the person responsible for the shipment.
- If more than one carrier is involved, attach to the Notification Form a complete list giving the required information for each carrier.
- Where the transport is organized by a forwarding agent, the agent's details should be given in this block and the respective information on actual carriers should be provided in an annex.
- Means of transport should be indicated using the abbreviations provided in the list of abbreviations and codes attached to the notification document.

Block 9:

- Information on the waste generator³ is required in this block (where the generator is not known, give the name of the person in possession or control of such wastes). This information is however **not** required for movements of wastes destined for recovery in OECD States.⁴
- The registration number of the generator should be given, where applicable. If the exporter is the generator of the waste then write "Same as block 1". If the waste has been produced by more than one generator, write "See attached list" and attach a list providing the requested information for each generator.
- Also provide information on the process by which the waste was generated and the site of generation.

Block 10:

- Give the required information on the destination of the shipment by first ticking the appropriate type of facility: either disposal or recovery. The registration number should be given where applicable. If the disposer or recoverer is also the importer, state here "Same as block 2". If the disposal or recovery operation is a D13–D15 or R12 or R13 operation (according to the definitions of operations set out in the list of abbreviations

³ In the European Community, the term "producer" is used instead of "generator".

⁴ See Annex 8.

and codes attached to the notification document), the facility performing the operation should be mentioned in this block, as well as the location where the operation will be performed. In such a case, corresponding information on the subsequent facility or facilities, where any subsequent R12/R13 or D13–D15 operation and the D1–D12 or R1–R11 operation or operations takes or take place or may take place should be provided in an annex. Provide the information on the actual site of disposal or recovery if it is different from the address of the facility.

Block 11:

- Indicate the type of recovery or disposal operation by the using R-codes or D-codes provided in the list of abbreviations and codes attached to the Notification Form.⁵ The OECD Decision only covers transboundary movements of wastes destined for recovery operations (R-codes) within the OECD area. If the disposal or recovery operation is a D13–D15 or R12 or R13 operation, corresponding information on the subsequent operations (any R12/R13 or D13–D15 as well as D1–D12 or R1–R11) should be provided in an annex. Also indicate the technology to be used. Specify also the reason for export (this is not required, however, by the OECD Decision).

Block 12:

- Give the name(s) by which the material is commonly known or the commercial name as well as the names of its major constituents (in terms of quantity and/or hazard) and their relative concentrations (expressed as a percentage), if known. In the case of a mixture of wastes, provide the same information for the different fractions and indicate which fractions are destined for recovery. A chemical analysis of the composition of the waste may be required by the relevant competent authorities. Attach further information in an annex if necessary.

Block 13:

- Indicate physical characteristics of the waste at normal temperatures and pressures by using the codes provided in the list of abbreviations and codes attached to the Notification Form.

Block 14:

- State the code that identifies the waste according to the system adopted under the Basel Convention (under subheading (i) in block 14) and, where applicable, the systems

⁵ In the European Community Regulation, the definition of operation R1 in the list of abbreviations is different from that used in the Basel Convention and the OECD Decision; both wordings are therefore provided. There are other editorial differences between the terminology used in the European Community and that used in the Basel Convention and the OECD Decision, which are not contained in the list of abbreviations.

adopted in the OECD Decision (under subheading (ii)) and other accepted classification systems (under subheadings (iii) to (xii)). According to the OECD Decision, only one waste code (from either the Basel or OECD systems) should be given, except in the case of mixtures of wastes for which no individual entry exists. In such a case, the code of each fraction of the waste should be provided in order of importance (in an annex if necessary).

- **Subheading (i):** State the Basel Convention Annex VIII or IX codes where applicable (see Appendix 10)⁶. If a waste is not listed in Annexes VIII or IX of the Basel Convention, insert “not listed”.
- **Subheading (ii):** State the OECD code if different from subheading (i)⁷. If a waste is not listed in Part II of Appendices 3 and 4 of the OECD Decision, insert “not listed”.
- (d) **Subheading (iii):** State the code included in the European Community list of wastes⁸.
- (e) **Subheadings (iv) and (v):** Where applicable, national identification codes used in the country of export and, if known, in the country of import should be used.
- (f) **Subheading (vi):** If useful or required by the relevant Competent Authorities, add here any other code or additional information that would facilitate the identification of the waste.
- (g) **Subheading (vii):** State the appropriate Y-code(s) (see *Annex I* and *Annex II of the Basel Convention* in Appendix 10 and *Appendix I of the OECD Decision* in Appendix 11)
- (h) **Subheading (viii):** State the appropriate H-code(s) i.e., the codes indicating the hazardous characteristics exhibited by the waste (see the list of abbreviations and codes attached to the Notification Form).
- (i) **Subheading (ix):** State the United Nations class or classes which indicate the hazardous characteristics of the waste according to the United Nations

⁶ Basel Convention Annex VIII or 9 codes should be used for wastes that are subject to control under the Basel Convention and the OECD Decision (see Part I of Appendix 4 in the OECD Decision); Basel Annex IX codes should be used for wastes that are not usually subject to control under the Basel Convention and the OECD Decision but which, for a specific reason such as contamination by hazardous substances or different classification according to national regulations, are subject to such control (see Part I of Appendix 3 in the OECD Decision).

⁷ OECD member countries should use OECD codes for wastes listed in Part II of Appendices 3 and 4 of the OECD Decision, i.e., wastes that have no equivalent listing in the Basel Convention or that have a different level of control under the OECD Decision from the one required by the Basel Convention.

⁸ See Commission Decision 2000/532/EC as amended (http://europa.eu.int/eur-lex/en/consleg/main/2000/en_2000D0532_index.html.)

classification (see the list of abbreviations and codes attached to the Notification Form).

- (i) **Subheadings (x and xi):** State the appropriate United Nations number or numbers and United Nations shipping name or names.⁹
- (k) **Subheading (xii):** State the customs code(s) which allow identification of the waste by customs offices¹⁰

Block 15:

On:

- line (a), of this block, provide the name of the countries or States of export, transit and import or their codes (ISO standard 3166 abbreviations).¹¹
- line (b), provide the code number of the respective Competent Authority for each country if required by the national legislation of that country and
- line (c), insert the name of the border crossing or port and, where applicable, the customs office code number as the point of entry to or exit from a particular country. For transit countries give the information in line (c) for points of entry and exit. If more than three transit countries are involved in a particular movement, attach the appropriate information in an annex.

Block 16:

- This block should be completed for movements involving entering, passing through or leaving Member States of the European Union.

Block 17:

Each copy of the Notification Form is to be signed and dated by the exporter or by the recognized trader, dealer or broker if acting as an exporter before being forwarded to NEPA who in turn will forward the notification to the Competent Authorities of the countries concerned. The waste generator is also required to sign the declaration (NEPA may decide to waive this requirement). In cases where the generator of the waste is not known, the person in possession or control of the waste should sign.

Block 18:

⁹ These are used to identify the waste according to the United Nations classification system and are required to comply with international rules for transport of hazardous materials (see the United Nations Recommendations on the Transport of Dangerous Goods Model Regulations (Orange Book), latest edition - <http://www.unece.org/trans/danger/danger.htm> or The Emergency Response Guidebook (ERG2004) - <http://hazmat.dot.gov/pubs/erg/guidebook.htm>).

¹⁰ See the list of codes and commodities in the “Harmonized commodity description and coding system” produced by the World Customs Organization (<http://www.basel.int/pub/hscodes.doc>).

¹¹ See http://www.iso.org/iso/english_country_names_and_code_elements

- Indicate the number of annexes containing any additional information supplied with the notification document (see blocks 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 20 or 21). Each annex must include a reference to the notification number to which it relates, which is indicated in the corner of block 3.

Block 19:

- This block is for use by the Competent Authority to acknowledge receipt of the notification. Under the Basel Convention, the Competent Authority or Authorities of the country or countries of import (where applicable) and transit issue such an acknowledgement. Under the OECD Decision, the Competent Authority of the country of import issues the acknowledgement.

Blocks 20 and 21:

- Block 20 is for use by Competent Authorities of any country concerned when providing a written consent to a transboundary movement of waste. The Basel Convention (except if a country has decided not to require written consent with regard to transit and has informed the other Parties thereof in accordance with Article 6(4) of the Basel Convention) and certain countries always require a written consent whereas the OECD Decision does not require a written consent. Indicate the name of the country (or its code by using the ISO standard 3166 abbreviations), the date on which the consent is provided and the date on which it expires. If the movement is subject to specific conditions, the Competent Authority in question should tick the appropriate box and specify the conditions in block 21 or in an annex to the notification document. If a Competent Authority wishes to object to the movement it should do so by writing "OBJECTION" in block 20. Block 21, or a separate letter, may then be used to explain the reasons for the objection.

7.1.3 How do I notify for multiple shipments?

A single Notification Form may be used to notify for a series of transboundary movements of hazardous waste, subject to the following conditions, for each shipment:

- a) the generator and generating site must remain the same
- b) movements must occur from the same customs office of exit in Jamaica to the same customs office of entry in the Import State.
- c) if any Transit State(s) are involved in the transboundary movement(s), such movement(s) must occur via the same customs office of entry and exit in the Transit State(s)

- d) the wastes must be of the same physical and chemical characteristics.
- e) the wastes must be shipped to the same disposer or recycler at the same facilities in the Import State, and
- f) the information given on each Movement Form (which accompanies each shipment) should not differ significantly from that on the Notification Form.

If any of the information provided on the Notification Form changes, then the Permit to which the Notification Form relates is no longer valid. In this case, a new application must be made to NEPA before any further shipments can be undertaken.

7.1.4 What can I do if the information related to the shipment changes after I have submitted the Notification Form?

In general, changes to the information on the Notification Form would require re-notification, since consent to the movement is based on the original information submitted. However, updates and minor changes that do not significantly alter the Notification Form, such as a change in phone number, may not necessarily require re-notification.

NEPA should be contacted to ascertain whether there is need for re-notification.

7.1.5 What are the language requirements for completion of the Notification Form and supporting documentation?

The Notification Form and all supporting documentation must be submitted to NEPA in a language acceptable to the Export State (Jamaica), the Import State and the Transit State(s). Since these requirements vary from country to country, the applicant may wish to contact NEPA before completing the Notification Form to determine whether a given country requires information in a language other than the English language.

7.1.6 How soon before the intended shipment must I notify?

In the case of export of hazardous wastes from Jamaica, the applicant must submit all the requisite information to NEPA at least 120 days before the proposed date of shipment.

