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1 Introduction

1.1 The Hazardous Waste Directive

The Hazardous Waste Directive (HWD) lays down specific requirements for hazardous waste (i.e. specifically toxic, carcinogenic, etc. – waste normally originating from industry). It contains criteria for the elaboration of a hazardous waste list/waste catalogue, establishes a mixing ban and requires hazardous waste management planning.

The main provisions of Directive 91/689/EEC to ensure environmentally sound management of hazardous waste are:

- definition of hazardous waste (Article 1), further developed by the list of hazardous waste established by Council Decision 94/904/EC, replaced by Commission Decision 2000/532/EC as amended.

- the prohibition to mix hazardous waste with other hazardous or non-hazardous waste (Article 2)

- specific permit requirements for establishments and undertakings dealing with hazardous waste (Article 3)

- periodic inspections and requirement to keep records for the producer of hazardous waste (Article 4)

- appropriate packaging and labelling of hazardous waste during collection, transport and temporary storage (Article 5)

- waste management plans for hazardous waste (Article 6)

Domestic hazardous waste is excluded from the provisions of this Directive. The following report is based on a questionnaire adopted by Commission Decision 97/622/EC of 27 May 1997.

1.2 Remarks about this report

This report is a synopsis of the responses by Member States to the questionnaire (Commission Decision 97/622/EC) covering the period 2004-2006. The synopsis summarizes these responses article per article and country per country and observes a limit of 100 words per response. For practical reasons, the report does not differentiate between direct quotes from the Member States’ responses and re-phrased or shortened passages. All due care has been taken in completing this synopsis. However, please mind that the original responses from the Member States constitute the only “authentic” document as submitted by the Member States.

The report produced is solely based on the information made available by the Commission.
2 Incorporation into national law

All reporting Member States confirmed that they have provided the Commission with details of the current laws and regulations in force to incorporate Directive 91/689/EEC on hazardous waste and the Waste List (Decision 2000/532/EC\(^1\) as amended) into national legislation.

3 Implementation of the Directive

3.1 National consideration of “hazardous waste” (Art. 1 (4))

According to Article 1(4) second indent hazardous waste means in addition to the hazardous waste list any other waste considered by a Member State to display any of the properties listed in Annex III such as flammable, corrosive, oxidising, harmful etc. These cases shall be notified to the Commission.

Member States were asked whether any waste other than those listed in Decision 94/904/EC has been considered to display any of the properties listed in Annex III to Directive 91/689/EEC, pursuant to its Article 1 (4), second indent, and if so, has the case(s) been notified to the Commission?

The following countries have listed waste streams other than those listed in Decision 94/904/EC.

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As regards the reasons why additional waste has not been labelled hazardous waste, Bulgaria and Poland said that up to now no practical need has arisen to define additional new types of hazardous waste not included in the list of waste under Decision 94/904/EC.

**Resumé:** Most countries/regions (19 out of 26 reporting) did not add any waste streams to the hazardous waste list, the proportion.

### 3.2 Measures adopted to distinguish domestic hazardous waste from non-domestic hazardous waste

According to Article 1(5) hazardous waste generated in household is exempted from the provisions of this Directive. Within the questionnaire MS were asked whether their national law distinguishes domestic waste from non-domestic hazardous waste.

Only **Belgium (Wallonia), Hungary, Italy and Poland** said that they do not lay down such a distinction. In all the other countries this distinction exists.

**Austria and Belgium (Bruxelles Capitale)** both responded stating that hazardous waste, which is part of domestic waste, is considered as a “problematic” substance. The municipalities are required to organize collections of these substances.

**Belgium (Flemish Region):** Domestic hazardous waste (‘KGA’) is defined separately in Art. 1.1.1 67° of the Vlarea (Flemish Regulation on the Prevention and Management of Waste). Art. 5.5.2.1 contains a more detailed description. Articles 5.5.2.2, 5.5.2.3 and 5.5.2.4 contain provisions on the separate collection of ‘KGA’.

**Bulgaria** commented that the municipalities (mayors) are responsible for organizing separate collections and temporary storage of specific items such as decommissioned vehicles, WEEE, waste batteries, accumulators, waste oils. The National Waste Management Programme (2003-07) includes measures to reduce the quantity of hazardous waste in the domestic waste stream by installing systems to collect hazardous domestic wastes.
Cyprus said that relevant laws were at the stage of implementation and progress for specific categories of domestic hazardous wastes (e.g. batteries, WEEE).

The Czech Republic refers to municipal regulations laying down requirements for the management of the hazardous constituents in municipal waste.

Estonia: Special collection points have been opened for domestic hazardous waste, using separate containers. Each year one or two hazardous-waste collection campaigns are directed at citizens.

Finland: Domestic hazardous waste is included in the scope of the Finnish waste legislation concerning Mainland Finland as well as in the scope of the Parliament of Aland waste legislation concerning the Aland Islands. However, derogations have been granted from certain requirements. Households are exempted from the duty to keep a record of hazardous waste generated. All other generators of hazardous waste have to keep such a record setting out the quantity, type, quality and origin of the hazardous waste generated and its destination.

Germany: All Bundesländer practice the separate collection of hazardous waste streams which are part of domestic waste (either in the form of a door-step collection, a “bring system” or a combination of the two). Hazardous domestic waste is not in the scope of the “Nachweisverordnung laying down requirements for the management of hazardous waste (Ecologic). Hazardous domestic waste may not be put on domestic waste landfills, see Abfallablagerungsverordung, TA Sonderabfall and Deponieverordnung.

In Ireland only some local authorities operate a collection system for domestic hazardous waste. There is not yet a separate collection from households of the hazardous component of domestic waste.

In Latvia the municipalities organize the management of household waste, including hazardous household waste. An environmental tax is levied on certain hazardous substances, such as batteries and lubricants, waste managers dealing with these items are exempted from the tax if they have a contract with the Ministry of the Environment or have a subcontract from a contractor from the Ministry of the Environment. This system has been operating since 1 July 2006.

Also in Lithuania the municipalities are called upon to organize municipal waste management systems. Domestic hazardous waste is collected at the sites for bulky waste. Municipalities and waste management undertakings also organize a door-to-door collection of hazardous waste by special vehicles. Some hazardous waste (batteries, WEEE) is collected in specific containers.

Luxembourg says that it has included hazardous waste from households in category 20 of Annex IV of its waste law.

Malta says that permit requirements do not apply for hazardous waste from households.

In the Netherlands citizens are encouraged to dispose separately of any waste included in the Small Chemical Waste list.

In Romania, economic operators are obliged to collect separately the hazardous waste from the household waste through the licenses issued by the national authorities on sanitation services. For this reason, they have organized special places for discharging the hazardous, separately collected waste.
Slovakia referred to the Waste Catalogue, with municipal hazardous waste included in group 20.

Slovenia lays down minimum treatment requirements for separately collected fractions.

Spain lays down different collection requirements for the hazardous fraction of household waste. However, the waste managers at the end are the same.

Sweden says that when hazardous waste forms a part of the domestic waste, the Ordinance on Hazardous Waste is not applicable. There is a responsibility of the municipalities to collect hazardous waste from households.

UK In England and Wales Regulation 12 of the Hazardous Waste Regulations 2005 provides that the Regulations do not apply to domestic waste apart from asbestos waste and separately collected domestic fractions of hazardous waste. In Scotland, Regulation 2A of the Special Waste Regulations 1996 (as inserted by the Special Waste Amendment (Scotland) Regulations 2004) provides that the Regulations do not apply to special waste which is domestic waste, apart from Asbestos Waste as set out in Regulation 2B (as inserted by the Special Waste Amendment (Scotland) Regulation 2004). In Northern Ireland, Regulations 13 and 14 of the Hazardous Waste Regulations 2005 provides that the Regulations do not apply to domestic waste apart from asbestos waste and separately collected fractions of domestic waste. In Gibraltar, section 192 Bf Part VA of the Public Health Act states that domestic waste shall not be treated as hazardous waste.

**Resumé:** In the vast majority of countries hazardous waste classified as domestic hazardous waste is managed by the municipalities and treated separately from the rest of municipal waste. Within their responses Member States did not specify what the criteria are used as the basis of labelling a certain kind of hazardous waste ‘domestic hazardous waste’. In particular, it is unclear whether domestic hazardous waste is waste originating from households only or also from other sources provided the properties of the waste is similar to hazardous waste from households.

### 3.3 Necessary measures pursuant to Article 2(1) taken

According to Article 2(1) of the Directive on Hazardous Waste hazardous waste has to be recorded and identified on every site where tipping (discharge) of hazardous waste takes place.

All Member States answered affirmatively that they have taken measures on reporting and recording of waste with the exception of the Region **Bruxelles Capitale** which said that they did not have a landfill.

In Austria any establishment collecting or treating waste has to report this waste (type, mass, origin, storage site) to the local governor (“Landeshauptmann”). A tipping of hazardous waste to landfills is not authorized in Austria.

Belgium (Flemish region) said that Art. 14 of the Waste Decree imposes general obligations for the removal of waste as regards registration and identification. Art. 23 deals specifically with hazardous waste. Art. 6.2.4 of the Vlarea lays down in greater detail how registers have to be kept up to date.
Belgium (Walloon Region) requires an elaborate documentation of the transport and the handing over of hazardous waste to a landfill (storage point). Landfill operators have to document the quality, weight, etc. of the hazardous wastes. The documentation has to be kept five years and has to be available to the controlling authorities.

