COMMISSION REGULATION (EC) No 1552/2000

of 14 July 2000

amending Regulation (EC) No 1547/1999 concerning the control procedures to apply to shipments of certain types of waste to: Estonia, Hong Kong, Hungary, Indonesia, Lithuania, San Marino and Thailand

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 259/93 of 1 February 1993 on the supervision and control of shipments of waste within, into and out of the European Community [1], as last amended by Commission Decision 1999/816/EC [2], and in particular Article 17(3) thereof,

Whereas:

(1) In January, the European Commission sent a 'note verbale' to all non-OECD countries (plus Hungary and Poland which do not yet apply OECD Decision C(92)39 final). The purpose of this 'note verbale' was threefold: (i) to inform these countries of the Community's new regulations; (ii) to ask for confirmation of the respective positions as outlined in the annexes of both regulations; and (iii) to have an answer from those countries which did not reply in 1994.

(2) Among the countries that replied, the following notified the Commission that the import of certain wastes listed in Annex II to Regulation (EEC) No 259/93 is accepted either without any control procedure or is subject to control pursuant to the control procedure which applies to Annexes III or IV to the said Regulation:

1. Estonia (reply of 10 February 2000),

2. Hong Kong (reply of 25 February 2000),

3. Hungary (reply of 9 February 2000),

4. Indonesia (reply of 15 Feburary 2000 and further details given on 14 April 2000),

5. Lithuania (reply of 15 February 2000),

6. San Marino (reply of 14 February 2000),

7. Thailand (reply of 17 February 2000).

(3) In accordance with Article 17(3) of Regulation (EEC) No 259/93, the committee instituted by Article 18 of Council Directive 75/442/EEC of 15 July 1975 on waste [3], as last amended by Commission Decision 96/350/EC [4], was notified of the official request of these countries on 26 April 2000.

(4) In order to take into account the new situation of these countries, it is necessary to amend Commission Regulation (EC) No 1547/1999 of 12 July 1999 determining the control procedures under Council Regulation (EEC) No 259/93 to apply to to shipments of certain types of waste to certain countries to which OECD Decision C(92)39 final does not apply [5], as last amended by Commission Regulation (EC) No 1208/2000 [6],

[1] OJ L 30, 6.2.1993, p. 1.
[2] OJ L 316, 10.12.1999, p. 45.
[3] OJ L 194, 25.7.1975, p. 39.
[4] OJ L 135, 6.6.1996, p. 32.
[5] OJ L 185, 17.7.1999, p. 1.
[6] OJ L 138, 9.6.2000, p. 7.

HAS ADOPTED THIS REGULATION:

Article 1

Annex A to Regulation (EC) No 1547/1999 is amended as follows:

(1) In the text related to HUNGARY the words 'except those listed in Annex B' are deleted.

(2) All the text related to INDONESIA is deleted.

(3) Between the texts related to JAMAICA and MACAU, the following text is inserted:

'LITHUANIA

1. All types in section GB ("Metal bearing wastes arising from melting, smelting and refining of metals").

2. All types in section GC ("Other wastes containing metals").

3. All types in section GD ("Wastes from mining operations: these wastes to be in non-dispersible form").

4. All types in section GF ("Ceramic wastes in non-dispersible form").

5. All types in section GG ("Other wastes containing principally inorganic constituents, which may contain metals and organic material").

6. In section GH ("Solid plastic wastes")

Waste, parings and scrap of plastics of:

GH 012	ex 3915 20	— Polymers of styrene
GH 013	ex 3915 30	— Polymers of vinyl chloride
GH 014	ex 3915 90	— Acrylonitrile copolymer
		— Butadiene copolymer
		— Styrene copolymer
		— Polyamides
		— Polybutylene terephthalates
		— Polycarbonates
		— Polyphenylene sulphides
		— Acrylic polymers
		— Paraffins (C10-C13) (*)
		— Polyurethane (not containing chlorofluorocarbons)
		— Polysiloxalanes (silicones)
		— Polymethyl methacrylate
		— Polyvinyl alcohol
		— Polyvinyl butyral
		— Polyvinyl acetate
		— Polymers of fluorinated ethylene (Teflon, PTFE)
GH 015	ex 3915 90	— Resins or condensation products, for example:
		— urea formaldehyde resins
		— phenol formaldehyde resins
		— melamine formaldehyde resins
		— epoxy resins
		— alkyd resins
		— polyamides.

(*) These cannot be polymerised and are used as plasticisers.

7. In section GI ("Paper, paperboard and paper product wastes").

GI 014	4707 90	Other, including but not limited to: 1. Laminated paperboard 2. Unsorted waste and scrap.

8. All types in section GJ ("Textile wastes").

9. All types in section GK ("Rubber wastes").

10. All types in section GM ("Wastes arising from agro-food industries").

11. All types in section GN ("Wastes arising from tanning and fellmongery operations and leather use").

12. All types in section GO ("Other wastes containing principally organic constituents, which may contain metals and inorganic materials")'.