In the case of the transit of hazardous wastes through Jamaica's jurisdiction, the applicant must submit the requisite information to NEPA at least 90 days before the commencement of the movement.

7.1.7 How soon after applying will I receive my export permit?

The period of time taken to obtain a response from the countries concerned in respect of a notification varies. The type of wastes, its destination, the disposal/recycling operation to be used, and the number of transit countries can all affect the length of time between notification and receipt of consent.

NEPA acts as an intermediary between the applicant and the Competent Authorities of the countries concerned. As such, NEPA cannot predict or control the length of time it will take for these other authorities to respond to a notification sent by the Agency.

7.2. MOVEMENT/TRACKING PROCEDURES

In the case of exportation, NEPA completes the Movement Form and inserts the required information on the containers to be exported in Block 16, prior to the movement of a shipment of waste. The Notification Number required in Box 3 will be supplied by NEPA on issuance of the Movement Form (**Form 3 of the Fifth Schedule of the Regulations**).

Please Note: The movement document is intended to travel with the shipment of wastes at all times from the moment it leaves the generator to its arrival at a disposal or recovery facility in another country. Each person who takes charge of a transboundary movement is to sign Block 8 of the movement document either upon delivery or receipt of the wastes in question. Block 8 on the Movement Form allows for the input of detailed information on all carriers of the waste. There are also spaces on the Movement Form for recording passage of the shipment through the custom offices of all countries concerned (Blocks 20 – 22). The Movement Form is also be used by the relevant disposal or recovery facility to confirm that the waste has been received and that the recovery or disposal operation has been completed (**Blocks 18 and 19**).

7.2.1 How do I complete the Movement/Tracking Form?

In the case of multiple consignments, a Movement Form (**Form 3 of the Fifth Schedule of the Regulations**) must be completed before each of the intended movements.

NEPA completes the Movement Form prior to the movement of the waste under the specified permit in the case of an export from Jamaica. For a transit permit, the Permittee is required to complete blocks 1-19 of the Movement Form.

The specific instructions for entries on the **Movement Form** are as follows:

Block 1:

- Enter the notification number of the consignment. This is copied from block 3 in the notification document.

Block 2:

- For multiple shipments, enter the number of the shipment in relation to the total intended number of shipments as indicated in block 4 of the Notification Form. For example, write "4/11" which indicates the fourth shipment out of eleven intended shipments. In the case of a single notification, enter 1/1.

Blocks 3 and 4:

- Reproduce the same information for the exporter and importer as given in blocks 1 and 2 in the Notification Form.

Block 5:

- Give the actual weight in tonnes (1,000 kg) or volume in cubic metres (1,000 litres) of the waste. Other units of the metric system, such as grams, kilograms or litres, are also acceptable if any of these units are used, they should be indicated.

Block 6:

- Enter actual date of the shipment. The start dates of all shipments should be within the validity period issued by the Competent Authorities. Where the different Competent Authorities involved have granted different validity periods, the shipment(s) may only take place in the time period during which the consents of all Competent Authorities are simultaneously valid.

Block 7:

- Types of packaging should be indicated using the codes provided in the list of abbreviations and codes attached to the movement document. If special handling

precautions are required, such as handling instructions, health and safety information, including information on dealing with spillage, tick the appropriate box and attach the information in an annex. Also enter the number of packages making up the shipment.

Blocks 8 (a), (b) and (c):

- Enter the registration number (where applicable), name, address (including the name of the country), telephone and fax numbers (including the country code) and e-mail address of each actual carrier. When more than three carriers are involved, appropriate information on each carrier should be attached to the movement document. When transport is organized by a forwarding agent, the agent's details should be given in block 8 and the information on each carrier should be provided in an annex. The means of transport, the date of transfer and a signature should be provided by the carrier or carrier's representative taking possession of the shipment. **A copy of the signed movement document is to be retained by the exporter.** Upon each successive transfer of the shipment, the new carrier or carrier's representative taking possession of the consignment will have to comply with the same request and also sign the document. A copy of the signed document is to be retained by the previous carrier.

Block 9:

- Reproduce the information given in block 9 of the Notification Form.

Blocks 10 and 11:

- Reproduce the information given in blocks 10 and 11 in the Notification Form. If the disposer or recoverer is also the importer, write in block 10: "Same as block 4". If the disposal or recovery operation is a D13–D15 or R12 or R13 operation (according to the definitions of operations set out in the list of abbreviations and codes attached to the Movement Form), the information on the facility performing the operation provided in block 10 is sufficient.

Blocks 12, 13 and 14:

- Reproduce the information given in blocks 12, 13 and 14 in the Notification Form.

Block 15:

- At the time of shipment, the exporter (or the recognized trader or dealer or broker if acting as an exporter) or the generator of the waste, shall sign and date the movement document.

Block 16:

- This block can be used by any person involved in a transboundary movement (exporter or the Competent Authority of the State of Export, as appropriate, importer, any Competent Authority, carrier) in specific cases where more detailed information is required by national legislation concerning a particular item (for instance information on the port where a transfer to another transport mode occurs, the number of containers and their identification number, or additional proof or stamps indicating that the movement has been approved by the Competent Authorities).

Block 17:

- If the importer is not the disposer or recoverer but takes charge of the waste when the shipment arrives in the country of import then this block should be completed by the importer.

Block 18:

- This block is to be completed by the authorized representative of the disposal or recovery facility upon receipt of the waste shipment. Tick the box of the appropriate type of facility. With regard to the quantity received, please refer to the specific instructions on Block 5 above. A signed copy of the Movement Form is given to the last carrier. If the shipment is rejected for any reason, the representative of the disposal or recovery facility must immediately contact his/her Competent Authority. The original movement document shall be retained by the disposal or recovery facility.
- Receipt of the waste consignment must be certified by the facility performing the disposal or recovery operation, including any D13–D15 or R12 or R13 operation. A facility performing D13–D15 or R12/R13 operation or a D1–D12 or R1–11 operation subsequent to a D13–D15 or R12 or R13 operation in the same country, is not, however, required to certify receipt of the consignment from the D13–D15 or R12 or R13 facility. Thus, block 18 does not need to be used for the final receipt of the shipment in such a case. Indicate also the type of disposal or recovery operation by using the list of abbreviations and codes attached to the Movement Form and the approximate date by which the disposal or recovery of waste will be completed (this is not required by the OECD Decision).

Block 19:

- This block is to be completed by the disposer or recoverer to certify the completion of the disposal or recovery of the waste. Under the Basel Convention, signed copies of the document with block 19 completed should be sent to the exporter and Competent Authorities of the country of export. Under the OECD Decision, signed copies of the

movement document with block 19 completed should be sent to the exporter and Competent Authorities of the countries of export and import as soon as possible, but no later than 30 days after the completion of the recovery and no later than one calendar year following the receipt of the waste. For disposal or recovery operations D13–D15 or R12 or R13, the information on the facility performing such an operation provided in block 10 is sufficient, and no further information on any subsequent facilities performing R12/R13 or D13–D15 operations and the subsequent facility (ies) performing the D1–D12 or R1–R11 operation(s) need be included in the movement document.

- The disposal or recovery of waste must be certified by any facility performing any disposal or recovery operation, including a D13–D15 or R12 or R13 operation. Therefore, a facility performing any D13–D15 or R12/R13 operation or a D1–D12 or R1–R11 operation, subsequent to a D13–D15 or R12 or R13 operation in the same country, should not use block 19 to certify the recovery or disposal of the waste, since this block will already have been completed by the D13–D15 or R12 or R13 facility. The means of certifying disposal or recovery in this particular case must be ascertained by each country.

Blocks 20, 21 and 22:

- Not required by the Basel Convention or by the OECD Decision. These blocks may be used for control by customs offices at the borders of country of export, transit and import if so required by national legislation.

7.2.2 Who must be notified in case of an accident or unforeseen change in the shipping route?

If an accident occurs involving the movement, public safety should be the prime consideration. Local authorities should be contacted and the appropriate actions taken in accordance with the laws of the national jurisdiction in which the accident occurred.

The carrier should immediately notify the Jamaican exporter/generator (applicant) of any accident or other incident that makes it impossible to complete the export as stated in the Notification Form. This could include incidents such as:

- deviations from the shipping route for technical reasons so that different customs points are used or a country not mentioned on the notice is entered;
- a delay en route that would cause the shipment to proceed after the final date on the letter of consent; and

- refusal of foreign country to permit entry or of the importer to accept the delivery.

It is then the Permittee's responsibility to notify NEPA and the Competent Authorities of the State(s) concerned of the alternate arrangements to be undertaken by the Permittee in respect of the shipment.

8. TRANSPORT AND DOCUMENTATION

8.1 Which documents should accompany the shipment?

The shipment should be accompanied by:

- copies of the signed and completed Notification Form(s) and corresponding Movement Form, and
- a copy of the export Permit issued by NEPA.

9. OFFENCES AND PENALTIES

9.1 When is the trafficking of hazardous wastes considered illegal under the Regulations?

The trafficking of hazardous wastes is considered illegal, when a person/entity transits hazardous wastes through or exports hazardous wastes from any area under Jamaica's jurisdiction:

- a. without notification and receipt of the written consent from all the countries concerned
- b. without a Permit from NEPA
- c. when consent is obtained through falsification, misrepresentation or fraud
- d. when the wastes do not conform in a material way with the documents submitted; or
- e. the movement results in the unlawful disposal of hazardous wastes in contravention of the provisions of the Basel Convention, the Natural Resources Conservation Authority Act, and the Natural Resources (Hazardous Waste)(Control of Transboundary Movements) Regulations, 2002 or of general principles of international law.

Any person/entity who commits such offences is liable on summary conviction before a Resident Magistrate to a fine not exceeding fifty thousand dollars (\$50,000) or to imprisonment for a term not exceeding two (2) years or to both such fine and imprisonment.

9.2 What is the penalty for failing to return the wastes?

Every person who fails to return the wastes (under the conditions mentioned in section 2.3.9) commits an offence and is liable on summary conviction before a Resident Magistrate to a fine not exceeding fifty thousand dollars (\$50,000) or to imprisonment for a term not exceeding two (2) years or to both such fine and imprisonment.

9.3 What is the penalty for illegal dumping of hazardous wastes?

Every person who unlawfully dumps or otherwise disposes of any hazardous wastes into an area under the jurisdiction of Jamaica commits an offence and is liable on summary conviction before a Resident Magistrate to a fine not exceeding fifty thousand dollars (\$50,000) or to imprisonment for a term not exceeding two (2) years or to both such fine and imprisonment.