Bulgaria imposes an obligation on persons whose business involves the generation and/or treatment of hazardous waste and on holders of Article 37 authorisations to keep registers certified by the Regional Environment and Water Inspectorate. Information on waste-related activities must include details on the type, quantity, properties and origin of the waste, and other data set out in the ordinance.

Cyprus referred to a ministerial order covering the specification of criteria and procedures for waste acceptance and reception at landfill installations but does not give more details.

The Czech Republic said that generators of waste and licensed persons managing waste have to keep continuous records of waste and of the methods of its management. Records are kept separately for each establishment and for each type of waste. Record-keeping is performed in accordance with Section 39 of the Act. The record-keeping methods for each type of waste are laid down in Decree No 383/2001 Coll. on details concerning the disposal of waste, as amended.

Estonia: The discharge of hazardous waste is governed by Regulation No 38 of the Minister for the Environment of 29 April 2004 on the landfilling of waste and the requirements of Council Decision 2003/33/EC.

Finland referred to the prev. reports by Finland. Gov. Dec. on landfills (861/1997, amendment 202/2006) and Åland Gov. Regulation on landfills (2007:3, amendment 2007:37) set general restrictions on the depositing of wastes in a landfill. The waste holder has to provide the landfill operator with information whereas the landfill operator checks it and takes samples needed for verification testing and record is kept. According to the Council of State Decision on Information to be provided on Haz. Waste and on the Packaging and Labelling of Haz. Waste (659/1996), the holder of the haz. waste has to ensure that the identification form of the waste accompanies the waste.

The German “Nachweisverordnung” contains the requirements for the registration and identification of waste when hazardous waste is put to landfills. The “Deponieverordnung” and the “Abfallablagerungsverordnung” require managers of landfills and other waste treatment plants to keep “waste journals”.

Greece said that systematic and detailed recording and identification of hazardous waste is updated every year. According to national legislation all the industries and undertakings involved in hazardous waste production and management (storage, disposal, recovery) are obliged to identify and record the hazardous waste that they manage. It must be noted that establishments, undertakings and producers of hazardous waste must submit annual reports about hazardous waste that they produce and / or manage (collect, transport, recover or dispose), according to JMD 13588/725/2006.

Hungary: With the exception of households, any producer of hazardous waste shall

a) prepare a material balance on all their activities in the course of which hazardous waste is generated (including quantities and composition of materials used for a specific production technology, the quantity and composition of compensating products, and the quantity and composition of hazardous wastes),
b) keep an operations log on their facilities and equipment used for the storage and treatment of hazardous waste, and

c) keep records and disclose information in accordance with specific other legislation on the obligation to keep records and to supply data.

Ireland said that records of hazardous waste tipped at landfill would be a condition in the waste licence or permit. All hazardous waste facilities require a waste licence or permit.

Italy: Article 11(3)(d) of Legislative Decree 36/2003 stipulates that “for the storage of hazardous waste, a register must contain appropriate documentation or mapping that can identify, with reference to the source and allocation, the landfill sector where the hazardous waste is discharged.”

Latvia: Section 36 of Cabinet Regulation No 474 of 13 June 2006 on ‘Rules for the establishment of landfill sites and the management, closure and re-cultivation of landfill sites and waste dumps’ stipulates that an operator must receive a description of the waste from the supplier before reception. This description becomes part of the contract between the operator of the landfill and the waste holder. The contract indicates how the parties check whether the waste delivered to the landfill site or dump is consistent with the requirements of the contract and lays down what is to be done if the waste delivered is not consistent with these requirements. Where such a contract has not been concluded, a separate description is submitted for each load of waste.

In Lithuania Article 7 of the Law on Waste Management obliges waste managers and companies generating waste in their business activities to keep records of waste and produce reports on the generation and management of waste. Reports on the records of waste are submitted to the Regional environmental protection departments, which process the data and submit them to the Environmental Protection Agency. The Environmental Protection Agency produces a summary report on the data of waste records. The data are made public and provided also to natural and legal persons on receipt of their written requests.

Article 16 of the Law on Waste Management obliges undertakings which use hazardous waste or engage in its disposal to maintain a working log for recording data on the receipt, storage, use, disposal stages, transportation and the precise location of hazardous waste at the undertaking. The detailed form of such a log and the procedure for making records in it are established in Chapter XI and Annex 16 to the Rules on Waste Management.

Pursuant to paragraph 46 of the rules for the setting up, operation, closure and after-care of waste landfills approved by Order No 444 of 18 October 2000 of the Minister for the Environment (Official Gazette, No 96-3061, 2000), waste may be accepted at a landfill only if it meets the acceptance criteria.

Luxembourg refers to the stipulation of Article 2, section 1 which has been repeated in Article 3 of the grand-ducal legislation of December 11, 1996 concerning hazardous waste.

Malta: During the reporting period (2004-2006), tipping of hazardous waste was recorded and identified through a system of hazardous waste consignment notes issued by the competent authority and pursuant to the obligations imposed by the Waste Management (Permit and Control) Regulations (LN337/01).

Netherlands: Article 10.39 of the Environmental Management Act requires any party disposing of hazardous waste to provide the party receiving that waste with a description of its nature, properties and composition. Under Article 10.40 of the Environmental
Management Act, the party receiving the waste, including a landfill, must notify receipt to the competent authority. The notification is registered. The manner in which registration takes place is specified in the acceptance and registration provisions of the permit.

**Poland:** All waste holders are required to keep a record of waste in accordance with the Act on Waste. In addition, once a year a waste holder is obliged to prepare an overall data compilation on types and quantities of waste, the ways in which it is managed and installations and facilities for its recovery and disposal. The overall data compilation for the previous calendar year should be submitted to the Marshal of the Province by the end of the first quarter.

**Romania:** In accordance with EGO 78/2000, approved by Law 426/2001, amended by EGO 61/2006, approved by Law 27/2007, concerning the waste management, hazardous waste must be identified and recorded on every site where it is produced, tipped and stored.

**Slovakia:** Records of waste are kept and maintained in accordance with Section 9 of Ministry of the Environment Decree No 283/2001 Coll. on the implementation of certain provisions of the Waste Act. Record sheets are kept and maintained for landfill sites and for waste recovery and disposal installations in accordance with Section 11 of Ministry of the Environment Decree No 283/2001 Coll. on the implementation of certain provisions of the Waste Act.

**Slovenia:** Article 18 of the Rules on the management of waste imposes the obligation upon the owner or users having property titles to guarantee that waste is not generated on that property involuntarily. Article 105 of the Environment Protection Act (Zakon o varstvu okolja, officially consolidated text - ZVO-1-UPB-1, OG RS No 39/2006, in Slovenian at: http://www.uradni-list.si/1/objava.jsp?urlid=200639&stevilka=1682) lays down the Environment Ministry's obligation to ensure the management and maintenance of an environmental information system. The implementation of the terms of the Rules on the management of waste is supervised by the inspectors competent for environmental protection, activities are recorded in accordance with the law.

**Spain:** In accordance with the ley 10/98 de residuos and with the Real Decreto 833/1988 all sites where hazardous waste could be put are subject to a permit requirement. The Real Decreto stipulates an obligation to have a register and to produce an annual report.

**Sweden:** Landfills and storage sites for hazardous waste need a permit from or notification to the competent authorities (Ordinance on Environmentally Hazardous Activities and Health Protection, SFS 1998:899).

**UK:** In England and Wales, Regulation 47 of the Hazardous Waste Regulations 2005 requires that any person who tips (discharges) hazardous waste (whether by way of disposal or storage) shall record and identify the waste. In Scotland, Regulation 16 of the Special Waste Regulations 1996 requires any person who makes a deposit of special waste in or on any land shall record the location of each such deposit and shall keep such records until their waste management licence is surrendered or revoked. In Northern Ireland, Regulation 40 of the Hazardous Waste Regulations 2005 requires that any person who tips (discharges) hazardous waste (whether by way of disposal or storage) shall record and identify the waste. In Gibraltar, section 192L of Part VA of the Public Health Act requires any establishment or undertaking carrying out any disposal or recovery operations of hazardous waste to record and identify the waste.
**Resumé:** The measures taken by most Member States consist in prescribing the use of registers and waste records outlining the hazardous qualities of waste which should document the handling and the storage of the waste streams.

Many responses do not focus on the tipping aspect only but on reporting requirements in general (e.g. Bulgaria, Hungary, Slovenia). A standard active reporting/notification of the hazardous waste management to public authorities has been reported explicitly by Austria, Greece, Lithuania, the Netherlands, Poland, Spain.

### 3.4 Mixing of hazardous waste: Article 2(2) to (4)

According to Article 2(2) to (4) establishments and undertakings which dispose of, recover, collect or transport hazardous waste shall not mix different hazardous waste and hazardous waste with nonhazardous waste. Exemptions may only be permitted where the conditions laid down in Article 4 of Directive 75/442/EEC are complied with and in particular for the purpose of improving safety during disposal or recovery. Already mixed waste has to be separated where technically and economically feasible and necessary for safety reasons (human health and environment).

All Member States have answered affirmatively that they have implemented the necessary measures.

**Austria:** In Austria there is a mixing ban for all waste types under certain conditions. (in accordance with Art 2 para. 3 of the directive). The separation obligation is laid down in § 73 Abs. 3 of AWG 2002.