(4) Between the texts related to POLAND and SINGAPORE, the following text is inserted:

'SAN MARINO

1. In section GC ("Other wastes containing metals")

GC 030	ex 8908 00	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
GC 040		Motor vehicle wrecks, drained of liquids.

2. In section GG ("Other wastes containing principally inorganic constituents, which may contain metals and organic material")

GG 030	ex 2621	Bottom ash and slag tap from coal-fired power plants
GG 040	ex 2621	Coal-fired power plants fly ash.

3. In section GK ("Rubber wastes")

GK 020	4012 20	Used pneumatic tyres.

4. In section GO ("Other wastes containing principally organic constituents, which may contain metals and inorganic materials")

GO 030		Deactivated fungus mycelium from penicillin production to be used as animal feed.'

(5) The text related to THAILAND is modified as follows:

1. In section GA the following type of waste are deleted:

GA 150	7802 00	Lead waste and scrap
GA 240	ex 8107 10	Cadmium waste and scrap
GA 300	ex 8112 20	Chromium waste and scrap.

2. In section GG the following type of waste are deleted:

GG 040	ex 2621	Coal-fired power plants fly ash.

3. Section GH ('Solid plastic wastes') is deleted.

Article 2

Annex B to Regulation (EC) No 1547/1999 is amended as follows:

(1) All the text related to ESTONIA is deleted.

(2) All the text related to HUNGARY is deleted.

(3) Between the text related to GUINEA-BISSAU and INDIA, the following text is inserted:

'HONG KONG

1. In section GA ("Metal and metal-alloy wastes in metallic, non-dispersible [1] form")

GA 200	ex 8103 10	Tantalum waste and scrap.

2. In section GC ("Other wastes containing metals")

GC 060	Spent metal-bearing catalysts containing any of: — platinum-group metals: ruthenium, rhodium, palladium, osmium, iridium, platinum — lanthanides (rare earth metals): lanthanum, praseodymium, samarium, gadolinium, dysprosium, erbium, ytterbium, cerium, neodymium, europium, terbium, holmium, thulium, lutetium.

The following metal and metal alloy wastes in metallic dispersible form:

GC 090	Molybdenum
GC 100	Tungsten
GC 110	Tantalum
GC 120	Titanium
GC 130	Niobium
GC 140	Rhenium
GC 150	Gold
GC 160	Platinum (the expression "platinum" includes platinum, iridium, osmium, palladium, rhodium and ruthenium)
GC 170	Other presious metals, e.g. silver *NB*: mercury is specifically excluded as a contaminant of these metals and their alloys or amalgams.

3. In section GG ("Other wastes containing principally inorganic constituents, which may contain metals and organic material")

GG 160	Bituminous materials (asphalt waste) from road construction and maintenance, not containing tar.

4. In section GJ ("Textile wastes")

GJ 140	ex 6310	Waste textile floor coverings, carpets.

5. In section GM ("Wastes arising from agro-food industries")

GM 140	ex 1500	Waste edible fats and oils of animal or vegetable origin (e.g. frying oils).'

(4) In the text related to INDONESIA the words 'except those listed in Annex A or Annex D' are replaced by the words 'except those listed in Annex D'.

(5) The text related to LITHUANIA is modified as follows:

1. The following sections are deleted:

GC ('Other wastes containing metals')

GD ('Wastes from mining operations: these wastes to be in non-dispersible form')

GG ('Other wastes containing principally inorganic constituents, which may contain metals and organic material')

GK ('Rubber wastes')

GO ('Other wastes containing principally organic constituents, which may contain metals and inorganic materials').

2. The section GH ('Solid plastic wastes') is replaced by the following text:

'2. All types in section GH ("Solid plastic wastes") except all solid plastic waste listed in Annex A and:

GH 011	ex 3915 10	Polymers of ethylene.'

(6) Between the text related to SLOVAKIA and TOGO, the following text is inserted:

'THAILAND

1. In section GA ("Metal and metal-alloy wastes in metallic, non-dispersible [1] form")

The following waste and scrap of non-ferrous metals and their alloys:

GA 150	7802 00	Lead waste and scrap
GA 240	ex 8107 10	Cadmium waste and scrap
GA 300	ex 8112 20	Chromium waste and scrap.

2. In section GG ("Other wastes containing principally inorganic constituents, which may contain metals and organic material")

GK 040	ex 2621	Coal-fired power plants fly ash.

3. All types in section GH ("Solid plastic wastes")

4. In section GN ("Wastes arising from tanning and fellmongery operations and leather use")

GK 040	ex 4110 00	Parings and other waste of leather or of composition leather, not suitable for the manufacture of leather articles, excluding leather sludges.'

Article 3

Annex D to Regulation (EC) No 1547/1999 is amended as follows:

(1) In the text related to ESTONIA the words 'except those listed in Annex B' are deleted.

