1. Basic Information

1.1 CRIS Number: 2002/000-580-05-04  
Twinning Number: PL/IB/2002/EN/04

1.2 Title: Control of waste shipments.

1.3 Sector: Environment

1.4 Location: Poland

2. Objectives

2.1 Overall objectives:
The overall objective of the project is to strengthen the supervision and control over transboundary movement of wastes and to increase the effectiveness of services of the Inspection for Environmental Protection, Customs Services and Border Guard and to increase their ability to implement, apply and enforce the *acquis communautaire* and, in particular, the Council Regulation (EEC) No. 259/93 on supervision and control of shipment of waste within, into and out of the European Community.

2.2 Immediate objectives.
The immediate objective of the project is to prepare the services responsible for supervision and control of transboundary movement of wastes for the application of the *acquis communautaire* within this scope, through assessment of the existing legislative solutions and organisational systems and comparison of those services’ experiences in the area with those of the EU Member States. In this context, special emphasis will be placed on practical application of notification procedures. Drawbacks of the waste movement control system will be identified. A training programme will be developed and training will be organised for the services participating in the project. Border control and in-country control techniques will be strengthened by conducting joint training inspections and by equipping border and customs services with materials necessary for quick identification and classification of wastes.

2.3 Accession Partnership and NPAA priority.
The project addresses the following Accession Partnership priorities (Council Decision of 28 January 2002 on the principles, priorities, intermediate objectives and conditions contained in the Accession Partnership with Poland (2002/91/EC) in the field of environment:

- continue implementation of the acquis, in particular as regards air quality (including improvement of monitoring network), waste management (by achieving full implementation of the Directive on waste and the hazardous waste Directive, by drawing up waste management plans and by improving the recovery and selection system), water quality (by giving special emphasis to waste water treatment in agglomerations above 100 000 (population equivalent), by establishing the inventory for discharges of dangerous substances, by fully implementing the directives on drinking water, on quality of surface water and on nitrates pollution from agricultural sources) and industrial pollution (including the issuing of integrated permits under the IPPC Directive),

- continue strengthening the administrative, monitoring and enforcement capacity at national, regional and local level, with particular emphasis on permitting and planning and the establishment of the institutional structures to implement directives in the field of chemicals (also accredited laboratories) as well as in the field of nature protection.

The project refers to the following NPAA priorities:

No. 22.3 – adjustment to the requirements of the Community legislation within the scope of waste management;

No. 22.16 – administrative and institutional strengthening necessary for approximation of Polish environmental law to the Community law.

3. Description.

3.1 Background and justification:
In connection with the adjustment process, Poland is engaged in the modification and transformation of its legal and institutional system within the environment sector, so as to meet the requirements of the EU environmental policy.
In the EU, the rules of transboundary movement of wastes are specified in the Council Regulation (EEC) No. 259/93 on supervision and control of shipment of waste within, into and out of the European Community.

According to the currently binding national legislation (the Act on Wastes of 27 April, 2001, Dziennik Ustaw [Official Journal] 2001.62.628), import of wastes to the country requires a permit by the Chief Inspector for Environmental Protection, issued by way of administrative decision. The permit may be issued after the importer of wastes has met the conditions specified in the Act on Wastes.

The preparation for the implementation of the Council Regulation (EEC) No. 259/93 on supervision and control of shipment of waste within, into and out of the European Community has, by now, been expressed by: the extension of the list of wastes other than hazardous; whose import does not require a permit by the Chief Inspector for Environmental Protection; the introduction of the obligation to receive a permit by the Chief Inspector for export of wastes other than hazardous to specific countries; the approval of import of certain hazardous wastes.

The notification procedures currently are not used. A draft regulation by the Minister of Environment, implementing a format of the document used for international movement of wastes, is at the final stage of the legislative work. The format of the document and the information included in it are in accordance with the notification document.

The current institutional and procedural systems in Poland are insufficient for the implementation of the provisions of the Council Regulation (EEC) No. 259/93 on supervision and control of Shipment of waste within, into and out of the European Community.