**Belgium (Flemish Region):** This provision has been implemented by Art. 23 of the Waste Decree.

**Belgium (Bruxelles Capitale):** said that the measures are part of Article 4 of the arrêté de l'Executif de Bruxelles-Capitale du 19/9/1991 and modified on 16/09/1999 and in the arrêté d'octroi de l'agrément des éliminateurs de déchets dangereux.

**Belgium (Wallonia):** The Walloon region copies the requirements of the Directive in Article 4 of the arrêté de l’Exécutif régional wallon du 09 avril 1992 relatif au déchets dangereux.

**Bulgaria:** Article 5, para. 3, point 3 of the Waste Management Law requires that holders of waste take all necessary measures to prevent the mixing of hazardous waste with other waste and the mixing of reusable waste with non-reusable waste. The Ordinance on requirements for the treatment and transportation of industrial and hazardous waste, adopted by Council of Ministers Decree No 53/19.03.1999, SG. 29/30.03.1999 (Article 8, para. 2 points 2, 3 and 4), prohibits the mixing of hazardous with non-hazardous waste, the mixing of hazardous waste with other substances, including the dilution of hazardous waste, and the mixing of hazardous waste of different categories.

**Cyprus:** Measures have been taken such as dissemination of information to the public, provisions for temporary storage, licensed installations for hazardous waste management and export, new installations under construction where sorting of waste will take place mechanically and also a relevant study for hazardous waste is accomplished and we already are at the stage of the construction of a central installation for hazardous waste management.
**Czech Republic:** The prohibition of mixing wastes and the permission to mix wastes in exceptional cases are laid down in Section 12(5) of the Act. The situation in which waste is already mixed with other waste is dealt with by Section 12(6) of the Act.

**Estonia:** Section 60 of the Waste Act prohibits the mixing of different categories of hazardous waste and of hazardous waste with non-hazardous waste.

**Finland:** (See the previous reports by Finland.) According to the Waste Acts, different types of hazardous wastes are not to be mixed with one another or with other waste or substances unless this is necessary for waste recovery or disposal, and can be done without causing hazard or harm to health or the environment. If mixing has taken place in violation of the general prohibition laid down, the waste has to be separated if this is technically and economically feasible and necessary in order to prevent hazard or harm to health or the environment. Blending or mixing prior to submission to any of the operations numbered D1 to D12 is considered a disposal operation (Waste Decree, Section 4, annex 6).

**Germany:** General legal bases are: §5 (2) sentence 4 KrW-/AbfG, - §11(2) KrW-/AbfG. Corresponding requirements are contained in the Altölverordnung, PCB Abfallverordnung, Lösemittelverordnung and Altholzverordnung.

**Greece:** According to national legislation, establishments and undertakings which take action in hazardous waste management (collection, transport, disposal, recovery) are obliged not to mix different categories of hazardous waste or hazardous with non-hazardous waste. In case of mixing different categories of hazardous waste or hazardous with non hazardous waste, this is mentioned in the permits issued by the competent authorities for hazardous waste recovery operations. In some cases where already stored hazardous waste has been mixed with other hazardous or non hazardous waste, it must be managed as hazardous waste in total and a specific permit is required.

**Hungary:** re. Art. 2(2): The mixing of hazardous waste with other hazardous waste or with other waste, substances or materials is prohibited, if the sole purpose of mixing is to dilute the contaminated components.

**Ireland:** Section 35 of Waste Management (Licensing) Regulations 2004 provides for the Environment Protection Agency (EPA) to attach to any waste licence such conditions as are in the opinion of the EPA necessary to give effect to Articles 2.2-2.4 of the Directive. Article 22 of the Waste Management (Hazardous Waste) Regulations, 1998 provides that a producer of hazardous waste must ensure that, during the temporary storage of hazardous waste at its place of production, such waste of one category must not be mixed with hazardous waste of another category unless approved by the relevant local authority. Article 5 of the Waste Management (Movement of Hazardous Waste) Regulations, 1998 provides a similar provision for a consignor of hazardous waste. This requirement does not apply where a local authority, in whose area the consignment originates, approves the mixtures of waste in a consignment.

**Italy:** Article 187(1) of Legislative Decree 152/2006 stipulates that "it is forbidden to mix the different categories of hazardous waste referred to in Annex G (which reproduces Annex 1 to Directive 91/689/EEC) or to mix hazardous wastes with non-hazardous wastes." In derogation from this prohibition, paragraph 2 of that article lays down that different hazardous wastes may be mixed with each other or with other waste materials or substances if they meet the requirements of Article 178(2) (transposing Article 4(1) of Directive 2006/12/EC) and it is for the purpose of better ensuring the recovery and disposal of the waste. Article 178(3) provides that "anyone who violates the prohibition in paragraph 1 shall separate the
mixed wastes at his own expense, if it is technically and economically feasible to do so and to fulfil the conditions of Article 178(2)."

**Latvia:** Section 16 of the Waste Management Law prohibits mixing different categories of hazardous waste, and mixing hazardous waste and household waste.

**Lithuania:** Article 14 of the Law on Waste Management prohibits diluting or mixing hazardous waste with any other waste or substances in the process of its generation, collection, storage, transportation, sorting, use and disposal. It is permissible to mix hazardous waste with other kinds of waste or substances for the sole purpose of managing it in a way that is safer to human health or the environment.

**Luxembourg:** Dispositions were fixed in article 2 point 2 of the grand-ducal legislation of December 11, 1996 concerning hazardous waste.

**Malta:** During the reporting period (2004-2006), the necessary measures were taken pursuant to Regulation 19 of the Waste Management (Permit and Control) Regulations, 2001(LN337/01).

**Netherlands:** The ban on mixing hazardous waste substances with other hazardous or non-hazardous waste substances is established in the Decree on the separation and keeping separate of hazardous waste.

**Poland:** Under the Act of 27 April 2001 on Waste (Dziennik Ustaw No 62, item 628 as amended) it is prohibited to mix different types of hazardous waste or hazardous waste with non-hazardous waste. It is, however, allowed to mix different types of hazardous waste, or hazardous waste with non-hazardous waste for the purposes of improving the safety of recovery or disposal of residual waste after mixing, on the condition that these processes do not give rise to an increased hazard to human life or health or to the environment.

In addition, when hazardous waste is mixed with other waste, substances or objects, it should, under the Act on Waste, be separated if all the following conditions are met:

- the danger to human life and health or to the environment in the process of recovery or disposal of residual waste is reduced after separation.
- it is technically possible and is justified for economic reasons.

**Romania:** In accordance with EGO 78/2000, approved by Law 426/2001, amended by EGO 61/2006, approved by Law 27/2007, every establishment and undertaking which produces, recovers, collects or transports hazardous waste must ensure the necessary conditions for separate storage of different categories of hazardous waste, based on physical – chemical properties, on compatibility and on the nature of the extinguishing substances, which may be used in case of fire events. Mixing of hazardous waste with other waste, substances or materials may be permitted only by competent authorities only where conditions for environmental protection and human health are complied. Where waste is already mixed with other waste, substances or materials, separation must be completed, if technically and economically feasible.

**Slovakia** refers to Section 40 of Act No 223/2001 Coll. on waste and amending certain acts, as amended (hereinafter "the Waste Act").

**Slovenia** refers to Article 12 of the Rules on the management of waste lays down the rules for the management of hazardous waste.
Spain: La Ley 10/98 de Residuos (Art. 12.2) prohibits the mixing of waste modeled on the conditions of Art. 2 (2)-(4) of the Hazardous Waste Directive. Any infraction is considered a grave or very grave infraction depending on its consequences (Art. 34 of the Ley de Residuos).

Sweden: The same provisions as those in articles 2(2) to (4) have been included in the Swedish Ordinance on Wastes (SFS 2001:1063)

UK: In England and Wales Part 4 of the Hazardous Waste Regulations 2005 prohibits the mixing of hazardous waste with different categories of hazardous waste, with non-hazardous waste or with other substances or materials except where the mixing is part of a disposal or recovery operation and is authorised by, and conducted in accordance with the requirements of a waste permit or registered exemption. Where hazardous waste is already mixed, the Regulations require holders to separate that waste where technically and economically feasible and where necessary to comply with Waste Directive conditions.

Very similar requirements apply in Scotland, Northern Ireland and Gibraltar.

Resumé: Most Member States do not report how precisely they have transposed into national law the mixing ban, especially under which circumstances they make exceptions from the mixing ban. Some Member States do not refer to any exemptions to the mixing ban (e.g. Bulgaria, Estonia, Latvia, Netherlands, Spain), thus it is unclear if they allow mixing under certain circumstances.

Cyprus gave an unclear answer obviously not referring to the question asked.

Precise criteria to allow mixing of hazardous waste with other hazardous waste or other waste have been reported by Finland, Hungary (?), Italy, Lithuania, Poland, Romania, Spain, Sweden. Greece and the UK (England/Walsh) only refer in a very general way to the exemptions of the mixing ban. The criteria reported are not limited to enhancing “safety during disposal or recovery” but also include environmental considerations or technical aspects (e.g. Italy: better ensuring disposal and recovery) and are in general vague criteria.

3.5 General national rules replacing permit requirements for recovery operations – Art. 3(2)

According to Article 3(2) establishments and undertakings, which recover hazardous waste may be exempted from the permit requirement when the Member State adopts certain specific rules and when the protection of human health and the environment is ensured. These establishments and undertakings have to be registered with the competent authorities.

