Commission Regulation (EU) No 255/2013 of 20 March 2013 amending, for the purposes of adaptation to scientific and technical progress, Annexes IC, VII and VIII to Regulation (EC) No 1013/2006 of the European Parliament and of the Council on shipments of waste (Text with EEA relevance)

COMMISSION REGULATION (EU) No 255/2013

of 20 March 2013

amending, for the purposes of adaptation to scientific and technical progress, Annexes IC, VII and VIII to Regulation (EC) No 1013/2006 of the European Parliament and of the Council on shipments of waste

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste[(1)], and in particular Article 58(1) thereof,

Whereas:

(1) Regulation (EC) No 1013/2006 specifies under which conditions the shipment of wastes listed in either Annex IIIA or IIIB to that Regulation is subject to the procedure of prior written notification and consent. The submission of a notification requires completion of the notification and movement documents as set out in Annexes IA and IB to that Regulation. Wastes listed in Annex IIIA, IIIB or IVA to Regulation (EC) No 1013/2006 can be identified in Block 14 of Annex IA or Annex IB, under subheading (vi) 'Other (specify)'. Annex IC to that Regulation, providing specific instructions for completing either Annex IA or IB needs to be amended in order to clarify how those wastes should be indicated in Annex IA or IB.

(2) Regulation (EC) No 1013/2006 also specifies under which conditions wastes listed in Annexes IIIA and IIIB to that Regulation need to be accompanied by the document contained in Annex VII to that Regulation when these wastes are intended for shipment. As Block 10 of Annex VII does not provide the option to identify wastes listed in Annexes IIIA and IIIB, such wastes cannot be properly identified in Annex VII. The inclusion of wastes in Annexes IIIA and IIIB necessitates the expansion of the options listed in Block 10 of Annex VII.

(3) At the tenth meeting of the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal which took place from 17 to 21 October 2011, technical guidelines and guidance documents on environmentally sound management were adopted. Following their adoptions, Annex VIII to Regulation (EC) No 1013/2006 needs to be updated accordingly.

(4) Regulation (EC) No 1013/2006 should therefore be amended accordingly.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 39 of Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives[(2)],

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1013/2006 is amended as follows:

(1) Annex IC is amended in accordance with Annex I to this Regulation;

(2) Annex VII is replaced by the text set out in Annex II to this Regulation;

(3) Annex VIII is replaced by the text set out in Annex III to this Regulation.

Article 2

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

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

Done at Brussels, 20 March 2013.

For the Commission

The President

José Manuel BARROSO

ANNEX I

Annex IC to Regulation (EC) No 1013/2006 is amended as follows:

(a) In point 25(c), the second sentence is deleted.

(b) In point 25(d), the second sentence is deleted.

(c) In point 25(e), the following paragraph is added:

> Such codes may be included in Annexes IIIA, IIIB or IVA of this Regulation. In that case, the Annex number should be stated in front of the codes. As regards Annex IIIA, the relevant code(s) as indicated in Annex IIIA should be used, as appropriate in sequence. Certain Basel entries such as B1100, B3010 and B3020 are restricted to particular waste streams only, as indicated in Annex IIIA..

Changes to legislation: *There are currently no known outstanding effects for the Commission Regulation (EU) No 255/2013. (See end of Document for details)*

ANNEX II

ANNEX VII

INFORMATION ACCOMPANYING SHIPMENTS OF WASTE AS REFERRED TO IN ARTICLE 3(2) AND (4)

Consignment information *(1)*

1. Person who arranges the shipment Name: Address: Contact person: Tel. Fax E-mail:		**2. Importer/consignee** Name: Address: Contact person: Tel. Fax E-mail:
3. Actual quantity: Tonnes (Mg): m^3:		**4. Actual date of shipment:**
5.(a) First carrier *(2)* Name: Address: Contact person: Tel. Fax E-mail: Means of transport: Date of transfer: Signature:	**5.(b) Second carrier** Name: Address: Contact person: Tel. Fax E-mail: Means of transport: Date of transfer: Signature:	**5.(c) Third carrier** Name: Address: Contact person: Tel. Fax E-mail: Means of transport: Date of transfer: Signature:
6. Waste generator *(3)* **Original producer(s), new producer(s) or collector:** Name: Address: Contact person: Tel. Fax E-mail:		**8. Recovery operation (or if appropriate disposal operation in the case of waste referred to in Article 3(4)):** R-code/D-code: **9. Usual description of the waste:**
7. Recovery facility ☐ **Laboratory** ☐ Name: Address: Contact person: Tel. Fax E-mail:		**10. Waste identification** *(fill in relevant codes):* (i) Basel Annex IX: (ii) OECD *(if different from (i)):* (iii) Annex IIIA *(4)*: (iv) Annex IIIB *(5)*: (v) EC list of wastes: (vi) National code:

11. Countries/states concerned:

Export/dispatch	Transit			Import/destination

12. Declaration of the person who arranges the shipment: I certify that the above information is complete and correct to my best knowledge. I also certify that effective written contractual obligations have been entered into with the consignee *(not required in the case of waste referred to in Article 3(4)):*

Name: Date: Signature:

13. Signature upon receipt of the waste by the consignee:

Name: Date: Signature:

TO BE COMPLETED BY THE RECOVERY FACILITY OR BY THE LABORATORY:

14. Shipment received at recovery facility ☐ **or laboratory** ☐ Quantity received: Tonnes(Mg): m^3:

Name: Date: Signature:

(1) Information accompanying shipments of green listed waste and destined for recovery or waste destined for laboratory analysis pursuant to Regulation (EC) No 1013/2006. For completing this document, see also the corresponding specific instructions as contained in Annex IC of Regulation (EC) No 1013/2006.

(2) If more than three carriers, attach information as required in blocks 5 (a), (b), (c).

(3) When the person who arranges the shipment is not the producer or collector, information about the producer or collector shall be provided.

(4) The relevant code(s) as indicated in Annex IIIA to Regulation (EC) No 1013/2006 are to be used, as appropriate in sequence. Certain Basel entries such as B1100, B3010 and B3020 are restricted to particular waste streams only, as indicated in Annex IIIA.

(5) The BEU codes listed in Annex IIIB to Regulation (EC) No 1013/2006 are to be used.'