3.2 Linked activities.

- PL/IB/2001/05/TL: “Strengthening the local environment administration” – institutional building project, which will be implemented in the twinning light formula. Waste management issues are important part of this project, including preparation the trainings and three waste management plans at county level.

- PL 99/IB/EN/01: “Strengthening Polish public administration, including Inspectorates for Environmental Protection, in the field of the environmental legislation enforcement vis-à-vis new administrative system in Poland” – in the implementation phase. The project within Phare 1999 is aimed at strengthening the monitoring and controlling and reporting activities of environmental administration, ensuring the successful accomplishment of the law transposition and implementation process.

- PL98/IB/EN/01: “Strengthening of the Polish Ministry of Environment for the implementation of environmental legislation and strategies” - institutional building twinning project for the Ministry of Environmental Protection, Natural Resources and Forestry. The technical assistance provided by the twinning partners focuses on strengthening the institutional and administrative capacity of the ministry, implementation plans on water and air quality and in the field of waste disposal.

3.3 Results.

- Creation of an effective border and in-country control system based on close cooperation of the Inspection for Environmental Protection, as the unit responsible for control of compliance with the environmental protection law, with the border and customs services.

- Implementation of practical solutions for notification procedures on the administrative level (the Chief Inspectorate for Environmental Protection).

- Developed guideline /manual for beneficiaries, describing wastes from the European green, yellow and red lists of wastes, together with their quick identification methods.

- Publication and distribution of a guideline /manual describing wastes from the European green, yellow and red lists of wastes.

- Approximately 250 – 300 people trained:
  - 120 – 150 from the Inspection for Environmental Protection personnel (the Chief Inspectorate for Environmental Protection, Voivodship Inspectorates and their branches)
3.4 Activities.
TWINNING COVENANT:
- Assessment of existing technical and institutional conditions.
- In-country thematic training in practical application of the Council Regulation No. 259/93.
- Study visits.
- Joint training inspections by the services of the Inspection for Environmental Protection Inspection, Customs and Border services.

TECHNICAL ASSISTANCE
- Developing of guideline /manual for beneficiaries, describing wastes from the European green, yellow and red lists of wastes, together with their quick identification methods.
- Training for the Inspection personnel (the Chief Inspectorate for Environmental Protection, Voivodship Inspectors and their branches) as well as customs and border services regarding developed guideline describing wastes from the European green, yellow and red lists of wastes, together with their quick identification methods.
- Developing of guideline regarding practical application of notification procedures.
- Carrying out of seminars introducing developed guideline regarding practical application of notification procedure.

EQUIPMENT SUPPLY
Provision of equipment necessary for effective control and identification of wastes.

The expected activities will be implemented through:
I. Twinning
Twinning should cover:
- 15 months of twinning support and assistance provided by Pre-Accession Advisors (PAA) consisted mostly of:
  - assessment of existing institutional system in waste management in Poland concerning the requirements of the Council Regulation (EEC) No 259/93,
  - advisory assistance for supervising the activities,
  - support in preparation of the tasks for the Short Term Experts,
  - co-operation with Short Term Experts within the investment activities,
- workshops, study visits.
- reporting to the PHARE authorities,

Requirements concerning PAA:
- educational background: higher technical education,
- professional experience: five-years experience,
- knowledge of the waste management issues and control system of transboundary shipment of waste in EU as well as practical use of notification procedures.