10. POST PERMIT ACTIVITIES

10.1 Are there any post-permit reporting requirements?

Yes. All holders of a General Export Permit are required to complete Form 7 of the 5th Schedule of the Regulations. This form must be submitted to NEPA **no later than 60 days** after the date expiration of the Permit.

All permit holders must notify the Natural Resources Conservation Authority, in writing, that the waste has been disposed of in accordance with their permit, within **ninety (90) days** of the completion of the disposal.

All permit holders must submit to the Manager, Enforcement Branch, National Environment & Planning Agency, 10 Caledonia Avenue, Kingston 5 a report of all activities carried out under the their permit within **sixty (60) days** after the expiration date of the permit.

All permit holders must, not less than **two (2) days** before the export of the hazardous waste from any area under the jurisdiction of Jamaica, submit a report to The Natural Resources Conservation Authority and the Port Authority of Jamaica. The report must include but not be limited to:

- a. the name of vessel
- b. the date and time of departure of the vessel from Jamaica
- c. the intended wharf at which the vessel will be berthed
- d. the container number and quantity of the cargo

10.2 Who must complete the Return on Activities Form?

Part A must be completed and signed by the exporter/generator of the hazardous wastes and Part B, by the importer/receiver of the hazardous wastes.

APPENDICES

APPENDIX 1

THE NATURAL RESOURCES (HAZARDOUS WASTE) (CONTROL OF TRANSBOUNDARY MOVEMENT) REGULATIONS, 2002

To access The Natural Resources (Hazardous Waste) (Control of Transboundary Movement) Regulations, 2002 consult the URL given below:

http://www.nepa.gov.jm/regulations/hazardous/HazardousWasteRegs_2002.pdf

APPENDIX 2

STATE PARTIES TO THE BASEL CONVENTION

For information on the countries which ratified the Basel Convention consult the URL given below:

<http://www.basel.int/ratif/ratif.html#sig>

APPENDIX 3

SOME IMPORTANT TIMELINES FOR PERMIT HOLDERS

(extracted from The Natural Resources (Hazardous Waste) (Control of Transboundary Movement) Regulations, 2002)

	REGULATIONS	TIMELINES
PERMIT HOLDER	Every person who proposes to move hazardous waste through an area under the jurisdiction of Jamaica shall apply to the authority for a transit Permit	At least 90 days before the commencement of the movement through the area
PERMIT HOLDER	Every Holder of a Transit Permit shall confirm the arrival to the Authority, in such a manner as the Authority may approve	Not less than 3 days before the transit of the consignment to which the Permit relates in any area under the jurisdiction of Jamaica
PERMIT HOLDER	Every person who proposes to export hazardous waste shall apply to the Authority for a special export Permit or a general export Permit	Not later than 120 days before the proposed date of export
NEPA	The Authority shall, in writing, in a language acceptable to the importing state, notify the competent authority of the states concerned	Within 6 weeks after receiving the application.
NEPA	Where the authority refuses to grant a Permit, it shall inform the applicant by notice in writing	That he may reapply for a Permit after the expiration of 6 months or such lesser period as may be determined by the Authority.
NEPA	Where the authority refuses to grant a Permit, it shall inform the applicant by notice in writing	In the case of an application for transit Permit, within 60 days of the date of receipt of the application
NEPA	Where the authority refuses to grant a Permit, it shall inform the applicant by notice in writing in the case for an application for a special export Permit or a general export Permit	Within 6 weeks of the date of receipt of the application
NEPA	The Authority Shall not grant an export Permit unless it has been advised in writing by the competent authority of the importing State or transit States or State of their consent to the movement of the waste so, however, that the Authority may waive the requirement for consent to a notification, if a transit State fails to respond	Within 60 days of the receipt of the notification by the transit state.
PERMIT HOLDER	Every Permit holder shall inform the Authority of the export	At least 30 days before the export of hazardous
PERMIT HOLDER	Every holder of a general export Permit shall submit to the Authority, in writing, a return of the activities carried out pursuant to that Permit (in	Within 60 days after the end of each year

	the form set out as form 7 in the 5 th schedule)	
PERMIT HOLDER	Every holder of a special Permit or a general export Permit shall notify the Authority in writing of the receipt or disposal	<p>Within 5 working days of the receipt of the hazardous waste to which the Permit relates by the disposer and</p> <p>Within 90 days of the completion thereof.</p>
PERMIT HOLDER	Where a transit Permit or export Permit is granted and, as the case may be- alternative arrangements cannot be made for their disposal in an environmentally sound manner, the Permit holder shall ensure that the wastes in question are, in the case of a transit Permit , taken back into the exporting State; or in the case of an export Permit, taken back into an area under the jurisdiction of Jamaica	Within 90 days of the date on which the Authority and the Secretariat of the Convention are so informed or within such period as may be agreed between the parties.

APPENDIX 4

**FORM 2: NOTIFICATION DOCUMENT FOR TRANSBOUNDARY MOVEMENTS/SHIPMENTS
OF WASTE**

List of abbreviations and codes used in the notification document

DISPOSAL OPERATIONS (block 11) D1 Deposit into or onto land, (e.g., landfill, etc.) D2 Land treatment, (e.g., biodegradation of liquid or sludgy discards in soils, etc.) D3 Deep injection, (e.g., injection of pumpable discards into wells, salt domes or naturally occurring repositories, etc.) D4 Surface impoundment, (e.g., placement of liquid or sludge discards into pits, ponds or lagoons, etc.) D5 Specially engineered landfill, (e.g., placement into lined discrete cells which are capped and isolated from one another and the environment, etc.) D6 Release into a water body except seas/oceans D7 Release into seas/oceans including sea-bed insertion D8 Biological treatment not specified elsewhere in this list which results in final compounds or mixtures which are discarded by means of any of the operations in this list D9 Physico-chemical treatment not specified elsewhere in this list which results in final compounds or mixtures which are discarded by means of any of the operations in this list (e.g., evaporation, drying, calcination, etc.) D10 Incineration on land D11 Incineration at sea D12 Permanent storage, (e.g., emplacement of containers in a mine, etc.) D13 Blending or mixing prior to submission to any of the operations in this list D14 Repackaging prior to submission to any of the operations in this list D15 Storage pending any of the operations in this list																																															
RECOVERY OPERATIONS (block 11) R1 Use as a fuel (other than in direct incineration) or other means to generate energy (Basel/OECD) - Use principally as a fuel or other means to generate energy (EU) R2 Solvent reclamation/regeneration R3 Recycling/reclamation of organic substances which are not used as solvents R4 Recycling/reclamation of metals and metal compounds R5 Recycling/reclamation of other inorganic materials R6 Regeneration of acids or bases R7 Recovery of components used for pollution abatement R8 Recovery of components from catalysts R9 Used oil re-refining or other reuses of previously used oil R10 Land treatment resulting in benefit to agriculture or ecological improvement R11 Uses of residual materials obtained from any of the operations numbered R1-R10 R12 Exchange of wastes for submission to any of the operations numbered R1-R11 R13 Accumulation of material intended for any operation in this list.																																															
PACKAGING TYPES (block 7) 1. Drum 2. Wooden barrel 3. Jerrican 4. Box 5. Bag 6. Composite packaging 7. Pressure receptacle 8. Bulk 9. Other (specify)	H-CODE AND UN CLASS (block 14) <table border="1"> <thead> <tr> <th>UN Class</th> <th>H-code</th> <th>Characteristics</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>H1</td> <td>Explosive</td> </tr> <tr> <td>3</td> <td>H3</td> <td>Flammable liquids</td> </tr> <tr> <td>4.1</td> <td>H4.1</td> <td>Flammable solids</td> </tr> <tr> <td>4.2</td> <td>H4.2</td> <td>Substances or wastes liable to spontaneous combustion</td> </tr> <tr> <td>4.3</td> <td>H4.3</td> <td>Substances or wastes which, in contact with water, emit flammable gases</td> </tr> <tr> <td>5.1</td> <td>H5.1</td> <td>Oxidizing</td> </tr> <tr> <td>5.2</td> <td>H5.2</td> <td>Organic peroxides</td> </tr> <tr> <td>6.1</td> <td>H6.1</td> <td>Poisonous (acute)</td> </tr> <tr> <td>6.2</td> <td>H6.2</td> <td>Infectious substances</td> </tr> <tr> <td>8</td> <td>H8</td> <td>Corrosives</td> </tr> <tr> <td>9</td> <td>H10</td> <td>Liberation of toxic gases in contact with air or water</td> </tr> <tr> <td>9</td> <td>H11</td> <td>Toxic (delayed or chronic)</td> </tr> <tr> <td>9</td> <td>H12</td> <td>Ecotoxic</td> </tr> <tr> <td>9</td> <td>H13</td> <td>Capable, by any means, after disposal of yielding another material, e. g., leachate, which possesses any of the characteristics listed above</td> </tr> </tbody> </table>		UN Class	H-code	Characteristics	1	H1	Explosive	3	H3	Flammable liquids	4.1	H4.1	Flammable solids	4.2	H4.2	Substances or wastes liable to spontaneous combustion	4.3	H4.3	Substances or wastes which, in contact with water, emit flammable gases	5.1	H5.1	Oxidizing	5.2	H5.2	Organic peroxides	6.1	H6.1	Poisonous (acute)	6.2	H6.2	Infectious substances	8	H8	Corrosives	9	H10	Liberation of toxic gases in contact with air or water	9	H11	Toxic (delayed or chronic)	9	H12	Ecotoxic	9	H13	Capable, by any means, after disposal of yielding another material, e. g., leachate, which possesses any of the characteristics listed above
UN Class	H-code	Characteristics																																													
1	H1	Explosive																																													
3	H3	Flammable liquids																																													
4.1	H4.1	Flammable solids																																													
4.2	H4.2	Substances or wastes liable to spontaneous combustion																																													
4.3	H4.3	Substances or wastes which, in contact with water, emit flammable gases																																													
5.1	H5.1	Oxidizing																																													
5.2	H5.2	Organic peroxides																																													
6.1	H6.1	Poisonous (acute)																																													
6.2	H6.2	Infectious substances																																													
8	H8	Corrosives																																													
9	H10	Liberation of toxic gases in contact with air or water																																													
9	H11	Toxic (delayed or chronic)																																													
9	H12	Ecotoxic																																													
9	H13	Capable, by any means, after disposal of yielding another material, e. g., leachate, which possesses any of the characteristics listed above																																													
MEANS OF TRANSPORT (block 8) R = Road T = Train/rail S = Sea A = Air W = Inland waterways																																															
PHYSICAL CHARACTERISTICS (block 13) 1. Powdery/powder 2. Solid 3. Viscous/paste 4. Sludgy 5. Liquid 6. Gaseous 7. Other (specify)																																															