Only Italy, Malta and the UK affirmed to have set up exemption rules from the permit requirement. All MS having such general rules have communicated them to the European Commission.

Italy said that the exemptions provided for in Article 3(2) of Directive 91/689/EEC were adopted by Ministerial Decree 161/2002 and are currently implemented under Article 214(5) of Legislative Decree 152/2006. By Decision 2002/909/EC the Commission approved

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2 The Czech Republic said that no general rules had been set up but the regional authority responsible for granting the operating permit determines the conditions for individual establishments.
Ministerial Decree 161/2002 on the identification of hazardous wastes that may be entered for the simplified procedures.

Malta said that during the reporting period (2004-2006), undertakings and activities as listed in Schedule 5 of the Waste Management (Permit and Control) Regulations (LN 337/01), were exempted from permitting requirements. The general rules listing the type and quantity of waste and laying down specific conditions (limit values for the content of hazardous substances in the waste, emission limit values, type of activity) and other necessary requirements for carrying out different forms of recovery are laid down in the Waste Management (Activity Registration) Regulations (LN106/07), which entered into force on 10 August 2007.

UK: General rules were adopted in England, Wales and Scotland in the Waste Management Licensing Regulations 1994. Most of the exemptions were made before 27 June 1995 when the Hazardous Waste Directive had to be implemented. UK authorities were not, therefore, required to notify these exemptions to the Commission under Article 3(4). However all of the exemptions made before 27 June 1995 were notified to the Commission under Article 11(3) of the Waste Framework Directive (Directive 75/442/EEC as amended by Directive 91/151/EEC). These exemptions have now been reviewed and revised to ensure compliance with Article 3. The revised rules are awaiting formal approval from the Commission. General rules to provide exemptions pursuant to Article 3(2) have not been adopted in Northern Ireland or in Gibraltar.

Resumé: The legal possibility to pass general rules exempting certain establishments from the permit requirements of the Hazardous Waste Directive is only exceptionally taken up by Member States, i.e. 3 out of 27 or 11%, among them, however, two “big” Member States producing important quantities of hazardous waste.

3.6 Inspections of the producers of hazardous waste – Article 4(1)

According to Article 4(1) periodic inspections are required with regard to producers of hazardous waste.

All Member States have answered affirmatively that appropriate periodic inspections are carried out by the competent authorities for the producers of hazardous waste.

In Austria, the regional governor (“Landeshauptmann”) inspects hazardous waste producers (“original producers”). The frequency of the inspections depends on the type and quantity of waste. The federal and regional levels agree on certain areas of priority.

Belgium (Flemish): Each year scores of targeted inspections are carried out at waste processors as part of specific campaigns targeted at waste treatment. This is over and above the routine inspections which are carried out in any case at waste processors. In addition, environmental inspections are carried out at various undertakings to check for compliance with the environmental permit requirements, including undertakings treating hazardous waste only as part of their overall activities. Within environmental inspection, a working group has been set up to coordinate checks on waste treatment. More information can be found in annual environmental management reports (http://www.mina.be/front.cgi?s_id=73) and environmental inspection programmes (http://www.mina.be/mi-mip.html).

Belgium (Wallonia): The inspections are carried out in the framework of controls of classified installations. There is no specific frequency, but experience shows that such
inspections take place about once a year. Besides, the producers of hazardous waste have to report *inter alia* the masses and the disposal to the authorities.

**Belgium (Bruxelles):** The producers of hazardous waste are subject to periodic inspections. Hazardous waste is also controlled on the occasion of sectorial inspections: asbestos, transformers (PCB), car repairs, dry cleaners, WEEE and controls in the framework of IPPC and SEVESO installations.

**Bulgaria:** The Waste Management Law entitles the competent authority or the official authorised by that authority to check compliance with the conditions governing authorisations to carry out waste treatment activities and waste management program activities. The checks are carried out in accordance with a schedule at least once a year.

**Cyprus:** Competent authorities have designated environment inspectors who carry out inspections at the installations that produce hazardous waste at least once a year or more often in case that there is a suspicion or an accusation or a complaint for the installation. Further improvement to the inspectorate system will be established in order to secure the integrated hazardous waste management according the EU regulation.

**Czech Republic:** Inspections are carried out by the Czech Environmental Inspectorate (Česká inspekce životního prostředí) in accordance with Section 76 of the Act (Inspections). The inspection frequency is determined by the inspection plan. Further checks are carried out by staff from the regional Departments for protection of the environment.

**Estonia:** Periodic inspections are carried out by the Environment Inspectorate and by local authorities. The frequency is once or twice a year.

**Finland:** See the previous reports by Finland. Regarding Åland Islands: Inspections are carried out regularly, at least once every second year.

**Germany:** Producers of hazardous wastes are subject to the surveillance by the competent authorities (see § 40 KrW-/AbfG). Also § 52 BImSchG requires inspections. The frequency of inspections varies according to the different regions: the frequency depends on the circumstances, i.e. the type of installations and the objective necessity of inspections. The frequency ranges from twice a year to once in every five years.

**Hungary** says that the frequency depends on the annual inspection plan of Regional Environmental Inspectorates and number of complaints (“announcements”) of inhabitants (the answer same as questionnaire 2001-2003).

**Ireland** says that the frequency of inspections depends on the individual facility. Section 15(1) of the Waste Management Act, 1996 requires each local authority and the EPA to carry out such periodic inspections of facilities for the holding, recovery or disposal of waste, premises where hazardous waste is produced, and the activities of persons otherwise holding or dealing in waste as it considers to be necessary for the performance of its functions under the Act.

**Italy** said that the frequency was based on a case-by-case assessment by the competent authorities. The competent authorities are the provinces, which carry out inspections and draw up annual plans to control waste management.

**Latvia** said that the Regional Environmental Boards of the State Environmental Service regularly carry out integrated and thematic inspections of hazardous waste producers. Establishments and undertakings that have been granted permission to carry out Category A
polluting activities are inspected twice to three times a year, while establishments and undertakings permitted to carry out Category B polluting activities are inspected once or twice a year. Establishments and undertakings permitted to carry out Category C polluting activities are inspected once every two to four years.

The number of inspections carried out in 2004, 2005 and 2006 was as follows:

In 2004 – 114 inspections in Category A enterprises, 1745 in Category B enterprises and 2058 in Category C enterprises.

In 2005 – 154 inspections in Category A enterprises, 1676 in Category B enterprises and 1845 in Category C enterprises.

In 2006 – 276 inspections in Category A enterprises, 2988 in Category B enterprises and 2962 in Category C enterprises.

**Lithuania** said that the frequency of inspections of such producers is established pursuant to Order No 327 of 30 June 2003 of the Minister for the Environment. The order was drawn up according to the IMPEL recommendation “Frequency of inspections”.

**Luxembourg:** Since 1911 the Ministry of Environment has been running a sensibilisation and waste concepts within the companies the so-called “SuperDrecksKescht fir Betriber”. Annual controls in the frame of these concepts are done. Beyond this, companies have to set up a waste management plan in the context of their permit. This plan has to be revised every 3 years. The plan has to be controlled by an external agreed consultant.

**Malta:** During the reporting period (2004-2006), inspections on producers of hazardous waste were carried out by the competent authority in response to complaints from the general public. Frequency of inspections on producers of hazardous waste was therefore as per complaints received from the general public.

**Netherlands:** In general, these inspections are carried out by the Enforcement departments of the competent authorities (the provinces and, in some cases, the municipalities), which draw up an inspection plan to that end. Frequency depends on the assessed risk level, the nature and location of the undertaking and the nature of the hazardous materials, etc. An effort is made to carry out inspections at least once a year.

**Poland:** Establishments engaging in waste management (including hazardous waste) are subject to scheduled controls and spot checks carried out by the Environmental Protection Inspectorate operating in accordance with the powers assigned to it under the Act of 20 July 1991 on the State Environmental Protection Inspectorate (Dziennik Ustaw of 2002, No 112, item 982 as amended). As an example, in 2006, 3559 facilities underwent controls to assess whether waste, including hazardous waste, was being managed correctly.

**Romania:** In accordance with EGO 78/2000, all entities shall be the object of periodical inspections of the competent authorities. National Environmental Guard (NEG) is the competent authority for control and inspection of waste operations. Inspection from NEG is done according to their specific procedure. Inspection activity is carried out according to the National Inspection Plans, elaborated by each territorial commissariat and approved by General commissariat. The frequency of inspections is in accordance with the impact that the objective has on environment and its compliance with the legislation.

**Slovakia:** In respect of legal and natural persons (undertakings) managing waste, State supervision in the field of waste management is performed in accordance with Section 73 of
the Waste Act. For persons who have been granted a consent (under Section 7 of the Waste Act) or authorization (under Sections 8 to 14 of the Waste Act), State supervision is carried out at least every four years.

**Slovenia:** Implementation of the Rules on the management of waste is supervised by the inspectors competent for the environment. Inspections are carried out in accordance with the annual work plan of the inspectorate. The work plan is drawn up on the basis of the unified scheme for the breakdown of areas, as shown in the Handbook for Implementation of EU Environmental Legislation (Chapter 22: Environment).

**Spain:** Each autonomous community is competent to establish the adequate opportunity according to the necessities. At any rate, on the occasion of the updating of the permits which normally have a validity for five years, an inspection is carried out.

**Sweden:** According to the Swedish Environmental Code the authorities responsible for inspections shall carry out plans for inspections on a yearly basis. These authorities shall also keep records over the activities that require inspections and regularly evaluate the results from the inspections.