- medium and short-term visits by experts with knowledge and experience supplementing the expertise of PAA consisted mostly of:
  - advisory assistance for preparing TOR for the investment activities,
  - preparation of methodological guidelines for identification and classification of substances,
  - assisting in development of manual for the beneficiaries,
  - training for the Inspection personnel as well as customs and border services,

Requirements concerning medium and short-term experts:
- educational background: higher chemical education,
- professional experience: five-years experience,
- knowledge of the waste management issues and various methods of chemical analysis useful for identification and classification of substances.
II. Technical assistance:
Overall objective of the TA is to help Polish authorities to solve technical and methodological problems associated with the implementation of the Waste Shipment Regulation in Poland.
The following key services are required:
- development of guideline regarding practical application of notification procedures,
- seminars introducing developed guideline regarding practical application of notification procedure,
- development of a guideline/manual for beneficiaries, describing wastes from the European green, yellow and red lists of wastes, together with their quick identification methods.
- seminars, training regarding practical use of developed guideline/manual.

III. Equipment supply:
mobile laboratories with equipment for identification of wastes, „surveillance cameras”.

4. Institutional Framework
4.1. The Programme’s beneficiaries will be:
- the Chief Inspectorate for Environmental Protection,
- the Ministry of Environment,
- Voivodship Inspectorates for Environmental Protection,
- Border Guard,
- Customs Services.
4.2. N/A
4.3. The project will strengthen the Polish institutional framework in implementation and enforcement of Council Regulation (EEC) No 259/93. It will also support Polish administration in creation of the border and in-country control system of waste shipments.
4.4. In the first few months of the project realisation institutions, which will be responsible of implementation of the directive, will be selected. Their needs concerning the project issues (equipment, hardware, software) will be identified and criteria of equipment distribution will be developed. According to above the technical specification for the equipment will be prepared, tenders will be carried out and equipment will be delivered to the selected partners.

5. Detailed Budget (M Euro)

<table>
<thead>
<tr>
<th>PHARE SUPPORT</th>
<th>Investment Support</th>
<th>Institution Building</th>
<th>Total PHARE</th>
<th>National Cofinancing</th>
<th>TOTAL</th>
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</thead>
<tbody>
<tr>
<td>Twinning</td>
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<td>Equipment</td>
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<td><strong>TOTAL</strong></td>
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<td><strong>2.00</strong></td>
<td><strong>0.22</strong></td>
<td><strong>2.22</strong></td>
</tr>
</tbody>
</table>

The co-financing funds will be available.

6. Implementation Arrangements
6.1 Implementation Agency
PAO: Krystyna Gurbiel, Under Secretary of State, Office of the Committee for European Integration, Al. Ujazdowskie 9, 00-918 Warszawa, Poland, tel. (+48 22) 455 52 41.
The project will be implemented by the CFCU, which will be responsible for all administrative and financial aspects related to the projects implementation and arrangement of the twinning covenant, technical assistance contract and procurement of equipment. Contact: Mr Wojciech Paciorkiewicz, Director of CFCU, 00-400 Warsaw, Poland, 6/12 Nowy Świat St., Tel.: (+48 22) 661 79 27, Fax: (+48 22) 661 72 26, E-mail: cfcu@cofund.org.pl.
6.2 Twinning
The beneficiary institution of the twinning project will be the Chief Inspectorate for Environmental Protection. The participants of the Steering Committee will be nominated by the Chief Inspector for Environmental Protection in consultation with Ministry of the Environment.

Contact persons: Mrs Magda Gosk, senior inspector in Division of Transboundary Movement of Waste in Chief Inspectorate for Environmental Protection, 52/54Wawelska St., 00-922 Warsaw, Poland, Tel.: (+48 22) 57 92 729, Fax: (+48 22) 825 11 04, Email: mgosk@pios.gov.pl.
Mr Włodzimierz Garczynski, Head of Division of Transboundary Movement of Waste in Chief Inspectorate for Environmental Protection, 52/54Wawelska St., 00-922 Warsaw, Poland, Tel./Fax: (+48 22) 825 11 04, Email: wgarczyn@pios.gov.pl.
Mrs Grazyna Hadjiraftis - Chief Specialist, Department of the European Integration, Ministry of the Environment, Warsaw, 52/54Wawelska St., tel. (+48-22) 5792.763, fax: (+48-22) 5792.529, e-mail: ghadjira@mos.gov.pl

