



Awareness Paper for the Carriage of Waste in Containers

A Publication of CINS (The Cargo Incident Notification System)

May 2018

INTRODUCTION

Background

CINS – Cargo Incident Notification System

CINS is a shipping line initiative, launched in September 2011, to increase safety in the supply chain, reduce the number of cargo incidents on-board ships and on land, and highlight the risks caused by certain cargoes and/or packing failures. Membership of CINS comprises over 65 percent of the world's container slot capacity. CINS permits analysis of operational information on all cargo and container incidents which lead to:

Injury or loss of life, loss or serious damage of assets, environmental concerns. Data relating to any cargo incident on-board a ship, in terminals etc. is uploaded to the CINS database. The data includes information on: Cargo type, nature, packaging, weight; journey (load and discharge ports); type of incident and root cause.

Basel Convention

The Basel Convention is an international treaty that was designed to regulate the movements of waste between nations, and specifically to prevent transfer of hazardous waste from developed to less developed countries (LDCs).

The Convention is also intended to minimize the amount and toxicity of wastes generated; to ensure their environmentally sound management as closely as possible to the source of generation, and to assist LDCs in environmentally sound management of the hazardous and other wastes they generate.

The Convention was opened for signature on 22 March 1989, and entered into force on 5 May 1992. As of November 2016, 184 states and the European Union are parties to the Convention.

Acknowledgements

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1. Classification

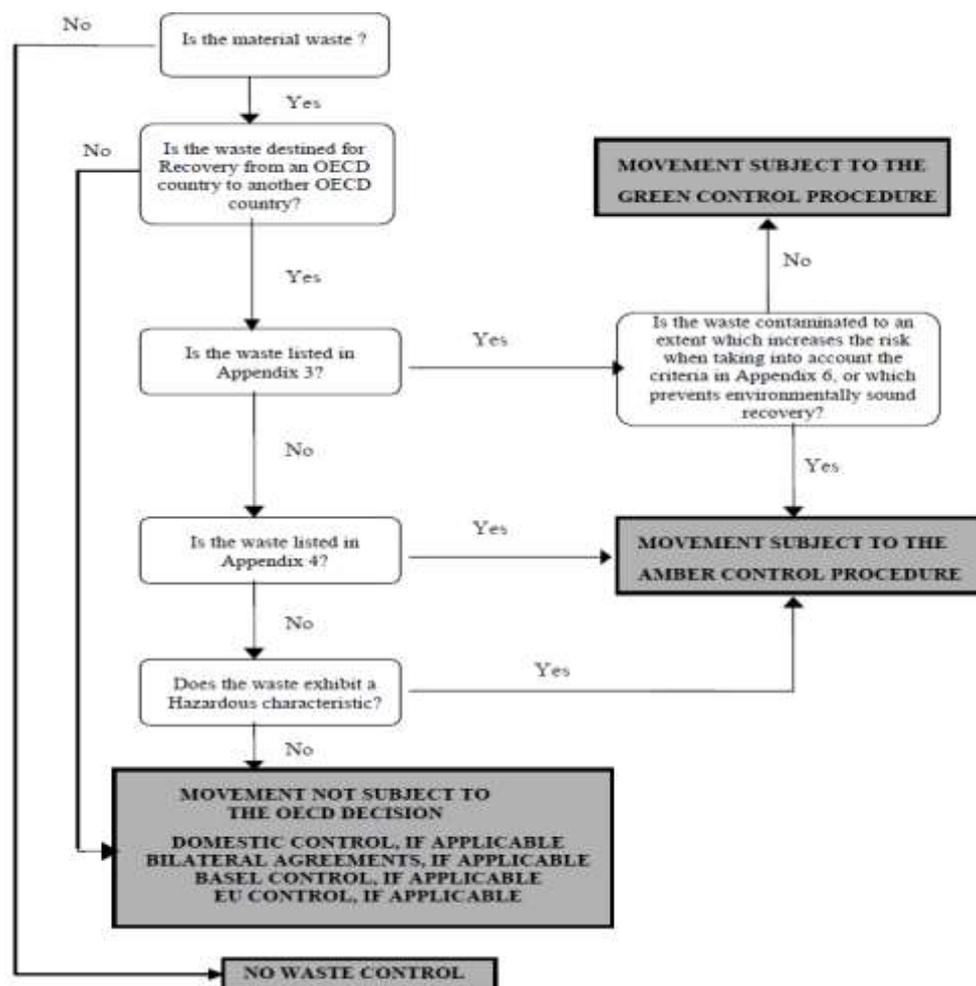
1.1 Which cargoes must be declared as waste?