**UK:** Inspections take place on a regular basis. The frequency will depend on the level of risk associated with the producer.

**Resumé:** The answers refer specifically to the frequency of inspections. Most countries do not lay down a general minimum frequency of inspections.

The countries that do so are Cyprus and Sweden (once/year), Estonia (once/twice a year), Finland (at least every two years), Slovakia (minimum: once every four years), Spain (every five years). Latvia lays down minimum frequency for different kinds of hazardous waste producers, Lithuania follows the recommendation of IMPEL (“Frequency of inspections”).

Most other countries determine the frequency of inspections on a case-to-case assessment (such as Austria, Germany, Ireland, Italy, Netherlands, Czech Republic, Hungary, Romania, UK) or on the basis of complaints (such as Malta and in part Hungary). Slovenia uses the Handbook for Implementation of EU Environmental Legislation to complete a workplan.

From some answers it did not become clear whether the answer really regards inspections of PRODUCERS or inspections of waste management/treatment in general or only waste treatment (see e.g. Bulgaria, Italy, Poland, Slovakia, Slovenia).

### 3.7 Records on Waste – Article 4(2)

According to Article 4(2) producers of hazardous waste have to keep records on the details of hazardous waste (in addition to Article 14 of Directive 75/442/EEC). Further establishments and undertakings, which transport hazardous waste, have to keep records. On request they have to make this information available to the competent authorities.

All Member States have responded affirmatively that they lay down requirements for producers of hazardous waste to keep such records. The MS were asked to give details on the standard form in use.
Belgium (Flemish): Art. 14 of the Waste Decree imposes an obligation to keep registers up to date. That Article is elaborated on in Articles 6.2.1, 6.2.2, 6.2.3, 6.2.4 and 6.2.5 of the Vlarea.

Belgium (Wallonia): The Walloon Region has laid down elaborate criteria for the registers to be observed by the different waste management actors in its Arrêté de l'Exécutiv regional wallon du 09 avril 1992 relatif aux déchets dangereux:

1. Producer:
   a. Quantity, nature and characteristics of the waste produced and identification code if assigned by the regional government of Wallonia;
   b. Generation process and stockage point of the waste;
   c. Date when the waste is handed over;
   d. Identity of waste transporter;
   e. Methods and site of disposal or recovery of the waste or identity of the collector to whom the waste is handed over;

2. Collector:
   a. Identity of the waste producer;
   b. Nature and quantity of the waste as well as the identification code if assigned by the region;
   c. Date of taking over the waste from the producer;
   d. Precise identification of the transporter and the used mode of transport;
   e. Destination of the waste, date of the delivery as well as the documents documenting the taking over of the waste by the waste treatment (sorting, pre-treatment, disposal or recovery;

3. Treatment facility
   a. Identity of the collector;
   b. Nature and quantity of the waste as well as the identification code if assigned by the region;
   c. Date of acceptance of the waste;
   d. Identity of the transporter;
   e. Mode of pre-treatment, disposal or recovery.

Belgium (Bruxelles Capitale) has laid down similar requirements, contained in article 1 of the arrêté du 30/1/1997 du Gouvernement de la Region de Bruxelles Capitale relative au registre de déchets. The register must be conserved during three years and has to be made available to the administration if required, The regulation contains minimum requirements, i.e. the quantity of the waste, the date of the handing over of the waste, waste code in conformity with the European lists, the contact details of the tranporter/collector of the waste; contact details of the destination of the waste and the treatment of the waste.

Bulgaria: Ordinance No 9 of 28 September 2004 on rules governing the provision of information on waste-related activities and procedures for inclusion in the public registry of authorisations issued, registration documents and closed facilities and activities (SG, Vol. 95 of 26.10.2004) lays down the procedure and models for providing information on waste-related activities. The standard form for keeping records on the transport of hazardous waste is included in Annex No 5 to the Ordinance, while Annexes 1 to 3 include the forms for the accounting records.

Cyprus: All licensed establishments/ undertakings are required to keep records. A Ministerial Order was published with standard form documents for all entities that are obliged to keep records. The documents must be filled during production, transport and treatment.
**Czech Republic:** All waste generators have to keep continuous records of waste and report waste in accordance with Section 16(1)(g) of the Act. Waste transporters must keep records and report the hazardous waste transported in accordance with Section 24(1)(c) of the Act. The reporting formats are set out in Decree No 383/2001 Coll. on details concerning the disposal of waste, in its Annex 20 (Report on waste production and management) and Annex 26 (Record sheet for hazardous waste transport in the territory of the Czech Republic).

**Estonia:** This is regulated by Regulation No 40 of the Minister for the Environment of 29 April 2004 on the format of movement documents and the registration procedure for hazardous waste, which lays down that the parties delivering, carrying and receiving waste are to keep records of the associated movement documents they draw up, receive and forward on the basis of the documents' registration numbers, making corresponding entries in the ledger or electronic data medium provided for the purpose. Hazardous-waste movement documents are sent to the Ministry of the Environment's Environment Information Centre, which keeps a record of them and enters the details in the corresponding database.

**Finland:** See the prev. reports for Finland. The provisions set by the Waste Act on keeping records of waste concern holders of waste permits, producers of haz. wastes (with the exception of households), commercial transporters of haz. waste, and the operation of dealers and brokers in waste, if the waste is intended for recovery or disposal outside Finnish and Åland Islands territory. The duty to keep a record also applies to the producers covered by producer responsibility. Env. permit holders are recommended to supply the supervising authorities with annual summaries of waste records in standard form. When delivering haz. waste for recovery or disposal, an identification form has to be drawn up. Please see the report with complete answers as word-document FI_Waste_questionnaire_2007_hazardous_waste_report.doc sent 22.11.2007 to the Comission and Eurostat.

**Germany:** The producers of hazardous waste are obliged to keep a reporting book (see § 29 of the Nachweisverordnung). The reporting books have to be kept available to the authorities for three years from the last entry. To document processes is based on certain formal documents (see Annex I of the Nachweisverordnung).

**Greece:** As set in JMD 24944/1159/2006, hazardous waste should be properly UN classified, packaged and labeled according to the respective international and community standards of waste transport (ADR, RID, IMDG, IATA).

**Hungary:** The producer shall prepare a material balance on his activity in the course of which hazardous waste is generated. The holder of the hazardous waste shall keep strict records and issue supporting documents on the fate (generation, collection, transportation, management, transfer and acceptance) of the hazardous waste and shall forward data on it to the environmental protection authorities. The producer, owner (hereinafter jointly producer), and handler of waste, except for the transporter, shall keep up-to-date recording about the amount and composition by sorts of waste produced in course of his/her activity or entered into his/her possession as well as received from others and handled by him/her or passed to others.

**Ireland:** The Waste Management Acts 1996-2007 provide for the keeping of records to be included as a condition of a waste license. Article 21 of the Waste Management (Hazardous Waste) Regulations, 1998 provides for the keeping of records of the quantity, nature and origin of the waste produced for at least 3 years. The Waste Management (Movement of Hazardous Waste) Regulations 1998 provides for C1 forms to be used when transporting hazardous waste.
**Italy:** Article 190 of Legislative Decree 152/2006 concerning loading and unloading registers identifies the persons responsible for keeping registers, namely: persons engaged professionally in waste collection and transport operations, including waste traders and intermediaries not holding waste, entities engaged in waste recovery and disposal operations, waste traders and intermediaries, and enterprises and bodies producing hazardous waste. These persons record information on the quality and quantity of the waste.

**Latvia:** The producers of hazardous waste and establishments or undertakings referred to in Article 4(2) ensure that records are kept in accordance with Annex I to Cabinet Regulation No 319 of 23 July 2002 – ‘Procedures for the recording, identification, disposal, packaging and labelling of hazardous waste and the keeping of records on hazardous waste transport’. Information on the amount of waste collected and transported, as well as on the frequency of transport and on waste processing methods is registered using the hazardous waste registration cards/consignment notes, referred to in Annex II to the aforementioned Cabinet Regulation.

**Lithuania:** Article 7 of the Law on Waste Management obligates installations or undertakings generating waste in their business activities, also waste managers to keep records of waste and draw up situation reports on waste generation and disposal. A detailed procedure for keeping records and reporting is established in Chapters III–V of the Rules on Waste Management approved by Order No 217 of 14 July 1999 of the Minister for the Environment (Official Gazette, No 63-2065, 1999; No 68-2381, 2004).

Pursuant to the provisions of Chapter III of the Rules on Waste Management, installations or undertakings generating and managing waste, also undertakings engaged in technical maintenance and repairs of motor vehicles and generating hazardous waste are obliged to keep primary records of waste.

Pursuant to the provisions of Chapters IV–V of the Rules on Waste Management, undertakings must draw up annual reports on the basis of their primary waste records.

Paragraph 76 of the Rules on Waste Management requires that the producer, holder, carrier, user of hazardous waste, also regional environmental departments and other bodies in possession of primary waste records and forms, retain working logs on the use or disposal of hazardous waste, accompanying documents of hazardous waste, identification and declaration documents, documents relating to the management of hazardous waste in the undertaking concerned and other documents on waste management for five years.

**Luxembourg:** Dispositions were transposed to national law in article 5 of the grand-ducal regulation of 11 December 1996.