(2) In the text related to HONG KONG the words 'All types in Annex II' are replaced by the words 'All types in Annex II except those listed in Annex B'.

(3) The text related to INDONESIA is replaced by the following text:

'1. In section GA ("Metal and metal-alloy wastes in metallic, non-dispersible [1] form")

(a) The following waste and scrap of precious metals and their alloys:

GG 010	ex 7112 10	— Of gold
GG 020	ex 7112 20	— Of platinum (the expression "platinum" includes platinum, iridium, osmium, palladium, rhodium and ruthenium).

(b) The following waste and scrap of non-ferrous metals and their alloys:

GA 120	7404 00	Copper waste and scrap
GA 130	7503 00	Nickel waste and scrap
GA 140	7602 00	Aluminium waste and scrap
GA 160	7902 00	Zinc waste and scrap
GA 170	8002 10	Tin waste and scrap
GA 180	ex 8101 91	Tungsten waste and scrap
GA 190	ex 8102 91	Molybdenum waste and scrap
GA 200	ex 8103 10	Tantalum waste and scrap
GA 210	8104 20	Magnesium waste and scrap (excluding those listed in AA 190)
GA 220	ex 8105 10	Cobalt waste and scrap
GA 230	ex 8106 00	Bismuth waste and scrap
GA 240	ex 8107 10	Cadmium waste and scrap
GA 250	ex 8108 10	Titanium waste and scrap
GA 260	ex 8109 10	Zirconium waste and scrap
GA 270	ex 8110 00	Antimony waste and scrap
GA 280	ex 8111 00	Manganese waste and scrap
GA 290	ex 8112 11	Beryllium waste and scrap
GA 300	ex 8112 20	Chromium waste and scrap
GA 310	ex 8112 30	Germanium waste and scrap
GA 320	ex 8112 40	Vanadium waste and scrap
GA 430	7204	Iron or steel scrap.

2. In section GC ("Other wastes containing metals")

GC 030	ex 8908 00	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.

3. In section GE ("Glass waste in non-dispersible form").

GE 010	ex 7001 00	Cullet or other waste and scrap of glass except for glass from cathode-ray tubes and other activated (with coatings) glasses.

4. In section GF ("Ceramic wastes in non-dispersible form")

GF 020	ex 8113 00	Cermet waste and scrap (metal ceramic composites).

5. All types in section GI ("Paper, paperboard and paper product wastes").

6. In section GJ ("Textile wastes")

GJ 010	5003	Silk waste (including cocoons unsuitable for reeling, yarn waste and garnetted stock)
GJ 011	5003 10	— Not carded or combed
GJ 012	5003 90	— Other

GJ 020	5103	Waste of wool or of fine or coarse animal hair, including yarn waste but excluding garnetted stock
GJ 021	5103 10	— Noils of wool or of fine animal hair
GJ 022	5103 20	— Other waste of wool or of fine animal hair
GJ 023	5103 30	— Waste of coarse animal hair
GJ 030	5202	Cotton waste (including yarn waste and garnetted stock)
GJ 031	5202 10	— Yarn waste (including thread waste)
GJ 032	5202 91	— Garnetted stock
GJ 033	5202 99	— Other
GJ 040	5301 30	Flax tow and waste
GJ 050	ex 5302 90	Tow and waste (including yarn waste and garnetted stock) of true hemp (*Cannabis sativa* L.)
GJ 060	ex 5303 90	Tow and waste (including yarn waste and garnetted stock) of jute and other textile bast fibres (exluding flax, true hemp and ramie)
GJ 070	ex 5304 90	Tow and waste (including yarn waste and garnetted stock) of sisal and other textile fibres of the genus Agave
GJ 080	ex 5305 19	Tow, oils and waste (including yarn waste and garnetted stock) of coconut
GJ 090	ex 5305 29	Tow, oils and waste (including yarn waste and garnetted stock) of abaca (Manila hemp or *Musa textilis* Nee)
GJ 100	ex 5305 99	Tow, oils and waste (including yarn waste and garnetted stock) of ramie and other vegetable textile fibres, not elsewhere speciefied or included
GJ 132	ex 6310 90	— Other.'

7. In section GK ("Rubber wastes")

GK 020	4012 20	Used pneumatic tyres.'

(4) In the text related to LITHUANIA the words 'All types in Annex II except those listed in Annex B' are replaced by the words 'All types in Annex II except those listed in Annex A or B'.

(5) In the text related to SAN MARINO the words 'All types in Annex II' are replaced by the words 'All types in Annex II except those listed in Annex A'.

(6) In the text related to THAILAND the words 'All types in Annex II except those listed in Annex A' are replaced by the words 'All types in Annex II except those listed in Annex A or B'.

Article 4

This Regulation shall enter into force on the 21st day following that of its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 14 July 2000.

For the Commission

Pascal LAMY

Member of the Commission