- Cargoes meant for disposal/recycling, typically described as: Scrap, waste, spent, recycling, used, old, expired, defective, for disposal, recovery, regeneration cargo.
- Materials meant for disposal or recycling are considered waste material according to the Basel Convention, OECD Guidance, European Communities Council Regulation (EC) 1013/2006 or any other national/international waste regulation.
- Materials for direct reuse without further processing or used as production material are not considered waste material.

→ Identification of waste subject to the OECD Decision which is harmonized with the Basel Convention Code Source OECD Decision; Seite 9 ff. (see below)

2.3 Harmonisation of the OECD Council Acts with the Basel Convention

The developments under the Basel Convention during the late 1990's gave impetus to revise OECD Decision C(92)39/FINAL. The goal of the revision was, to the extent possible, to harmonise the procedures and requirements of this OECD Decision with those of the Basel Convention and to eliminate duplicate activities between the two international organisations. In May 2002, this work resulted in the issuance of the revised Council Decision C(2001)107/FINAL on the control of transboundary movements of wastes destined for recovery operations.



(Source: <http://www.oecd.org/env/waste/theoecdcontrolsystemforwasterecovery.htm>; page 15)

1.2 Waste Categories

- Green listed waste

Waste transport documents are required as per the local law of countries concerned.

An Annex VII information document is needed for green listed waste shipments to, from or transiting the European Union (Article 18 according to EC 1013/2006 regulation). Green listed waste may be subject to Amber listed waste restrictions in certain transport plans. In case of any questions regarding correct declaration, please contact your local EPA.

→ Green wastes are listed in the Basel Convention under Annex IX; List B page 74

<http://basel.int/Portals/4/Basel%20Convention/docs/text/BaselConventionText-e.pdf>

→ Annex VII document:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2013:079:0019:0023:en:PDF>

→ Explanation for filling the Annex VII document:

<http://www.360environmental.co.uk/documents/AnnexVIIcom.pdf>

- Amber listed waste

Wastes which require notifications from the shipper to the Environmental Protection Agencies (EPA) of each country included in the routing (Article 6, paragraph 1 of the Basel Convention).

Every country included in the routing has to sign and approve the transport. That includes also transit countries (Article 6, paragraph 4 of the Basel Convention). Passing the Suez Canal also requires a notification from the Egyptian EPA.

In practical terms the shipper identifies routing after consulting the Carrier and then approach the EPA at origin. The EPA at origin notifies EPA's in all countries included in the transport plan. The Carrier submits the required notifications for check of compliance before the shipment is accepted for loading.

→ Amber wastes are listed in the Basel Convention under Annex VIII; List A page 66

<http://basel.int/Portals/4/Basel%20Convention/docs/text/BaselConventionText-e.pdf>

→ Notifications:

<http://basel.int/Procedures/NotificationMovementDocuments/tabid/1327/Default.aspx>

The shipper needs to start the notification process at the EPA of the export country. Every country's EPA included in the routing needs to provide an approval. When approvals from all countries are available, the shipment can be loaded. Loading without proper approval is illegal, according to Article 9 of the Basel Convention.

→ Contact details of each EPA:

<http://basel.int/Countries/CountryContacts/tabid/1342/Default.aspx>

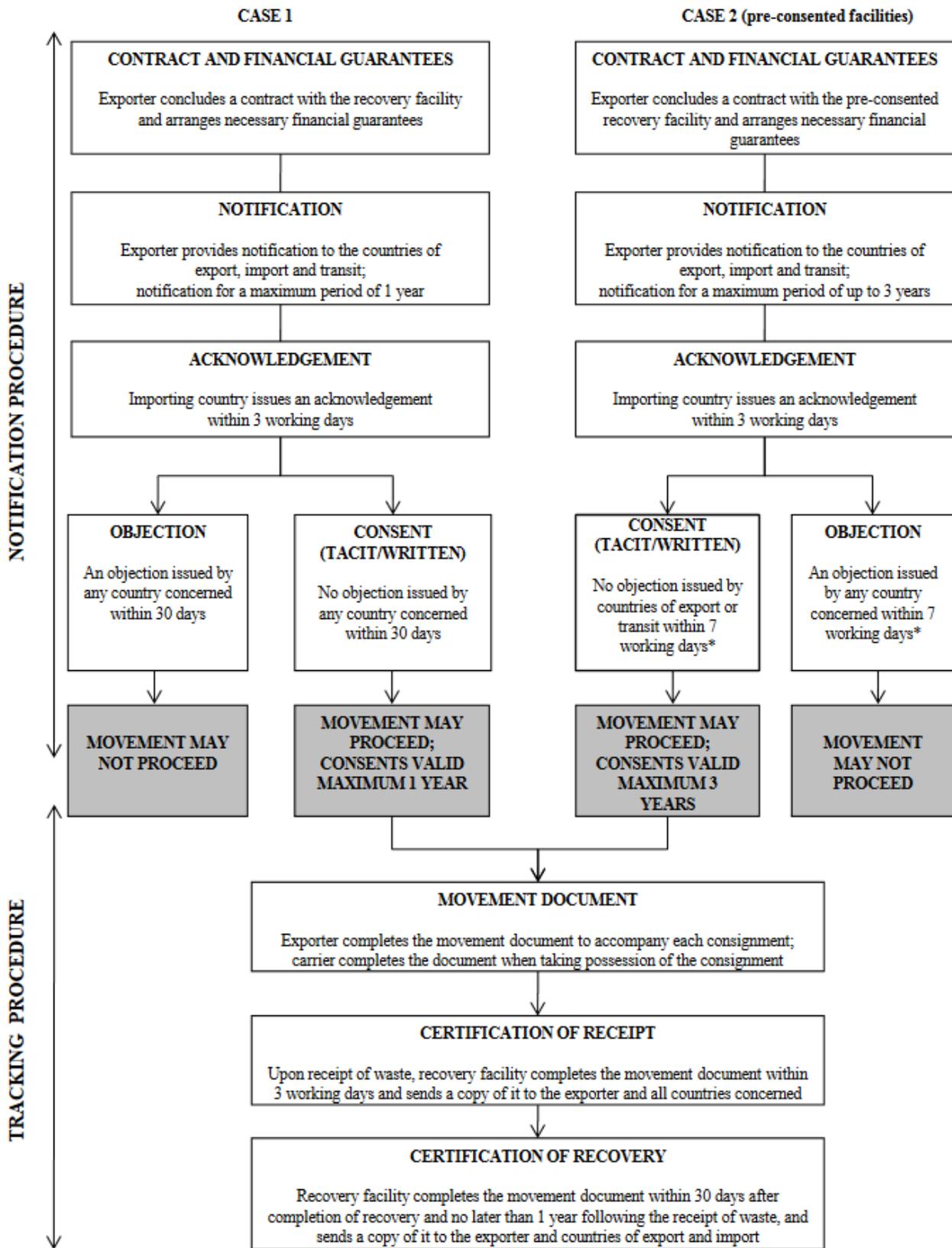
→ Contract between exporter and consignee:

Shipments of waste according to the amber listed procedure require also a contract between the exporter and the Recovery facility/consignee of the waste products. The contract clearly identifies the waste generator, each person who has legal control of the waste and the recovery facility/consignee. This contract regulates the obligations if the waste transport has not been completed due to illegal transportation, mishandling or accidents.

<http://www.oecd.org/env/waste/42262259.pdf> Article 5.2 / CONTRACTS; page 21

→ Any deviation or omission results in review of the transport plan and renewed notification and approval.

→ Main stages of Amber Control Case 1 and Case 2 procedures:
<http://www.oecd.org/env/waste/42262259.pdf>; page 20 – 21



* This period may be extended to 30 days by the country of export.

2. Container Selection

Any container type can be used, depending on the nature of the cargo and packaging. Waste cargo may not be mixed with general cargo.

3. Container Packing

3.1 Packing & Quantity

Containers must be stuffed as per IMO/ILO/UNECE Code of Practice for Packing of Cargo Transport Units and in accordance with the IMDG code, if Goods are classified as dangerous goods under the IMDG code.

All waste shall be packed in an acceptable manner to reduce risk to crew, protect environment, car and assets.

3.2 Inspection of Containers Prior to Carriage

A vanning survey at the order of the carrier at the time of/during the stuffing by an independent surveyor may be recommended in some cases i.e. where batteries or self-reactive commodities are involved.

4. Legal Basis

European Communities Council Regulation (EC) 1013/2006:

<http://eur-lex.europa.eu/legal-content/DE/ALL/?uri=CELEX%3A32006R1013>

Basel Convention:

<http://basel.int/TheConvention/Overview/TextoftheConvention/tabid/1275/Default.aspx>

OECD Guidance:

<http://www.oecd.org/env/waste/theoecdcontrolsystemforwasterecovery.htm>

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