**Malta:** During the reporting period (2004-2006), records were kept pursuant to Regulation 16 of the Waste Management (Permit and Control) Regulations (LN337/01), in the following standard form: • Pollution Control, Monitoring and Reporting - General Landfill Gas Monitoring and Reporting within the Waste - Landfill Gas Monitoring and Reporting External to the Waste - Groundwater Monitoring and Reporting Systems - Surface Water Quality Monitoring and Reporting Systems • Amenity Management and Reporting - Control, Monitoring and Reporting of Dusts, Fibres and Particulates - Control of Odours - Control of Noise - Control of Pest Infestations - Control of Scavenging Birds and Other Scavengers - Control of Litter • Site Records - Security and Availability of Records - Records of Waste Movements - Site Diary - Periodic Reporting of Environmental Performance
Netherlands: Producers of hazardous waste must register the nature and composition of the hazardous waste they transfer. They are also required to provide the party to whom the waste is transferred with information regarding the nature and composition of the waste. As a general rule, undertakings can keep the records in a form which suits them. However, for notification, standard forms are used by collectors and receivers of hazardous waste. In the Netherlands, the requirements for record-keeping are laid down in Article 8.14 of the Environmental Management Act. According to this Article, establishments are required to notify handing over of hazardous waste and to register receipt of hazardous waste.

Poland: The obligation to keep a waste record, mentioned already further above in this report, applies also to generators of waste, including hazardous waste. Under the Act of 27 April 2001 on Waste (Dziennik Ustaw No 62, item 628 as amended), the records kept by waste generators must include, among other things, the place of destination of the waste and the name, surname and residential or business address of the waste holder.

Models of waste record documents (including hazardous waste records) were established in the Regulation of the Minister of the Environment of 14 February 2006 on models of documents used for the purposes of waste records (Dziennik Ustaw No 30, item 213), which replaced the Regulation of the Minister of the Environment of 14 February 2006 on models of documents used for the purposes of waste records (Dziennik Ustaw No 152, item 1736).

A model waste record sheet is enclosed as Annex 1 to this report.

A model waste transfer sheet is enclosed as Annex 2 to this report.

Romania: In accordance with GD 856/2002 – article 1(1) – “all economics agents who generate waste must keep records of waste management, in accordance with the model presented in annex, for each type of waste”.

Slovakia: Under Section 11 of Ministry of the Environment Decree No 283/2001 Coll. on the implementation of certain provisions of the Waste Act, establishments carrying out waste recovery and disposal must keep a “Record sheet for a landfill site and a record sheet for a waste recovery and disposal installation”, to be submitted for each calendar year to the competent authority by 31 January of the following year.

Slovenia refers to the rules on the management of waste, Articles 22 and 32.

Spain refers to the El Real Decreto 833/89 (establishes the obligation to have a register and lays down its contents (Art. 16f.).

Sweden: There are rules on record keeping in the Swedish Ordinance 2001:1063 on Wastes, 42 - 44 §§.

UK: In England and Wales Regulation 49 of the Hazardous Waste Regulations 2005 requires producers to keep records of the quantity, nature, origin and, where relevant, the destination, frequency of collection, mode of transport and treatment method of the waste.

In Scotland, Regulation 15A of the Special Waste Regulations 1996, as inserted by the Special Waste Amendment (Scotland) Regulations 2004 requires producers to keep a record of the quantity, nature, origin and, where appropriate, the destination, frequency of collection and mode of transport. Where the special waste is transported by a person other than the producer, the requirement on the producer to record the destination of that waste includes a requirement to record particulars sufficient to identify that other person.
Similar requirements apply for Northern Ireland and Gibraltar.

**Resumé:** The obligation to keep registers and records for producers/transporters is taken up by Member States generally in an elaborate manner. Most Member States lay down concrete requirements for the form and contents of the records. From some responses it does not become clear whether these responses really target “producers”.

### 3.8 Measures to ensure proper packaging and labeling of hazardous waste – Article 5

According to article 5(1) waste has to be properly packaged and labeled in the course of collection, transport and temporary storage in accordance with the international and Community standards in force.

All Member States have answered affirmatively that they have taken measures in accordance with Article 5.

**Austria** said that the corresponding requirements were laid down in § 4 Gefahrgutbeförderungsgesetz-GGBG, BGBl. I Nr. 145/1998 idF BGBl. I Nr.118/2005.

**Belgium (Bruxelles)** said that the measures are laid down in article 5 of the arrêté de l’Exécutif de Bruxelles-Capitale du 19/9/1991 and modified on 16/9/1999 as well as in the arrêté d’octroi de l’agrément des éliminateurs déchets dangereux.

**Belgium (Flemish Region):** This provision has been implemented by Art. 23(2) of the Waste Decree.

**Belgium (Wallonia):** The enterprises which carry out the transport, collection of hazardous waste are subject to a license (agreement). The enterprises which carry out operations of sorting, pretreatment, recovery or disposal are subject to environmental permits. The individual licensing decisions must contain the following information:

- The mode of transport, and where relevant, the type of packaging must be such that all forms of danger and all contamination from the transport operation must be eliminated without derogating from the legal dispositions relating to the transport of hazardous waste.

- Each packaging of the waste is closed and conditioned in order to prevent all loss of content. It is permanently marked in a way that permits the identification without doubt of the nature and the composition of the waste, as well as the dangers that it represents.

- The labelling must be in conformity with the dispositions of the international conventions relating to the transport of hazardous waste, readable and permanent. In no event, may inscriptions from previous uses remain on the packaging.

- The collection or the transport of waste containing asbestos fibres or dust may not lead to the loss of liquid possibly containing asbestos fibres.

**Bulgaria:** In the course of collection, storage and transport, the hazardous waste is packaged and labelled in accordance with the requirements of the Waste Management Law, the Ordinance on requirements for the treatment and transportation of industrial and
hazardous waste, the ordinances governing the management of specific waste streams, and in accordance with international law governing the transport of dangerous goods, duly ratified by the Republic of Bulgaria. The Republic of Bulgaria has ratified the European Agreement concerning the international carriage of dangerous goods by road (ADR) via the Law of 16 March 1995, as well as the "Regulation concerning the International Carriage of Dangerous Goods by Rail (RID)", comprising Annex C to the Convention on International Carriage by Rail (COTIF).

**Cyprus:** Packaging requirements are applied as terms in the hazardous and also the non-Hazardous waste management permits as well as to hazardous waste producers.

**Czech Republic:** Packaging and labelling of hazardous waste are dealt with by Section 13 of the Act.

**Estonia:** Legal basis: Regulation No 39 of the Minister for the Environment of 29 April 2004 on rules for the marking of hazardous waste and its packaging, which lays down that marks are to be placed on one or more sides of the package, either directly or on a label fastened to the package in such a way that the lines of the mark can be read horizontally on the package in its normal position. The marking placed on packages of hazardous waste must be in Estonian, clearly legible, resistant to wear and durable with regard to external influences, and conditions and must present appropriate information on the quantity, composition and hazardous properties of the waste and on the precautionary measures to be taken when handling the waste and the necessary measures in the event of accidents.

**Finland:** See the previous reports by Finland. Waste has to be collected and, as necessary, packaged and labelled, and information provided on it in such a way that appropriate waste management can be organized and that hazard or harm to health or the environment is avoided. The name of the waste and the waste holder has to be marked on hazardous waste packaging together with any information and warnings necessary for safety and appropriate waste management organizations. The labelling duty applies to hazardous waste generated in households or in comparable activities, when such waste has been delivered and gathered at a municipal or other reception facility for hazardous waste kept by a municipality or some other body.

**Germany:** Germany lays down the requirements for packaging in Art. 5 GefahrguttransportVO.

**Greece:** As set out in JMD 24944/1159/2006, hazardous waste should be properly UN classified, packaged and labeled according to the respective international and community standards of waste transport (ADR, RID, IMDG, IATA).

**Hungary:** Acts, governmental decrees or, in case of municipal waste, local governmental decrees may oblige the producer/holder of waste to collect the waste separated by kind, to package and label the separated waste according to its composition and forward the pre-processed waste to the economic organisation or waste operator responsible for gathering. Carriage of waste falling within the scope of specific other legislation shall be accomplished in compliance with the provisions of this Decree and of specific other legislation on the transportation of dangerous goods. The regulations for the domestic transportation of hazardous waste are contained in Schedule No. 2. Carriers of hazardous waste shall be liable to ensure that the shipment is delivered to its destination in the quantity, packaging and composition as received, in compliance with the data and instructions indicated in the shipping documents. (the answer same as questionnaire 2001-2003)
**Ireland**: Article 22 of Waste Management (Hazardous Waste) Regulations, 1998 and Article 5 of Waste Management (Movement of Hazardous Waste) Regulations, 1998 deal with the issues of packaging and labelling. All containers or other packaging used for temporary storage must be labelled in accordance with Community and other standards which are in force in relation to such labelling. Article 5 of Waste Management (Movement of Hazardous Waste) Regulations, 1998 provides that a consignor of waste shall not transfer hazardous to another person unless all containers are labelled in accordance with Community and other relevant standards.

**Italy**: Article 193, paragraph 3 of Legislative Decree 152/2006 provides that "During collection and transport, hazardous waste must be packaged and labelled in accordance with the regulations in force".