Further information, in particular related to waste identification (block 14), i.e. on Basel Annexes VIII and IX codes, OECD codes and Y-codes, can be found in a Guidance/Instruction Manual available from the OECD and the Secretariat of the Basel Conventio

APPENDIX 5

FORM 3: MOVEMENT DOCUMENT FOR TRANSBOUNDARY MOVEMENTS/SHIPMENTS OF WASTE FORM

Movement document for transboundary movements/shipments of waste

1. Corresponding to notification No:		2. Serial/total number of shipments: /	
3. Exporter - notifier Registration No: Name: Address: Contact person: Tel: Fax: E-mail:		4. Importer - consignee Registration No: Name: Address: Contact person: Tel: Fax: E-mail:	
5. Actual quantity: Tonnes (Mg): m ³ :		6. Actual date of shipment:	
7. Packaging Type(s) (1): Number of packages:			
Special handling requirements: (2) Yes: <input type="checkbox"/> No: <input type="checkbox"/>			
8.(a) 1st Carrier (3): Registration No: Name: Address: Tel: Fax: E-mail:		8.(b) 2nd Carrier: Registration No: Name: Address: Tel: Fax: E-mail:	
8.(c) Last Carrier: Registration No: Name: Address: Tel: Fax: E-mail:			
----- To be completed by carrier's representative ----- More than 3 carriers (2) <input type="checkbox"/>			
Means of transport (1): Date of transfer: Signature:		Means of transport (1): Date of transfer: Signature:	
9. Waste generator(s) - producer(s) (4;5;6): Registration No: Name: Address: Contact person: Tel: Fax: E-mail: Site of generation (2):		12. Designation and composition of the waste (2):	
10. Disposal facility <input type="checkbox"/> or recovery facility <input type="checkbox"/> Registration No: Name: Address: Contact person: Tel: Fax: E-mail: Actual site of disposal/recovery (2)		13. Physical characteristics (1):	
11. Disposal/recovery operation(s) D-code / R-code (1):		14. Waste identification (fill in relevant codes) (i) Basel Annex VIII (or IX if applicable): (ii) OECD code (if different from (i)): (iii) EC list of wastes: (iv) National code in country of export: (v) National code in country of import: (vi) Other (specify): (vii) Y-code: (viii) H-code (1): (ix) UN class (1): (x) UN Number: (xi) UN Shipping name: (xii) Customs code(s) (HS):	
15. Exporter's - notifier's / generator's - producer's (4) declaration: I certify that the above information is complete and correct to my best knowledge. I also certify that legally enforceable written contractual obligations have been entered into, that any applicable insurance or other financial guarantee is in force covering the transboundary movement and that all necessary consents have been received from the competent authorities of the countries concerned. Name: Date: Signature:			
16. For use by any person involved in the transboundary movement in case additional information is required			
17. Shipment received by importer - consignee (if not facility):		Date: Name: Signature:	
TO BE COMPLETED BY DISPOSAL / RECOVERY FACILITY			
18. Shipment received at disposal facility <input type="checkbox"/> or recovery facility <input type="checkbox"/> Date of reception: Accepted: <input type="checkbox"/> Rejected*: <input type="checkbox"/> Quantity received: Tonnes (Mg): m ³ : *immediately contact competent authorities Approximate date of disposal/recovery: Disposal/recovery operation (1): Name: Date: Signature:		19. I certify that the disposal/recovery of the waste described above has been completed. Name: Date: Signature and stamp:	

(1) See list of abbreviations and codes on the next page

(2) Attach details if necessary

(3) If more than 3 carriers, attach information as required in blocks 8 (a,b,c).

(4) Required by the Basel Convention

(5) Attach list if more than one

(6) If required by national legislation

Users' Guide to The Natural Resources (Hazardous Waste) (Control of Transboundary Movements) Regulations, 2002 – First Edition

FOR USE BY CUSTOMS OFFICES (if required by national legislation)			
20. Country of export - dispatch or customs office of exit The waste described in this movement document left the country on: Signature: Stamp:	21. Country of import - destination or customs office of entry The waste described in this movement document entered the country on: Signature: Stamp:		
22. Stamps of customs offices of transit countries			
Name of country: Entry:	Exit:	Name of country: Entry:	Exit:
Name of country: Entry:	Exit:	Name of country: Entry:	Exit:

List of Abbreviations and Codes Used in the Movement Document

DISPOSAL OPERATIONS (block 11) D1 Deposit into or onto land, (e.g., landfill, etc.) D2 Land treatment, (e.g. biodegradation of liquid or sludgy discards in soils, etc.) D3 Deep injection, (e.g., injection of pumpable discards into wells, salt domes or naturally occurring repositories, etc.) D4 Surface impoundment, (e.g., placement of liquid or sludge discards into pits, ponds or lagoons, etc.) D5 Specially engineered landfill, (e.g., placement into lined discrete cells which are capped and isolated from one another and the environment), etc. D6 Release into a water body except seas/oceans D7 Release into seas/oceans including sea-bed insertion D8 Biological treatment not specified elsewhere in this list which results in final compounds or mixtures which are discarded by means of any of the operations in this list D9 Physico-chemical treatment not specified elsewhere in this list which results in final compounds or mixtures which are discarded by means of any of the operations in this list (e.g., evaporation, drying, calcination, etc.) D10 Incineration on land D11 Incineration at sea D12 Permanent storage, (e.g., emplacement of containers in a mine, etc.) D13 Blending or mixing prior to submission to any of the operations in this list D14 Repackaging prior to submission to any of the operations in this list D15 Storage pending any of the operations in this list	RECOVERY OPERATIONS (block 11) R1 Use as a fuel (other than in direct incineration) or other means to generate energy (Basel/OECD) - Use principally as a fuel or other means to generate energy (EU) R2 Solvent reclamation/regeneration R3 Recycling/reclamation of organic substances which are not used as solvents R4 Recycling/reclamation of metals and metal compounds R5 Recycling/reclamation of other inorganic materials R6 Regeneration of acids or bases R7 Recovery of components used for pollution abatement R8 Recovery of components from catalysts R9 Used oil re-refining or other reuses of previously used oil R10 Land treatment resulting in benefit to agriculture or ecological improvement R11 Uses of residual materials obtained from any of the operations numbered R1-R10 R12 Exchange of wastes for submission to any of the operations numbered R1-R11 R13 Accumulation of material intended for any operation in this list																																													
PACKAGING TYPES (block 7) 1. Drum 2. Wooden barrel 3. Jerrican 4. Box 5. Bag 6. Composite packaging 7. Pressure receptacle 8. Bulk 9. Other (specify)	H-CODE AND UN CLASS (block 14) <table style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">UN class</th> <th style="text-align: left;">H-code</th> <th style="text-align: left;">Characteristics</th> </tr> </thead> <tbody> <tr><td>1</td><td>H1</td><td>Explosive</td></tr> <tr><td>3</td><td>H3</td><td>Flammable liquids</td></tr> <tr><td>4.1</td><td>H4.1</td><td>Flammable solids</td></tr> <tr><td>4.2</td><td>H4.2</td><td>Substances or wastes liable to spontaneous combustion</td></tr> <tr><td>4.3</td><td>H4.3</td><td>Substances or wastes which, in contact with water, emit flammable gases</td></tr> <tr><td>5.1</td><td>H5.1</td><td>Oxidizing</td></tr> <tr><td>5.2</td><td>H5.2</td><td>Organic peroxides</td></tr> <tr><td>6.1</td><td>H6.1</td><td>Poisonous (acute)</td></tr> <tr><td>6.2</td><td>H6.2</td><td>Infectious substances</td></tr> <tr><td>8</td><td>H8</td><td>Corrosives</td></tr> <tr><td>9</td><td>H10</td><td>Liberation of toxic gases in contact with air or water</td></tr> <tr><td>9</td><td>H11</td><td>Toxic (delayed or chronic)</td></tr> <tr><td>9</td><td>H12</td><td>Ecotoxic</td></tr> <tr><td>9</td><td>H13</td><td>Capable, by any means, after disposal of yielding another material, e. g., leachate, which possesses any of the characteristics listed above</td></tr> </tbody> </table>	UN class	H-code	Characteristics	1	H1	Explosive	3	H3	Flammable liquids	4.1	H4.1	Flammable solids	4.2	H4.2	Substances or wastes liable to spontaneous combustion	4.3	H4.3	Substances or wastes which, in contact with water, emit flammable gases	5.1	H5.1	Oxidizing	5.2	H5.2	Organic peroxides	6.1	H6.1	Poisonous (acute)	6.2	H6.2	Infectious substances	8	H8	Corrosives	9	H10	Liberation of toxic gases in contact with air or water	9	H11	Toxic (delayed or chronic)	9	H12	Ecotoxic	9	H13	Capable, by any means, after disposal of yielding another material, e. g., leachate, which possesses any of the characteristics listed above
UN class	H-code	Characteristics																																												
1	H1	Explosive																																												
3	H3	Flammable liquids																																												
4.1	H4.1	Flammable solids																																												
4.2	H4.2	Substances or wastes liable to spontaneous combustion																																												
4.3	H4.3	Substances or wastes which, in contact with water, emit flammable gases																																												
5.1	H5.1	Oxidizing																																												
5.2	H5.2	Organic peroxides																																												
6.1	H6.1	Poisonous (acute)																																												
6.2	H6.2	Infectious substances																																												
8	H8	Corrosives																																												
9	H10	Liberation of toxic gases in contact with air or water																																												
9	H11	Toxic (delayed or chronic)																																												
9	H12	Ecotoxic																																												
9	H13	Capable, by any means, after disposal of yielding another material, e. g., leachate, which possesses any of the characteristics listed above																																												
MEANS OF TRANSPORT (block 8) R = Road A = Air T = Train/rail W = Inland waterways S = Sea																																														
PHYSICAL CHARACTERISTICS (block 13) <table style="width:100%; border-collapse: collapse;"> <tbody> <tr> <td>1. Powdery / powder</td> <td>5. Liquid</td> </tr> <tr> <td>2. Solid</td> <td>6. Gaseous</td> </tr> <tr> <td>3. Viscous / paste</td> <td>7. Other (specify)</td> </tr> <tr> <td>4. Sludgy</td> <td></td> </tr> </tbody> </table>	1. Powdery / powder	5. Liquid	2. Solid	6. Gaseous	3. Viscous / paste	7. Other (specify)	4. Sludgy																																							
1. Powdery / powder	5. Liquid																																													
2. Solid	6. Gaseous																																													
3. Viscous / paste	7. Other (specify)																																													
4. Sludgy																																														