6.3 Non-standard aspects
N/A. Practical Guide to PHARE, ISPA and SAPARD will strictly be followed.

6.4 Contracts
Twinning covenant: 1.0 M Euro (Phare). National Co-financing: 0.05 M Euro
Technical assistance: 0.6 M Euro (Phare). National Co-financing: 0.04 M Euro
Equipment contract: 0.4 M Euro (Phare). National Co-financing: 0.13 M Euro – joint co-financing

7. Implementation Schedule

<table>
<thead>
<tr>
<th></th>
<th>Start of tendering/call for proposals</th>
<th>Start of project activity</th>
<th>Project completion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Twinning Arrangement</td>
<td>X 2002</td>
<td>IV 2003</td>
<td>VII 2004</td>
</tr>
<tr>
<td>Technical assistance</td>
<td>VI 2003</td>
<td>IX 2003</td>
<td>XII 2004</td>
</tr>
<tr>
<td>Equipment supply</td>
<td>VII 2003</td>
<td>XII 2003</td>
<td>XII 2004</td>
</tr>
</tbody>
</table>

8. Equal Opportunity
The project will involve in all phases of its implementation specific provisions for guaranteeing equal opportunity of access to activities and benefits resulting from its implementation. Gender related indicators will be gathered and monitored throughout the projects implementation to ensure that corrective steps can be taken at an appropriate moment in the project’s life cycle.

9. Environment: N/A

10. Rates of return: N/A

11. Investment criteria: N/A

12. Conditioning and sequencing
There are no special conditions on which implementing of this project may be impossible or difficult. All necessary legislation is in force now.
Milestones:
- Start of project activities in April 2003
- Start of tendering for Technical Assistance in June 2003
- Launching the tenders at the beginning of November 2003
- Finish of Twinning activities by the end of July 2004
- Final report by the end of December 2004
## Annex 1: 05.04 Control of waste shipments