**Latvia**: Requirements in relation to packaging and labelling hazardous waste in the course of collection, transport and temporary storage have been set out in Cabinet Regulation No 319 of 23 July 2002 – ‘Procedures for the recording, identification, storage, packaging and labelling of hazardous waste, and the keeping of records on hazardous waste transport’. Hazardous waste may only be stored if it is contained in durable and secure packaging that is consistent with the requirements of legislation on the classification, labelling and packaging of chemicals and chemical products. Persons engaged in the management of hazardous waste ensure that labels are placed on hazardous waste packaging. Each label indicates the type of waste, its provenance, chemical composition of the hazardous substances it contains, date of packaging and packager, and warning labels consistent with the requirements of legislation on the classification, labelling and packaging of chemical substances and products. Persons engaged in the management of hazardous waste ensure that the packaging is inspected once a month while the waste is in storage. Hazardous waste being transported is packaged and labelled in conformity with legislative requirements and standards laid down in international legal acts which bind Latvia.

**Lithuania**: Article 15 of the Law on Waste Management requires that stored and transported hazardous waste be packaged and marked, while its Article 17 lays down that hazardous waste must be transported according to the Lithuanian legal requirements for transporting dangerous goods. A detailed procedure for packaging and marking hazardous waste is established in Chapter IX of the Rules on Waste Management. Stored and transported hazardous waste must be packaged so that it should not pose any threat to human health or the environment:

1. packaging and containers should be designed and manufactured so that their contents do not leak or spill out, evaporate or escape into the environment in any way;

2. the materials used for the manufacture of packaging and containers must be resistant to the effects of hazardous waste or its components and should not react with them;

3. the caps and stoppers of packaging and containers must be solid and leak tight, easy to open and to close, fracture-resistant during storage, transfer or transportation; should not cause leakage or open to release the contained substances into the environment.

All the containers and packaging of stored or transported hazardous waste must be properly labeled. The shape of a hazardous waste label is presented in Annex 14 to the Rules on Waste Management. The hazardous waste label and its information must be clearly visible and resistant to the effects of the environment.

Storage of hazardous waste is subject to the Rules for the storage of chemicals and preparations approved by Order No 272 of 22 December 1998 of the Minister for the
Environment (Official Gazette, No 31-896, 1999) and the requirements for the management of streams of individual types of hazardous waste (oils, batteries, etc.). These rules do not restrict the right of natural or legal persons to take additional measures by taking into consideration the characteristics of the hazardous waste concerned and other risk factors so as to ensure its safe storage.

**Luxembourg:** No answer.

**Malta:** During the reporting period (2004-2006), packaging and labeling of dangerous goods were carried out in accordance with the European Agreement concerning the International Carriage of Dangerous Goods by Road and the International Maritime Dangerous Goods Code, which were transposed respectively by the Motor Vehicles (Carriage of Dangerous Goods by Road) Regulations (LN211/03), and the Carriage of Goods by Sea (Regulation) Act (Cap. 283).

**Netherlands:** In the Netherlands provisions for the transport of hazardous waste, including a large variety of waste, are contained in the Act on the transport of dangerous preparations. For hazardous waste that does not fall under hazardous preparations, general road transport rules apply. A permit under the Environmental Management Act is required for the storage of hazardous waste. The permit lays down rules relating to safety based on the guidelines from the Commission for the prevention of Disasters (Commissie Preventie Rampen - CPR) and also for the prevention of leaks into the soil and groundwater.

**Poland:** As regards the packaging and labelling of hazardous waste during collection, transport and warehousing, the Act on Waste imposes an obligation to apply the rules on the transport of dangerous goods (e.g. the European Agreement concerning the International Carriage of Dangerous Goods by Road ADR).

**Romania:** In accordance with Art. 17 (1) of EGO 78/2000, approved by Law 426/2001, amended by EGO 61/2006, approved by Law 27/2007, the competent authorities shall adopt adequate rules for packaging and labeling of hazardous waste during collection transport and temporary storage according to the international regulation in force.

**Slovakia:** The requirements for packaging are laid down in Section 40(4) of the Waste Act.

**Slovenia** refers to the Rules on the management of waste, Articles 14 and 15.

**Spain** refers to Article 13 and 14 of Real Decreto 833/89 (already communicated to the Commission)

**Sweden** said that packaging and labeling should be carried out in accordance with the Rules on Transport of Dangerous Goods and the Safety Data Sheet Directive 91/155/EEC.

**UK** packaging and labelling requirements are transposed in legislation on the carriage of dangerous goods. In Gibraltar - Article 5(1) is not applicable.

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**Resumé:** Virtually all Member States have transposed the packaging requirements for hazardous waste via general binding rules. Some Member States have quite elaborate requirements for hazardous waste packaging (see e.g. Belgium (Wallonia), Estonia, Lithuania). Some MS (Bulgaria, Greece, Poland) explicitly name the international standards such as ADR/RID/IMDG/IATA, others just refer to “international regulations”.

A few Member States did not elaborate on the concrete packaging/labeling requirements that they have but only referred to the law which contains these requirements. Hungary gave a
rather unclear answer saying that acts, decrees may oblige waste holders, etc. to package waste according to its composition for collection. It does not become clear if the packaging requirement was transposed as an obligatory requirement.

### 3.9 Have waste management plans been drawn up?

According to Article 6 the competent authorities shall draw up, either separately or together with the general waste management plan, plans for the management of hazardous waste.

All Member States, except for Malta, have answered affirmatively that they have drawn up such plans. Malta said that a draft waste management plan for 2006-2010 was drawn up in 2006-2007 but is still pending formal approval, adoption and publication by the Maltese authorities before submission to the Commission.

#### 3.9.1 Hazardous waste management plan as a part of the general waste management plans

The countries having responded that the waste management plans are in the framework of Article 7 of the Directive 75/442/EEC are: Austria, Belgium (Flemish Region and Wallonia, Bruxelles-Capitale), Bulgaria, Cyprus, Estonia, Finland, Germany, Hungary, Italy, Latvia, Lithuania\(^3\), Luxembourg, Netherlands, Poland, Romania, Slovakia, Slovenia, Spain, Sweden, UK. The Czech Republic said that the national waste management plan was adopted in 2003 and a number of implementation programmes (including for hazardous waste) have been developed to ensure its implementation.

The countries featuring a separate hazardous waste management plan are Greece and Ireland, Malta did not provide an answer.

**Resumé:** The overwhelming majority of the Member States include a chapter of hazardous waste management in their general waste management plans.

#### 3.9.2 Waste Statistics

If these waste management plans have been drawn up separately from the general waste management plans referred to in Article 7 (Dir. 75/442/EEC), MS were asked to give the following details, where available, indicating whether any of the figures given is an estimate.

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\(^3\) Lithuania said that their Regional and municipal waste management plans must contain separate chapters on the management of municipal waste, hazard waste from household sources, recyclable waste and biodegradable waste.
### Czech Republic:

<table>
<thead>
<tr>
<th>Waste production and management</th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total waste produced in the Czech Republic</td>
<td>1 693 312</td>
<td>1 626 204</td>
<td>1 454 845</td>
</tr>
<tr>
<td>Amount of waste exported from the Czech Republic</td>
<td>1 820</td>
<td>1 640</td>
<td>1 867</td>
</tr>
<tr>
<td>of which:</td>
<td>within the Czech Republic</td>
<td>outside the Czech Republic</td>
<td>within the Czech Republic</td>
</tr>
<tr>
<td>– recycled (materials recovery)</td>
<td>488 648</td>
<td>1 820</td>
<td>524 800</td>
</tr>
<tr>
<td>– incinerated</td>
<td>60 038</td>
<td>46 007</td>
<td>55 550</td>
</tr>
<tr>
<td>– incinerated with energy recovery</td>
<td>51 327</td>
<td>62 148</td>
<td>63 531</td>
</tr>
<tr>
<td>– landfilled</td>
<td>240 209</td>
<td>95 249</td>
<td>79 697</td>
</tr>
<tr>
<td>– others (recovery)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>– others (disposal)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Greece:

<table>
<thead>
<tr>
<th>Within the Member State</th>
<th>2004: 335,000 tonnes</th>
<th>2005: 333,155 tonnes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total hazardous waste produced</td>
<td>2006:333,155 tonnes</td>
<td></td>
</tr>
<tr>
<td>Of which, recycled</td>
<td>2004: 111,820 tonnes</td>
<td>2005: 109,270 tonnes</td>
</tr>
<tr>
<td>Of which, incinerated</td>
<td>2004: 1,546.51 tonnes</td>
<td>2005:2,231.19 tonnes</td>
</tr>
<tr>
<td>Of which, incinerated with energy recovery</td>
<td>2004: 5,005.601 tonnes</td>
<td>2005: 7,255.64 tonnes</td>
</tr>
<tr>
<td>Of which, landfilled</td>
<td>2004: 13,997 tonnes</td>
<td>2005:7,313.81 tonnes</td>
</tr>
<tr>
<td>Others, please specify</td>
<td>2004:201,083t</td>
<td>2005:203,694tn</td>
</tr>
<tr>
<td>Others, please specify</td>
<td>2006:189,382tn (used</td>
<td>oils and temporarily stored)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Hazardous waste treated outside the Member State:</th>
<th>2004:338.8 tonnes</th>
<th>2005:948.6 tonnes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recycled</td>
<td>2006: 729.7 tonnes</td>
<td></td>
</tr>
<tr>
<td>Incinerated</td>
<td>2004:757.3 tonnes</td>
<td>2005:1773.6 tonnes</td>
</tr>
<tr>
<td>Incinerated with energy recovery</td>
<td>2004:41.2 tonnes</td>
<td>2006: 0 tonnes</td>
</tr>
<tr>
<td>Landfilled</td>
<td>2004:127 tonnes</td>
<td>2005:642.7 tonnes</td>
</tr>
<tr>
<td>Others, please specify</td>
<td>2004:236.5 tn(D9), 46.5tn(D12)</td>
<td>2005:16.4tn(D9),9.6tn(D12)</td>
</tr>
<tr>
<td>Others, please specify</td>
<td>2006:742.4tn(D9), 26tn(D12)</td>
<td></td>
</tr>
</tbody>
</table>

3.9.3 Public access to waste management plans

All MS have responded that they have made public the waste management plans.