Further information, in particular related to waste identification (block 14), i.e. on Basel Annexes VIII and IX codes, OECD codes and Y-codes, can be found in a Guidance/Instruction Manual available from the OECD and the Secretariat of the Basel Convention

APPENDIX 6

LIST OF OECD COUNTRIES

The Organization for Economic Cooperation and Development (OECD) is an international organization of those developed countries that accept the principles of representative democracy and free market economy (Reference: <http://en.wikipedia.org/wiki/OECD#Members>)

Member countries:

-  Austria
-  Australia
-  Belgium
-  Canada
-  Czech Republic
-  Denmark
-  France
-  Finland
-  Germany
-  Greece
-  Hungary
-  Iceland
-  Ireland
-  Italy
-  Japan
-  Luxembourg
-  Mexico
-  Netherlands
-  New Zealand
-  Norway
-  Poland
-  Portugal
-  Slovakia
-  Spain
-  Sweden
-  Switzerland
-  South Korea
-  Turkey
-  United Kingdom
-  United States

APPENDIX 7

UN RECOMMENDATIONS ON THE TRANSPORT OF DANGEROUS GOODS

For information on the UN Recommendations on the Transport of Dangerous Goods consult the URL given below:

<http://www.unece.org/trans/danger/publi/unrec/English/Recommend.pdf>

APPENDIX 8

SELECTED ANNEXES OF THE BASEL CONVENTION ON THE CONTROL OF TRANSBOUNDARY MOVEMENTS OF HAZARDOUS WASTES AND THEIR DISPOSAL

ANNEX I

CATEGORIES OF WASTES TO BE CONTROLLED

Waste Streams

- Y1** Clinical wastes from medical care in hospitals, medical centers and clinics
- Y2** Wastes from the production and preparation of pharmaceutical products
- Y3** Waste pharmaceuticals, drugs and medicines
- Y4** Wastes from the production, formulation and use of biocides and phytopharmaceuticals
- Y5** Wastes from the manufacture, formulation and use of wood preserving chemicals
- Y6** Wastes from the production, formulation and use of organic solvents
- Y7** Wastes from heat treatment and tempering operations containing cyanides
- Y8** Waste mineral oils unfit for their originally intended use
- Y9** Waste oils/water, hydrocarbons/water mixtures, emulsions
- Y10** Waste substances and articles containing or contaminated with polychlorinated biphenyls (PCBs) and/or polychlorinated terphenyls (PCTs) and/or polybrominated biphenyls (PBBs)
- Y11** Waste tarry residues arising from refining, distillation and any pyrolytic treatment
- Y12** Wastes from production, formulation and use of inks, dyes, pigments, paints, lacquers, varnish
- Y13** Wastes from production, formulation and use of resins, latex, plasticizers, glues/adhesives
- Y14** Waste chemical substances arising from research and development or teaching activities which are not identified and/or are new and whose effects on man and/or the environment are not known
- Y15** Wastes of an explosive nature not subject to other legislation
- Y16** Wastes from production, formulation and use of photographic chemicals and processing materials
- Y17** Wastes resulting from surface treatment of metals and plastics
- Y18** Residues arising from industrial waste disposal operations

Wastes having as constituents:

- Y19** Metal carbonyls
- Y20** Beryllium; beryllium compounds
- Y21** Hexavalent chromium compounds
- Y22** Copper compounds

Y23	Zinc compounds
Y24	Arsenic; arsenic compounds
Y25	Selenium; selenium compounds
Y26	Cadmium; cadmium compounds
Y27	Antimony; antimony compounds
Y28	Tellurium; tellurium compounds
Y29	Mercury; mercury compounds
Y30	Thallium; thallium compounds
Y31	Lead; lead compounds
Y32	Inorganic fluorine compounds excluding calcium fluoride
Y33	Inorganic cyanides
Y34	Acidic solutions or acids in solid form
Y35	Basic solutions or bases in solid form
Y36	Asbestos (dust and fibres)
Y37	Organic phosphorus compounds
Y38	Organic cyanides
Y39	Phenols; phenol compounds including chlorophenols
Y40	Ethers
Y41	Halogenated organic solvents
Y42	Organic solvents excluding halogenated solvents
Y43	Any congener of polychlorinated dibenzo-furan
Y44	Any congener of polychlorinated dibenzo-p-dioxin
Y45	Organohalogen compounds other than substances referred to in this Annex (e.g. Y39, Y41, Y42, Y43, Y44)

ANNEX II

CATEGORIES OF WASTES REQUIRING SPECIAL CONSIDERATION

- Y46** Wastes collected from households
- Y47** Residues arising from the incineration of household wastes

ANNEX VIII¹²

LIST A

Wastes contained in this Annex are characterized as hazardous under Article 1, paragraph 1 (a), of this Convention, and their designation on this Annex does not preclude the use of Annex III to demonstrate that a waste is not hazardous.

A1 Metal and metal-bearing wastes

- | | |
|-------|--|
| A1010 | Metal wastes and waste consisting of alloys of any of the following: <ul style="list-style-type: none">• Antimony• Arsenic• Beryllium• Cadmium• Lead• Mercury• Selenium• Tellurium• Thallium but excluding such wastes specifically listed on list B. |
| A1020 | Waste having as constituents or contaminants, excluding metal waste in massive form, any of the following: <ul style="list-style-type: none">• Antimony; antimony compounds• Beryllium; beryllium compounds• Cadmium; cadmium compounds• Lead; lead compounds• Selenium; selenium compounds• Tellurium; tellurium compounds |
| A1030 | Wastes having as constituents or contaminants any of the following: <ul style="list-style-type: none">• Arsenic; arsenic compounds• Mercury; mercury compounds• Thallium; thallium compounds |
| A1040 | Wastes having as constituents any of the following: <ul style="list-style-type: none">• Metal carbonyls• Hexavalent chromium compounds |
| A1050 | Galvanic sludges |
| A1060 | Waste liquors from the pickling of metals |

¹² The amendment whereby Annex VIII was added to the Convention entered into force on 6 November 1998, six months following the issuance of depositary notification C.N.77.1998 of 6 May 1998 (reflecting Decision IV/9 adopted by the Conference of the Parties at its fourth meeting). The amendment to Annex VIII whereby new entries were added entered into force on 20 November 2003 (depositary notification C.N.1314.2003), six months following the issuance of depositary notification C.N.399.2003 of 20 May 2003 (reflecting Decision VI/35 adopted by the Conference of the Parties at its sixth meeting). The amendment to Annex VIII whereby one new entry was added entered into force on 8 October 2005 (depositary notification C.N.1044.2005), six months following the issuance of depositary notification C.N.263.2005 of 8 April 2005 (re-issued on 13 June 2005, reflecting Decision VII/19 adopted by the Conference of the Parties at its seventh meeting). The present text includes all amendments.

A1070	Leaching residues from zinc processing, dust and sludges such as jarosite, hematite, etc.
A1080	Waste zinc residues not included on list B, containing lead and cadmium in concentrations sufficient to exhibit Annex III characteristics
A1090	Ashes from the incineration of insulated copper wire
A1100	Dusts and residues from gas cleaning systems of copper smelters
A1110	Spent electrolytic solutions from copper electrorefining and electrowinning operations
A1120	Waste sludges, excluding anode slimes, from electrolyte purification systems in copper electrorefining and electrowinning operations
A1130	Spent etching solutions containing dissolved copper
A1140	Waste cupric chloride and copper cyanide catalysts
A1150	Precious metal ash from incineration of printed circuit boards not included on list B ¹³
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 ¹⁴ 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 (note the related entry on list B B1110) ¹⁵
A1190	Waste metal cables coated or insulated with plastics containing or contaminated with coal tar, PCB ¹⁶ , lead, cadmium, other organohalogen compounds or other Annex I constituents to an extent that they exhibit Annex III characteristics.

A2 Wastes containing principally inorganic constituents, which may contain metals and organic materials

A2010	Glass waste from cathode-ray tubes and other activated glasses
A2020	Waste inorganic fluorine compounds in the form of liquids or sludges but excluding such wastes

¹³ Note that mirror entry on list B (B1160) does not specify exceptions.

¹⁴ This entry does not include scrap assemblies from electric power generation.

¹⁵ PCBs are at a concentration level of 50 mg/kg or more.

¹⁶ PCBs are at a concentration level of 50 mg/kg or more.

	specified on list B
A2030	Waste catalysts but excluding such wastes specified on list B
A2040	Waste gypsum arising from chemical industry processes, when containing Annex I constituents to the extent that it exhibits an Annex III hazardous characteristic (note the related entry on list B B2080)
A2050	Waste asbestos (dusts and fibres)
A2060	Coal-fired power plant fly-ash containing Annex I substances in concentrations sufficient to exhibit Annex III characteristics (note the related entry on list B B2050)

A3 Wastes containing principally organic constituents, which may contain metals and inorganic materials

A3010	Waste from the production or processing of petroleum coke and bitumen
A3020	Waste mineral oils unfit for their originally intended use
A3030	Wastes that contain, consist of or are contaminated with leaded anti-knock compound sludges
A3040	Waste thermal (heat transfer) fluids
A3050	Wastes from production, formulation and use of resins, latex, plasticizers, glues/adhesives excluding such wastes specified on list B (note the related entry on list B B4020)
A3060	Waste nitrocellulose
A3070	Waste phenols, phenol compounds including chlorophenol in the form of liquids or sludges
A3080	Waste ethers not including those specified on list B
A3090	Waste leather dust, ash, sludges and flours when containing hexavalent chromium compounds or biocides (note the related entry on list B B3100)
A3100	Waste paring and other waste of leather or of composition leather not suitable for the manufacture of leather articles containing hexavalent chromium compounds or biocides (note the related entry on list B B3090)
A3110	Fellmongery wastes containing hexavalent chromium compounds or biocides or infectious substances (note the related entry on list B B3110)
A3120	Fluff - light fraction from shredding
A3130	Waste organic phosphorous compounds
A3140	Waste non-halogenated organic solvents but excluding such wastes specified on list B
A3150	Waste halogenated organic solvents
A3160	Waste halogenated or unhalogenated non-

	aqueous distillation residues arising from organic solvent recovery operations
A3170	Wastes arising from the production of aliphatic halogenated hydrocarbons (such as chloromethane, dichloro-ethane, vinyl chloride, vinylidene chloride, allyl chloride and epichlorhydrin)
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 ¹⁷
A3190	Waste tarry residues (excluding asphalt cements) arising from refining, distillation and any pyrolytic treatment of organic materials
A3200	Bituminous material (asphalt waste) from road construction and maintenance, containing tar (note the related entry on list B, B2130)

A4 Wastes which may contain either inorganic or organic constituents

A4010	Wastes from the production, preparation and use of pharmaceutical products but excluding such wastes specified on list B
A4020	Clinical and related wastes; that is wastes arising from medical, nursing, dental, veterinary, or similar practices, and wastes generated in hospitals or other facilities during the investigation or treatment of patients, or research projects
A4030	Wastes from the production, formulation and use of biocides and phytopharmaceuticals, including waste pesticides and herbicides which are off-specification, outdated, ¹⁸ or unfit for their originally intended use
A4040	Wastes from the manufacture, formulation and use of wood-preserving chemicals ¹⁹
A4050	Wastes that contain, consist of or are contaminated with any of the following: <ul style="list-style-type: none">• Inorganic cyanides, excepting precious-metal-bearing residues in solid form containing traces of inorganic cyanides• Organic cyanides
A4060	Waste oils/water, hydrocarbons/water mixtures,

¹⁷ 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.