<table>
<thead>
<tr>
<th>Date</th>
<th>March 2002</th>
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<tbody>
<tr>
<td>End Contracting:</td>
<td>30/11/04</td>
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<tr>
<td>End Disbursement:</td>
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<tr>
<td>Period</td>
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<table>
<thead>
<tr>
<th>Project Number</th>
<th>Project Title</th>
<th>Implementation of Council Regulation (EEC) No 259/93 and creation of border and in-country control system of waste shipments.</th>
<th>Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>2.0M Euro (Phare) 2.22M Euro (Total)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Overall Objective</th>
<th>Objectively verifiable Indicators</th>
<th>Sources of Verification</th>
<th>Assumptions</th>
</tr>
</thead>
<tbody>
<tr>
<td>The overall objective of the project is to strengthen the supervision and control over transboundary movement of wastes and to increase the effectiveness of work of services of the Inspection for Environmental Protection, Customs Services and Border Guard and to increase their ability to implement, apply and enforce the <em>acquis communautaire</em> and, in particular, the Council Regulation (EEC) No. 259/93 on supervision and control of shipment of waste within, into and out of the European Community.</td>
<td>Introduction of institutional and procedural changes in line with requirements of EU Regulation. Practical transposition of Waste Shipment Regulation to Polish institutional and organizational arrangements.</td>
<td>Central and regional government documents. Studies and analyses. Project reports and documentation sent to European Commission.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Project Purpose</th>
<th>Objectively verifiable Indicators</th>
<th>Sources of Verification</th>
<th>Assumptions</th>
</tr>
</thead>
<tbody>
<tr>
<td>The immediate objective of the project is to prepare the services responsible for supervision and control of transboundary movement of wastes for the application of the <em>acquis communautaire</em> within this scope, through assessment of the existing legislative solutions and organisational systems and comparison of those services' experiences in the area with those of the EU member states. In this context, special emphasis will be placed on practical application of notification procedures. Drawbacks of the waste movement control system will be identified. A training programme will be developed and training will be organised for the services participating in the project. Border control and in-country control techniques will be strengthened by conducting joint training inspections and by equipping border and customs services with materials necessary for quick identification and classification of wastes.</td>
<td>Certificates of training. Publication of a manual (handbook) on the classification of waste. Number of manuals/guidelines delivered to border points, custom offices and to Inspection for Environmental Protection at local level (1000 examples).</td>
<td>Studies and analyses. Reports of PAA Reports of relevant central, regional and local institutions.</td>
<td>Regional and local institutions interested and effectively involved in actions. Financing available. National and regional instruments co-ordinated. Realization of contracts on time.</td>
</tr>
<tr>
<td>Results</td>
<td>Objectively verifiable Indicators</td>
<td>Sources of Verification</td>
<td>Assumptions</td>
</tr>
<tr>
<td>---------</td>
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<tr>
<td>Creation of an effective border and in-country control system based on close co-operation of the Inspection for Environmental Protection, as the unit responsible for control of compliance with the environmental protection law, with the border and customs services. Implementation of practical solutions for notification procedures on the administrative level (the Chief Inspectorate for Environmental Protection). Development of a guideline /manual for beneficiaries, describing wastes from the European green, yellow and red lists of wastes, together with their quick identification methods. Publication and distribution of a guideline /manual describing wastes from the European green, yellow and red lists of wastes. Approximately 250 – 300 people trained: 120 – 150 from the Inspection for Environmental Protection personnel (the Chief Inspectorate for Environmental Protection, Voivodship Inspectorates and their branches) 100 – 150 from customs and border services.</td>
<td>Trained staff - 300 officials and specialists, Published manual Methodology guidelines respecting Waste Shipment regulation requirements, Technical reports and studies Number of joint training inspections by the services of the Inspection for Environmental Protection, Custom and Border services.</td>
<td>Project / training level monitoring data and information, Documents and reports of regional and local authorities and institutions.</td>
<td>Quality of TA services provided stimulates expected results. Trainees able to utilise knowledge gained from training and TA in practical actions. Sources of financing available.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Activities</th>
<th>Means</th>
<th>Assumptions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Twinning</td>
<td>One twinning covenant: PAA Short Term Experts Technical assistance contract Purchase of equipment</td>
<td>Effective preparation of training schemes. Polish and Member State necessary staff available. Effective co-operation with other institution involved in proposed project Sources of financing available</td>
</tr>
</tbody>
</table>

15 months of twinning support and assistance provided by Pre-Accession Advisors (PAA) consisted mostly of: assessment of existing institutional system in waste management in Poland concerning the requirements of the Council Regulation (EEC) No 259/93, advisory assistance for supervising the activities, support in preparation of the tasks for the Short Term Experts, co-operation with Short Term Experts within the investment activities, workshops, study visits. Reporting to the PHARE authorities, medium and short-term visits by experts with knowledge and experience supplementing the expertise of PAA consisted mostly of:
advisory assistance for preparing TOR for the investment activities,
preparation of methodological guidelines for identification and classification of substances,
assisting in development of manual for the beneficiaries,
training for the Inspection personnel as well as customs and border services.

Technical assistance:
Development of guideline regarding practical application of notification procedures,
seminars introducing developed guideline regarding practical application of notification procedure,
development of a guideline/manual for beneficiaries, describing wastes from the European green, yellow and red lists of wastes, together with their quick identification methods.
seminars, training regarding practical use of developed guideline/manual.

Equipment supply:
Mobile laboratories with equipment for identification of wastes, „surveillance cameras“.

Annex 2-3: Implementation, contracting and disbursement schedules

<table>
<thead>
<tr>
<th>05.04 Control of waste shipments</th>
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<th>May 2002</th>
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<td>Implementation schedule</td>
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<td>II’03</td>
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<td>C</td>
<td>C</td>
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<tr>
<td>Disbursement schedule</td>
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</tbody>
</table>

D = design of sub-projects / C = tendering and contracting / I = contract implementation and payment

Preconditions
co-financing of project costs by government