3.10 Temporary derogation from this Directive – Article 7

According to Article 7, in cases of emergency or grave danger, Member States shall take all necessary steps including temporary derogation from this Directive to ensure that hazardous waste is dealt with so that it will constitute a threat to the population or the environment. The Commission has to be informed thereof.

None of the MS applied Article 7.
4 Resumé:

The following resumé does not take up all the detailed conclusions drawn with regard to the MS’ compliance with the different articles but intends to limit the conclusions and recommendations to the most important issues and sets up priorities.

For the more detailed article-related conclusions please relate to the preceding chapters.

4.1 Mode of reporting by the Member States

The MS reports concerning the implementation of the Hazardous Waste Directive generally encompass all the aspects that were asked, however the quality and precision of the different reports varies considerably. There is a series of Member States who do not give details about the concrete way they have transposed the Directive into national law, i.e. the precise requirements, but only refer in the abstract to the respective article of the law transposing the Directive (e.g. Luxembourg, Cyprus, Spain, et al.).

4.2 Possible gaps in the implementation of Directive

Based on the evidence in the Member States reports submitted, it appears the majority of countries have completed the transposition of hazardous waste requirements into national law. Given that the Hazardous Waste Directive is one of the “older” pieces of European waste legislation, there are relatively few gaps in implementation reported. Despite this, however, two areas of uncertainty arise, that might benefit from more detailed attention in future. These are described below.

4.2.1 Mixing ban and exemptions

The information provided by the majority of Member States does not allow a precise assessment of their exact approach to the implementation of the mixing ban. In particular it is unclear under what circumstances exceptions from the ban have been applied. Some Member States do not refer to any exemptions to the mixing ban (e.g. Bulgaria, Latvia, Netherlands, Spain); meanwhile others, for example Greece and the UK (England/Wales), only refer in a general way to the exemptions laid down by their respective legislation. Thus, it remains unclear when and to what extent they allow mixing.

Several Member States have reported the use of criteria, beyond those specified in the Directive i.e. ‘safety during disposal and recovery’, as justification for exemptions from the mixing ban. Environmental considerations or technical aspects (e.g. Italy: better ensuring disposal and recovery) are both reported as basis for decision making, however, the wording used to define the exemption criteria is predominantly vague in nature.
4.2.2 Exemption from the permitting requirements

The legal possibility to pass general rules exempting certain establishments from the permit requirements of the Hazardous Waste Directive is only exceptionally taken up by Member States, i.e. 3 out of 27 or 11%, among them, however, two “big” Member States producing important quantities of hazardous waste, UK and Italy.

4.2.3 Frequency of control and inspections

With regard to their compliance with “periodic inspections of hazardous waste producers” as required in Art. 4(1) of the Hazardous Waste Directive, Member State responses refer specifically to the frequency of inspections. Most countries do not lay down a general minimum frequency of inspections, but determine the frequency of inspections on a case-to-case basis; for example in the case of Austria, Germany, Ireland, Italy, Netherlands, Czech Republic, Hungary, Romania, UK.

Alternatively, inspections are made on the basis of complaints, for example in Malta and in part Hungary. Meanwhile, Slovenia uses the Handbook for Implementation of EU Environmental Legislation to complete a workplan.

It is questionable whether a purely complaint-based routine of inspections lives up to the Directive’s requirements of periodic inspections which would mean routine inspections independently of a concrete complaint.

Importantly, based on the responses provided it is unclear for some countries as to whether their response on inspections covers inspections of producers, inspections of waste management/treatment operations generally or purely waste treatment (see e.g. answers from Bulgaria, Italy, Poland, Slovakia, Slovenia).

4.2.4 Reporting Requirements of producers

In response to Art. 4(1) MS have in many cases been unspecific as regards the subjects of the reporting requirements. As Art. 4(1) targets producers only, the European Commission should ask the MS again specifically about their requirements for the producers of hazardous waste (and not only waste managers).

4.2.5 Packaging Requirements

The Hungarian answer did not make clear if Hungarian law generally lays down obligatory requirements for the packaging of hazardous waste for collection/transport.
**Annex 1 Model waste record sheet (Poland)**

### MODEL

#### WASTE RECORD SHEET

<table>
<thead>
<tr>
<th>Waste code</th>
<th>Waste type</th>
<th>Percentage content of PCB</th>
<th>Waste holder</th>
<th>Address</th>
<th>Regon No (Tax ID for legal persons)</th>
<th>Tel/Fax</th>
</tr>
</thead>
</table>

#### Activity relating to waste management

|------|-------|------|-------|

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Own management</td>
<td>Waste transferred to another waste holder</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Waste transfer sheet No</td>
<td>Name and surname of the issuer</td>
</tr>
</tbody>
</table>

Name and surname of the issuer

---

33
Key
a. Not applicable to municipal sewage sludge used for the purposes referred to in Article 43 (1) of the Act of 27 April 2001 on Waste (Dziennik Ustaw No 62, item 628 as amended) or to the manager of the processing plant referred to in the Act of 29 July 2005 on used electrical and electronic equipment (Dziennik Ustaw No 180 item 1495).
b. Applicable to PCB disposal.
c. Name and surname or company name of waste holder. In the case of municipal waste, the sheet must be filled in by the business authorised to collect waste from property owners referred to in the Act of 13 September 1996 on the maintenance of cleanliness and order in municipalities (Dziennik Ustaw of 2005 No 236, item 2008) or the municipal organisational unit referred to in the Act of 13 September 1996 on the maintenance of cleanliness and order in municipalities.
d. Residential or business address of a waste holder.
f. Enter the waste mass with an accuracy of at least one decimal place for non-hazardous waste and three decimal points for hazardous waste.
g. Enter the mass of own waste managed. In the case of the manager of a dismantling centre, enter own-managed waste mass including the mass of equipment intended for reuse and parts of cars withdrawn from use.
h. R symbols refer to recovery processes consisting in the total or partial use of waste or leading to recovery from waste of substances, materials or energy and their use in accordance with Annex No 5 to the Act of 27 April 2001 on Waste.
i. D symbols refer to waste disposal processes in accordance with Annex No 6 to the Act of 27 April 2001 on Waste.
j. Enter the mass of equipment and parts taken from vehicles withdrawn from use and intended for re-use which were derived from processing in a dismantling centre.
### Annex 2 Model waste transfer sheet (Poland)

<table>
<thead>
<tr>
<th>WASTE TRANSFER SHEET</th>
<th>Sheet No</th>
<th>Calendar year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Waste holder transferring waste</td>
<td>Waste transport operator</td>
<td>Waste holder receiving waste</td>
</tr>
<tr>
<td>Address</td>
<td>Address</td>
<td>Address</td>
</tr>
<tr>
<td>Tel/fax</td>
<td>Tel/fax</td>
<td>Tel/fax</td>
</tr>
<tr>
<td>Regon No (Tax ID for legal persons)</td>
<td>Regon No (Tax ID for legal persons)</td>
<td>Regon No (Tax ID for legal persons)</td>
</tr>
<tr>
<td>Waste destination</td>
<td>Waste code</td>
<td>Waste type</td>
</tr>
<tr>
<td>Date/month</td>
<td>mass of waste transferred [tonnes]</td>
<td>Vehicle, trailer or semi-trailer registration number</td>
</tr>
<tr>
<td>I confirm transfer of the waste</td>
<td>I confirm that I transported the waste</td>
<td>I confirm that I received the waste</td>
</tr>
<tr>
<td>Date, stamp and signature</td>
<td>Date, stamp and signature</td>
<td>Date, stamp and signature</td>
</tr>
<tr>
<td>--------------------------</td>
<td>--------------------------</td>
<td>--------------------------</td>
</tr>
</tbody>
</table>

Key

a. The number is issued by the waste holder who transfers the waste.
b. Name and surname or company name of waste holder
c. In the case of municipal waste, the sheet is filled in by the business authorised to collect waste from property owners referred to in the Act of 13 September 1996 on the maintenance of cleanliness and order in municipalities (Dziennik Ustaw of 2005 No 236, item 2008) or the municipal organisational unit referred to in the Act of 13 September 1996 on the maintenance of cleanliness and order in municipalities.
d. Where waste is transported consecutively by two or more waste transport operators, the required data and signatures of all the waste transport operators must be entered in the boxes indicated in the order in which the waste is transported.
e. Residential or business address of waste holder.
f. Address of the place of receipt of waste to which the waste is to be transported, indicated by the waste holder to the waste transport operator.
g. In the case of hazardous waste, enter the date of waste transfer. The sheet may be used as a one-off waste transfer sheet or may be used repeatedly to cover all waste of a given type transferred within one calendar month by the same waste transport operator to the same waste holder.
h. Enter waste mass with an accuracy of at least one decimal place for non-hazardous waste and three decimal points for hazardous waste.
i. Applies to hazardous waste.