¹⁸ “Outdated” means unused within the period recommended by the manufacturer.

¹⁹ This entry does not include wood treated with wood preserving chemicals.

	emulsions
A4070	Wastes from the production, formulation and use of inks, dyes, pigments, paints, lacquers, varnish excluding any such waste specified on list B (note the related entry on list B B4010)
A4080	Wastes of an explosive nature (but excluding such wastes specified on list B)
A4090	Waste acidic or basic solutions, other than those specified in the corresponding entry on list B (note the related entry on list B B2120)
A4100	Wastes from industrial pollution control devices for cleaning of industrial off-gases but excluding such wastes specified on list B
A4110	Wastes that contain, consist of or are contaminated with any of the following: <ul style="list-style-type: none">• Any congener of polychlorinated dibenzofuran• Any congener of polychlorinated dibenzodioxin
A4120	Wastes that contain, consist of or are contaminated with peroxides
A4130	Waste packages and containers containing Annex I substances in concentrations sufficient to exhibit Annex III hazard characteristics
A4140	Waste consisting of or containing off specification or outdated ²⁰ chemicals corresponding to Annex I categories and exhibiting Annex III hazard characteristics
A4150	Waste chemical substances arising from research and development or teaching activities which are not identified and/or are new and whose effects on human health and/or the environment are not known
A4160	Spent activated carbon not included on list B (note the related entry on list B B2060)

²⁰ “Outdated” means unused within the period recommended by the manufacturer.

ANNEX IX²¹

LIST B

Wastes contained in the Annex will not be wastes covered by Article 1, paragraph 1 (a), of this Convention unless they contain Annex I material to an extent causing them to exhibit an Annex III characteristic.

B1 Metal and metal-bearing wastes

- | | |
|-------|---|
| B1010 | Metal and metal-alloy wastes in metallic, non-dispersible form: <ul style="list-style-type: none">• Precious metals (gold, silver, the platinum group, but not mercury)• Iron and steel scrap• Copper scrap• Nickel scrap• Aluminium scrap• Zinc scrap• Tin scrap• Tungsten scrap• Molybdenum scrap• Tantalum scrap• Magnesium scrap• Cobalt scrap• Bismuth scrap• Titanium scrap• Zirconium scrap• Manganese scrap• Germanium scrap• Vanadium scrap• Scrap of hafnium, indium, niobium, rhenium and gallium• Thorium scrap• Rare earths scrap• Chromium scrap |
| B1020 | Clean, uncontaminated metal scrap, including alloys, in bulk finished form (sheet, plate, beams, rods, etc), of: <ul style="list-style-type: none">• Antimony scrap• Beryllium scrap• Cadmium scrap• Lead scrap (but excluding lead-acid |

²¹ The amendment whereby Annex IX was added to the Convention entered into force on 6 November 1998, six months following the issuance of depositary notification C.N.77.1998 (reflecting Decision IV/9 adopted by the Conference of the Parties at its fourth meeting). The amendment to Annex IX whereby new entries were added entered into force on 20 November 2003 (depositary notification C.N.1314.2003), six months following the issuance of depositary notification C.N.399.2003 of 20 May 2003 (reflecting Decision VI/35 adopted by the Conference of the Parties at its sixth meeting). The amendment to Annex IX whereby one entry was added entered into force on 8 October 2005 (depositary notification C.N.1044.2005), six months following the issuance of depositary notification C.N.263.2005 of 8 April 2005 (re-issued on 13 June 2005, reflecting Decision VII/19 adopted by the Conference of the Parties at its seventh meeting). The present text includes all amendments.

	batteries)
	<ul style="list-style-type: none">• Selenium scrap• Tellurium scrap
B1030	Refractory metals containing residues
B1031	Molybdenum, tungsten, titanium, tantalum, niobium and rhenium metal and metal alloy wastes in metallic dispersible form (metal powder), excluding such wastes as specified in list A under entry A1050, Galvanic sludges
B1040	Scrap assemblies from electrical power generation not contaminated with lubricating oil, PCB or PCT to an extent to render them hazardous
B1050	Mixed non-ferrous metal, heavy fraction scrap, not containing Annex I materials in concentrations sufficient to exhibit Annex III characteristics ²²
B1060	Waste selenium and tellurium in metallic elemental form including powder
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
B1080	Zinc ash and residues including zinc alloys residues in dispersible form unless containing Annex I constituents in concentration such as to exhibit Annex III characteristics or exhibiting hazard characteristic H4.3 ²³
B1090	Waste batteries conforming to a specification, excluding those made with lead, cadmium or mercury
B1100	Metal-bearing wastes arising from melting, smelting and refining of metals: <ul style="list-style-type: none">• Hard zinc spelter• Zinc-containing drosses:<ul style="list-style-type: none">- Galvanizing slab zinc top dross (>90% Zn)- Galvanizing slab zinc bottom dross (>92% Zn)- Zinc die casting dross (>85% Zn)- Hot dip galvanizers slab zinc dross (batch)(>92% Zn)- Zinc skimmings• Aluminium skimmings (or skims) excluding salt slag• Slags from copper processing for further processing or refining not containing arsenic, lead or cadmium to an extent that they exhibit Annex III hazard characteristics• Wastes of refractory linings, including

²² Note that even where low level contamination with Annex I materials initially exists, subsequent processes, including recycling processes, may result in separated fractions containing significantly enhanced concentrations of those Annex I materials.

²³ The status of zinc ash is currently under review and there is a recommendation with the United Nations Conference on Trade and Development (UNCTAD) that zinc ashes should not be dangerous goods.

crucibles, originating from copper smelting

- Slags from precious metals processing for further refining
- Tantalum-bearing tin slags with less than 0.5% tin

B1110 Electrical and electronic assemblies:

- Electronic assemblies consisting only of metals or alloys
- Waste electrical and electronic assemblies or scrap²⁴ (including printed circuit boards) not 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 not contaminated with Annex I constituents (e.g., cadmium, mercury, lead, polychlorinated biphenyl) or from which these have been removed, to an extent that they do not possess any of the characteristics contained in Annex III (note the related entry on list A A1180)
- Electrical and electronic assemblies (including printed circuit boards, electronic components and wires) destined for direct reuse,²⁵ and not for recycling or final disposal²⁶

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.

B1120 Spent catalysts excluding liquids used as catalysts, containing any of:

Transition metals, excluding waste catalysts (spent catalysts, liquid used catalysts or other catalysts) on list A:	Scandium Vanadium Manganese Cobalt Copper Yttrium Niobium Hafnium Tungsten	Titanium Chromium Iron Nickel Zinc Zirconium Molybdenum Tantalum Rhenium
Lanthanides (rare earth metals):	Lanthanum Praseodymium Samarium Gadolinium Dysprosium Erbium	Cerium Neodymium Europium Terbium Holmium Thulium

²⁴ This entry does not include scrap from electrical power generation.

²⁵ Reuse can include repair, refurbishment or upgrading, but not major reassembly

²⁶ In some countries these materials destined for direct re-use are not considered wastes.

	Ytterbium	Lutetium
B1130	Cleaned spent precious-metal-bearing catalysts	
B1140	Precious-metal-bearing residues in solid form which contain traces of inorganic cyanides	
B1150	Precious metals and alloy wastes (gold, silver, the platinum group, but not mercury) in a dispersible, non-liquid form with appropriate packaging and labelling	
B1160	Precious-metal ash from the incineration of printed circuit boards (note the related entry on list A A1150)	
B1170	Precious-metal ash from the incineration of photographic film	
B1180	Waste photographic film containing silver halides and metallic silver	
B1190	Waste photographic paper containing silver halides and metallic silver	
B1200	Granulated slag arising from the manufacture of iron and steel	
B1210	Slag arising from the manufacture of iron and steel including slags as a source of TiO ₂ and vanadium	
B1220	Slag from zinc production, chemically stabilized, having a high iron content (above 20%) and processed according to industrial specifications (e.g., DIN 4301) mainly for construction	
B1230	Mill scaling arising from the manufacture of iron and steel	
B1240	Copper oxide mill-scale	
B1250	Waste end-of-life motor vehicles, containing neither liquids nor other hazardous components	

B2 Wastes containing principally inorganic constituents, which may contain metals and organic materials

B2010	<p>Wastes from mining operations in non-dispersible form:</p> <ul style="list-style-type: none"> • Natural graphite waste • Slate waste, whether or not roughly trimmed or merely cut, by sawing or otherwise • Mica waste • Leucite, nepheline and nepheline syenite waste • Feldspar waste • Fluorspar waste • Silica wastes in solid form excluding those used in foundry operations
B2020	<p>Glass waste in non-dispersible form:</p> <ul style="list-style-type: none"> • Cullet and other waste and scrap of glass except for glass from cathode-ray tubes and other activated glasses
B2030	<p>Ceramic wastes in non-dispersible form:</p>

- Cermet wastes and scrap (metal ceramic composites)
 - Ceramic based fibres not elsewhere specified or included
- B2040 Other wastes containing principally inorganic constituents:
- Partially refined calcium sulphate produced from flue-gas desulphurization (FGD)
 - Waste gypsum wallboard or plasterboard arising from the demolition of buildings
 - Slag from copper production, chemically stabilized, having a high iron content (above 20%) and processed according to industrial specifications (e.g., DIN 4301 and DIN 8201) mainly for construction and abrasive applications
 - Sulphur in solid form
 - Limestone from the production of calcium cyanamide (having a pH less than 9)
 - Sodium, potassium, calcium chlorides
 - Carborundum (silicon carbide)
 - Broken concrete
 - Lithium-tantalum and lithium-niobium containing glass scraps
- B2050 Coal-fired power plant fly-ash, not included on list A (note the related entry on list A A2060)
- B2060 Spent activated carbon not containing any Annex I constituents to an extent they exhibit Annex III characteristics, for example, carbon resulting from the treatment of potable water and processes of the food industry and vitamin production (note the related entry on list A, A4160)
- B2070 Calcium fluoride sludge
- B2080 Waste gypsum arising from chemical industry processes not included on list A (note the related entry on list A A2040)
- B2090 Waste anode butts from steel or aluminium production made of petroleum coke or bitumen and cleaned to normal industry specifications (excluding anode butts from chlor alkali electrolyses and from metallurgical industry)
- B2100 Waste hydrates of aluminium and waste alumina and residues from alumina production excluding such materials used for gas cleaning, flocculation or filtration processes
- B2110 Bauxite residue ("red mud") (pH moderated to less than 11.5)
- B2120 Waste acidic or basic solutions with a pH greater than 2 and less than 11.5, which are not corrosive or otherwise hazardous (note the related entry on list A A4090)
- B2130 Bituminous material (asphalt waste) from road

construction and maintenance, not containing tar²⁷
(note the related entry on list A, A3200)

B3 Wastes containing principally organic constituents, which may contain metals and inorganic materials

- B3010 Solid plastic waste:
The following plastic or mixed plastic materials, provided they are not mixed with other wastes and are prepared to a specification:
- Scrap plastic of non-halogenated polymers and co-polymers, including but not limited to the following²⁸
 - ethylene
 - styrene
 - polypropylene
 - polyethylene terephthalate
 - acrylonitrile
 - butadiene
 - polyacetals
 - polyamides
 - polybutylene terephthalate
 - polycarbonates
 - polyethers
 - polyphenylene sulphides
 - acrylic polymers
 - alkanes C10-C13 (plasticiser)
 - polyurethane (not containing CFCs)
 - polysiloxanes
 - polymethyl methacrylate
 - polyvinyl alcohol
 - polyvinyl butyral
 - polyvinyl acetate
 - Cured waste resins or condensation products including the following:
 - urea formaldehyde resins
 - phenol formaldehyde resins
 - melamine formaldehyde resins
 - epoxy resins
 - alkyd resins
 - polyamides
 - The following fluorinated polymer wastes²⁹
 - perfluoroethylene/propylene (FEP)
 - perfluoro alkoxyl alkane
 - tetrafluoroethylene/per fluoro vinyl ether

²⁷ The concentration level of Benzol (a) pyrene should not be 50mg/kg or more.

²⁸ It is understood that such scraps are completely polymerized.

²⁹ Post-consumer wastes are excluded from this entry:

- Wastes shall not be mixed
- Problems arising from open-burning practices to be considered

- (PFA)
- tetrafluoroethylene/per fluoro methylvinyl ether (MFA)
 - polyvinylfluoride (PVF)
 - polyvinylidene fluoride (PVDF)
- B3020 Paper, paperboard and paper product wastes
- The following materials, provided they are not mixed with hazardous wastes:
- Waste and scrap of paper or paperboard of:
- unbleached paper or paperboard or of corrugated paper or paperboard
 - other paper or paperboard, made mainly of bleached chemical pulp, not coloured in the mass
 - paper or paperboard made mainly of mechanical pulp (for example, newspapers, journals and similar printed matter)
 - other, including but not limited to 1) laminated paperboard 2) unsorted scrap
- B3030 Textile wastes
- The following materials, provided they are not mixed with other wastes and are prepared to a specification:
- Silk waste (including cocoons unsuitable for reeling, yarn waste and garnetted stock)
 - not carded or combed
 - other
 - Waste of wool or of fine or coarse animal hair, including yarn waste but excluding garnetted stock
 - noils of wool or of fine animal hair
 - other waste of wool or of fine animal hair
 - waste of coarse animal hair
 - Cotton waste (including yarn waste and garnetted stock)
 - yarn waste (including thread waste)
 - garnetted stock
 - other
 - Flax tow and waste
 - Tow and waste (including yarn waste and garnetted stock) of true hemp (Cannabis sativa L.)
 - Tow and waste (including yarn waste and garnetted stock) of jute and other textile bast fibres (excluding flax, true hemp and ramie)
 - Tow and waste (including yarn waste and garnetted stock) of sisal and other textile fibres of the genus Agave
 - Tow, noils and waste (including yarn waste and garnetted stock) of coconut
 - Tow, noils and waste (including yarn waste

- and garnetted stock) of abaca (Manila hemp or Musa textilis Nee)
- Tow, noils and waste (including yarn waste and garnetted stock) of ramie and other vegetable textile fibres, not elsewhere specified or included
 - Waste (including noils, yarn waste and garnetted stock) of man-made fibres
 - of synthetic fibres
 - of artificial fibres
 - Worn clothing and other worn textile articles
 - Used rags, scrap twine, cordage, rope and cables and worn out articles of twine, cordage, rope or cables of textile materials
 - sorted
 - other
- B3035 Waste textile floor coverings, carpets
- B3040 Rubber wastes
- The following materials, provided they are not mixed with other wastes:
- Waste and scrap of hard rubber (e.g., ebonite)
 - Other rubber wastes (excluding such wastes specified elsewhere)
- B3050 Untreated cork and wood waste:
- Wood waste and scrap, whether or not agglomerated in logs, briquettes, pellets or similar forms
 - Cork waste: crushed, granulated or ground cork
- B3060 Wastes arising from agro-food industries provided it is not infectious:
- Wine lees
 - Dried and sterilized vegetable waste, residues and byproducts, whether or not in the form of pellets, of a kind used in animal feeding, not elsewhere specified or included
 - Degras: residues resulting from the treatment of fatty substances or animal or vegetable waxes
 - Waste of bones and horn-cores, unworked, defatted, simply prepared (but not cut to shape), treated with acid or degelatinised
 - Fish waste
 - Cocoa shells, husks, skins and other cocoa waste
 - Other wastes from the agro-food industry excluding by-products which meet national and international requirements and standards for human or animal consumption
- B3065 Waste edible fats and oils of animal or vegetable origin (e.g. frying oils), provided they do not exhibit

	an Annex III characteristic
B3070	The following wastes: <ul style="list-style-type: none">• Waste of human hair• Waste straw• Deactivated fungus mycelium from penicillin production to be used as animal feed
B3080	Waste parings and scrap of rubber
B3090	Paring and other wastes of leather or of composition leather not suitable for the manufacture of leather articles, excluding leather sludges, not containing hexavalent chromium compounds and biocides (note the related entry on list A A3100)
B3100	Leather dust, ash, sludges or flours not containing hexavalent chromium compounds or biocides (note the related entry on list A A3090)
B3110	Fellmongery wastes not containing hexavalent chromium compounds or biocides or infectious substances (note the related entry on list A A3110)
B3120	Wastes consisting of food dyes
B3130	Waste polymer ethers and waste non-hazardous monomer ethers incapable of forming peroxides
B3140	Waste pneumatic tyres, excluding those destined for Annex IVA operations

B4 Wastes which may contain either inorganic or organic constituents

B4010	Wastes consisting mainly of water-based/latex paints, inks and hardened varnishes not containing organic solvents, heavy metals or biocides to an extent to render them hazardous (note the related entry on list A A4070)
B4020	Wastes from production, formulation and use of resins, latex, plasticizers, glues/adhesives, not listed on list A, free of solvents and other contaminants to an extent that they do not exhibit Annex III characteristics, e.g., water-based, or glues based on casein starch, dextrin, cellulose ethers, polyvinyl alcohols (note the related entry on list A A3050)
B4030	Used single-use cameras, with batteries not included on list A

APPENDIX 9

APPENDICES 1, 3 & 4 OF THE OECD DECISION

APPENDIX 1: CATEGORIES OF WASTES TO BE CONTROLLED (1)

Waste streams:

- Y1 Clinical wastes from medical care in hospitals, medical centres and clinics
- Y2 Wastes from the production and preparation of pharmaceutical products
- Y3 Waste pharmaceuticals, drugs and medicines
- Y4 Wastes from the production, formulation and use of biocides and phytopharmaceuticals
- Y5 Wastes from the manufacture, formulation and use of wood preserving chemicals
- Y6 Wastes from the production, formulation and use of organic solvents
- Y7 Wastes from heat treatment and tempering operations containing cyanides
- Y8 Waste mineral oils unfit for their originally intended use
- Y9 Waste oil/water, hydrocarbon/water mixtures, emulsions
- Y10 Waste substances and articles containing or contaminated with polychlorinated biphenyls (PCB's) and/or polychlorinated terphenyls (PCT's) and/or polybrominated biphenyls (PBB's)
- Y11 Waste tarry residues arising from refining, distillation and any pyrolytic treatment
- Y12 Wastes from production, formulation and use of inks, dyes, pigments, paints, laquers, varnish
- Y13 Wastes from production, formulation and use of resins, latex, plasticizers, glues/adhesives
- Y14 Waste chemical substances arising from research and development or teaching activities which are not identified and/or are new and whose effects on man and/or the environment are not known
- Y15 Wastes of an explosive nature not subject to other legislation
- Y16 Wastes from production, formulation and use of photographic chemicals and processing materials
- Y17 Wastes resulting from surface treatment of metals and plastics
- Y18 Residues arising from industrial waste disposal operations

Wastes having as constituents:

- Y19 Metal carbonyls
- Y20 Beryllium; beryllium compounds
- Y21 Hexavalent chromium compounds
- Y22 Copper compounds
- Y23 Zinc compounds
- Y24 Arsenic; arsenic compounds
- Y25 Selenium; selenium compounds
- Y26 Cadmium; cadmium compounds
- Y27 Antimony; antimony compounds
- Y28 Tellurium; tellurium compounds
- Y29 Mercury; mercury compounds
- Y30 Thallium; thallium compounds
- Y31 Lead; lead compounds
- Y32 Inorganic fluorine compounds excluding calcium fluoride
- Y33 Inorganic cyanides
- Y34 Acidic solutions or acids in solid form
- Y35 Basic solutions or bases in solid form
- Y36 Asbestos (dust and fibres)
- Y37 Organic phosphorous compounds
- Y38 Organic cyanides

Y39 Phenols; phenol compounds including chlorophenols

Y40 Ethers

Y41 Halogenated organic solvents

Y42 Organic solvents excluding halogenated solvents

Y43 Any congener of polychlorinated dibenzo-furan

Y44 Any congener of polychlorinated dibenzo-p-dioxin

Y45 Organohalogen compounds other than substances referred to in this Appendix (e.g. Y39, Y41, Y42 Y43, Y44)

1. This Appendix is identical to Annex I of the Basel Convention.

APPENDIX 3: LIST OF WASTES SUBJECT TO THE GREEN CONTROL PROCEDURE

Regardless of whether or not wastes are included on this list, they may not be subject to the Green control procedure if they are contaminated by other materials to an extent which (a) increases the risks associated with the wastes sufficiently to render them appropriate for submission to the amber control procedure, when taking into account the criteria in Appendix 6, or (b) prevents the recovery of the wastes in an environmentally sound manner.

Part I:

Wastes listed in Annex IX of the Basel Convention

For the purposes of this Decision:

(a) Any reference to list A in Annex IX of the Basel Convention shall be understood as a reference to Appendix 4 of this Decision.

(b) In Basel entry B1020 the term "bulk finished form" includes all metallic non-dispersible (1) forms of the scrap listed therein.

(c) The part of Basel entry B1100 that refers to "Slags from copper processing" etc does not apply and OECD entry GB040 in Part II applies instead.

(d) Basel entry B1110 does not apply and OECD entries GC010 and GC020 in Part II apply instead.

(e) Basel entry B2050 does not apply and OECD entry GG040 in Part II applies instead.

(f) The reference in Basel entry B3010 to fluorinated polymer wastes shall be deemed to include polymers and co-polymers of fluorinated ethylene (PTFE).

Part II:

The following wastes will also be subject to the Green control procedure:

Metal Bearing Wastes arising from Melting, Smelting and Refining of Metals

GB040 7112 Slags from precious metals and copper processing for further refining
262030
262090

Other Wastes containing Metals

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.

GC030 ex 890800 Vessels and other floating structures for breaking up, properly emptied of any cargo and other materials arising from the operation of the vessel which may have been classified as a dangerous substance or waste

GC050 Spent Fluid Catalytic Cracking (FCC) Catalysts (e.g.: aluminium oxide, zeolites)

Glass Waste in Non-Dispersible Form

GE020 ex 7001 Glass Fibre Waste
ex 701939

Ceramic Wastes in Non-Dispersible Form

GF010 Ceramic wastes which have been fired after shaping, including ceramic vessels (before and/or after use)

Other Wastes Containing Principally Inorganic Constituents, which may contain Metals and Organic Materials

GG030 ex 2621 Bottom ash and slag tap from coal fired power plants

GG040 ex 2621 Coal fired power plants fly ash

Solid Plastic Wastes

GH013 391530 Polymers of vinyl chloride
ex 390410-40

Wastes Arising from Tanning and Fellmongery Operations and Leather Use

GN010 ex 050200 Waste of pigs', hogs' or boars' bristles and hair or of badger hair and other brush making hair

GN020 ex 050300 Horsehair waste, whether or not put up as a layer with or without supporting material

GN030 ex 050590 Waste of skins and other parts of birds, with their feathers or down, of feathers and parts of feathers (whether or not with trimmed edges) and down, not further worked than cleaned, disinfected or treated for preservation

APPENDIX 4: LIST OF WASTES SUBJECT TO THE AMBER CONTROL PROCEDURE

Part I:

Wastes listed in Annexes II and VIII of the Basel Convention

For the purposes of this Decision:

(a) Any reference to list B in Annex VIII of the Basel Convention shall be understood as a reference to Appendix 3 of this Decision.

(b) In Basel entry A1010, the term "excluding such wastes specifically listed on List B (Annex IX)" is a reference both to Basel entry B1020 and the note on B1020 in Appendix 3 to this Decision, Part I(b).

(c) Basel entries A1180 and A2060 do not apply and OECD entries GC010, GC020 and GG040 in Appendix 3 Part II apply instead when appropriate. Member countries may control these wastes differently in accordance with Chapter II B 6 of this Decision concerning wastes not listed in Appendices 3 or 4, and the chapeau of Appendix 3.

(d) Basel entry A4050 includes spent potlinings from aluminium smelting because they contain Y33 inorganic cyanides. If the cyanides have been destroyed, spent potlinings are assigned to Part II entry AB120 because they contain Y32, inorganic fluorine compounds excluding calcium fluoride.

Part II:

The following wastes will also be subject to the Amber control procedure:

Metal Bearing Wastes

AA010 261900 Dross, scalings and other wastes from the manufacture of iron and steel (1)

AA060 262050 Vanadium ashes and residues (1)

AA190 810420 Magnesium waste and scrap that is flammable, pyrophoric or emits, upon contact
ex 810430 with water, flammable gases in dangerous quantities

Wastes Containing Principally Inorganic Constituents, which may contain Metals and Organic Materials

AB030 Wastes from non-cyanide based systems which arise from surface treatment of metals

AB070 Sands used in foundry operations

AB120 ex 281290 Inorganic halide compounds, not elsewhere specified or included
ex 3824

AB130 Used blasting grit

AB150 ex 382490 Unrefined calcium sulphite and calcium sulphate from flue gas desulphurisation (FGD)

Wastes Containing Principally Organic Constituents, which may contain Metals and Inorganic Materials

AC060 ex 381900 Hydraulic fluids

AC070 ex 381900 Brake fluids

AC080 ex 382000 Antifreeze fluids

AC150 Chlorofluorocarbons

AC160 Halons

AC170 ex 440310 Treated cork and wood wastes

AC250 Surface active agents (surfactants)

AC260 ex 3101 Liquid pig manure; faeces

AC270 Sewage sludge

Wastes which may contain either Inorganic or Organic Constituents

AD090 ex 382490 Wastes from production, formulation and use of reprographic and photographic chemicals and materials not elsewhere specified or included

AD100 Wastes from non-cyanide based systems which arise from surface treatment of plastics

AD120 ex 391400 ion exchange resins
ex 3915

AD150 Naturally occurring organic material used as a filter medium (such as bio-filters)

Wastes Containing Principally Inorganic Constituents, which may contain Metals and Organic Materials

RB020 ex 6815 Ceramic based fibres of physico-chemical characteristics similar to those of asbestos

1) This listing includes wastes in the form of ash, residue, slag, dross, skimming, scaling, dust, powder, sludge and cake, unless a material is expressly listed elsewhere

APPENDIX 10

PERMIT APPLICATION CHECKLIST FOR THE EXPORT OF HAZARDOUS WASTE

THE NATURAL RESOURCES CONSERVATION AUTHORITY ACT
The Natural Resources (Hazardous Wastes) (Control of Transboundary Movements) Regulations,
2002

PERMIT APPLICATION CHECKLIST
for the Export of Hazardous Waste

- Completed Application Form (Form 4) – Permit application for Transboundary Movement of Hazardous Waste (1 copy)
- Completed Notification document for Transboundary movements/shipments of waste (Form 2) – BASEL Convention form (3 copies)
 - All boxes must be filled
 - The form must be signed and dated by the generator and exporter (one signature if the two are the same)
 - The intended date for shipment (BOX 6) is 120 days or 4 months later than the date of application
 - The country of import must be party to the Basel Convention (e.g. **USA (including any US Territory) is not a party**)
 - The country of import must **not** prohibit the importation of hazardous wastes (e.g. **China, Afghanistan, Haiti have prohibited importation of hazardous wastes**)
- A Written Contract between the exporter and the importer specifying environmentally sound management of the waste and signed by both parties. All contract dates must cover the expected shipping period (one year from the start date on the notification form)
- Proof of appropriate insurance coverage, including indemnity for damage to third parties and for environmental damage or an adequate bank guarantee, trust fund, bond, line of credit, escrow account or such other form of security relating to damage to third parties and environmental damage, as the Authority considers appropriate
- A Transport Emergency Response Plan to cover the movement of the waste from the point of generation/storage to the point of exit from Jamaica, including a route map
- The Prescribed Application fee of J\$2,500. This fee is nonrefundable
- Holder of an environmental permit for the storage and transportation of hazardous waste (or an application submitted for same)

Updated 29 March 2011

1

APPENDIX 11

GUIDELINES: EMERGENCY RESPONSE PLAN FOR THE TRANSPORT OF HAZARDOUS WASTES

GUIDELINES: EMERGENCY RESPONSE PLAN FOR THE TRANSPORT OF HAZARDOUS WASTES

INTRODUCTION

A **Transport Emergency Response Plan (TERP)** is required to meet the requirements of The Natural Resources (Hazardous Wastes) (Control of Transboundary Movements) (Change of Name and Amendment) Regulations, 2009. A well constructed TERP could prevent a minor incident from becoming a disaster, save lives, prevent injuries, and minimize damage to property and the environment.

AIM

This guide is intended to assist applicants for permits of movement of hazardous waste in the preparation of a TERP. The key elements are briefly as follows:

Introduction

1. Introduce the purpose and frequency of the transportation, and the hazardous wastes being transported.
2. Indicate the proposed transportation route on a suitably scaled map.
3. Include the inventory of hazardous wastes transported as follows:

Name of Waste	UN Hazard Class	Unit Capacity of Container/Packaging	Maximum Quantity Transported in Any One Trip

Hazard Assessment

4. Describe the hazards of the wastes being transported (e.g. flammable, explosive, toxic, corrosive) in the table above
5. Describe the possible spill/release scenarios involving the hazardous wastes being transported including a quantitative estimation of the hazard zones. The worst case scenario is to be highlighted.

Support

6. List the fire protection and pollution prevention/mitigation equipment carried in the vehicle.
7. Indicate the type/s of training received by the driver and/or your emergency response team.

Response

8. Describe the specific actions that will be taken by the driver and/or your emergency response team in the event of a spill/release.

The plan must be submitted to NEPA along with your application form for a permit to export hazardous waste. For more details on transportation guidelines, contact the Pollution Prevention Branch of the National Environment & Planning Agency (NEPA).