

Basel Convention Plastic Waste Amendments

Introduction/Background

At its fourteenth meeting in May 2019, the Conference of the Parties (COP) of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal adopted amendments to Annexes II, VIII and IX of the Convention. The objective was to enhance the control of the transboundary movement of plastic wastes and clarify the scope of the Convention as it applies to such waste. Thus, the amendments do not imply a ban on the import, transit or export of plastic wastes, but rather present the measures or controls that govern the transboundary movement of such wastes.

The amendments became effective globally on January 1, 2021, at which time it was binding on Jamaica as a Party to the Basel Convention.

The Amendments

Annex II: Amended with the entry Y48, which is plastic waste, including mixtures of such waste, with the **exception** of

- a) Plastic waste that is hazardous (i.e., plastic waste that contains or is contaminated with constituents of Annex I, and demonstrates characteristics of Annex III that classifies them as entry A3210 in Annex VIII) and
- b) Plastic waste that is non-hazardous (i.e., plastic waste that is almost free from contamination and other types of waste and is destined for recycling in an environmentally sound manner that classifies them as entry B3011 in Annex IX)

Y48 plastic waste requires special consideration, and its trade requires the 'prior informed consent' (PIC) of the importing state. Therefore, it is subject to the (PIC) procedure of the Basel Convention.

Annex VIII: Amended with the entry A3210, which is plastic waste, including mixtures of such plastic waste that is hazardous waste because it contains or is contaminated with constituents of Annex I, and demonstrates characteristics of Annex III.

A3210 plastic waste trade requires the 'prior informed consent' (PIC) of the importing state. Therefore, it is subject to the PIC procedure of the Basel Convention

The Amendments...Cont'd

Annex IX: Amended with the entry B3011, which is plastic waste and mixtures of plastic waste (specified in bullets below) that is non-hazardous; almost free from contamination and other types of waste and is destined for separate recycling in an environmentally sound manner

- a) Plastic waste almost exclusively consisting of one non-halogenated polymer, such as polyethylene (PE), polypropylene (PP), polystyrene (PS), and polyethylene terephthalate (PET)
- b) Plastic waste almost exclusively consisting of one cured resin or condensation product, such as urea formaldehyde resins, epoxy resins and alkyd resins
- c) Plastic waste almost exclusively consisting of one fluorinated polymers, such as perfluoroethylene/fluorinated ethylene propylene (FEP), and polyvinyl fluoride (PVF)
- d) Mixtures of plastic waste consisting of PE, PP and/or PET

B3011 plastic waste does not require the 'prior informed consent' (PIC) of the importing state, thus not subject to the PIC procedure of the Basel Convention.

Parties to the Basel Convention are required to take measures to effectively implement the amendments and comply with the Convention. Locally, Jamaica is in the process of amending the Natural Resources Conservation (Hazardous Waste) (Control of Transboundary) Regulations 2002, to reflect the three new entries. Ideally the process of adjusting the regulations should have been prior to January 1, 2021; however, in an effort to minimize the potential of non-compliance with the amended international agreement, the following strategy is being employed:

1. Sensitisation of local businesses engaged in the trade of plastic waste with the amendments and the implications for how they conduct business
2. Inspection of the plastic waste recycling operations coupled with information exchange with the Agency
3. Obtaining the requirements of the jurisdictions with whom trade is conducted to allow for the Agency to request and obtain 'prior informed consent' before there is export or trade in materials that are considered hazardous (i.e., A3210) or in need of special consideration (i.e., Y48)
4. Reviewing the implementation and interpretation of the amendments by other jurisdictions to observe measures that are potentially locally applicable and capable of informing and enhancing the process; inclusive of the regulatory amendments.
5. Amendment of the regulations; and
6. Implementation of the amended regulations, with plastic waste that are hazardous and in need of special considerations being subject to the PIC procedure and requiring an export permit.

Examples of Locally Generated Plastic Waste Considered as Y48 (Annex II)



Figure 1: Polyvinyl Chloride (PVC) pipes, gutters and cable trays some of the plastics covered under the Y48 entry.



Figure 2: Polytetrafluoroethylene (PTFE) Circuit Board



Figure 3: Polyethylene terephthalate (PET) bottles that are not free of contamination and are significantly dirty. Similar to the state of plastic waste removed from the disposal site or a blocked gully.



Figure 4: Polyethylene terephthalate (PET) beverage bottles that are not free of other wastes and not almost free from contamination. Similar to the state of waste removed from a blocked drain or a beach clean-up.

Examples of Locally Generated Plastic Waste Considered as A3210 (Annex VIII)



Figure 5: Plastic housing for a used lead acid battery that would have been contaminated by the lead and acid content of the battery is presumed to be hazardous. Lead is a constituent of Annex I that results in toxicity, and the acid in the battery is corrosive. Both are characteristics of Annex III.



Figure 6: Television and computer monitors are made of plastics that contain flame retardants, made of brominated compounds. Bromine is a constituent of Annex I with Annex III characteristics. The plastic housings are hazardous plastic waste classified as entry A3210 of Annex VIII.



Figure 7: Plastic packaging waste that were contaminated by the toxic pesticide content. Toxicity is a characteristic named in Annex III thus the plastic waste is presumed to be hazardous, classified as entry A3210 of Annex VIII and subject to the PIC procedure for export.

Examples of Locally Generated Plastic Waste Considered as B3011 (Annex IX)



Figure 8: Polypropylene (PP) caps almost exclusively consisting of one non-halogenated polymer, and almost free of contamination.



Figure 9: Polyethylene Terephthalate (PET) plastic beverage bottles that are almost free from contamination and other types of



Figures 10-11:

Pre-consumer PET plastic waste that failed quality control requirements for consumer products.

The plastic wastes were collected and maintained separately for export and recycling, thus almost exclusively consisting of one non-halogenated polymer.

These are considered to be almost free of contamination and other types of wastes due to being pre-consumer and being segregated.

Waste classified as B3011 can be exported without the prior informed consent of the importer.

Types of Plastic Wastes Exported¹

During the period 2019 to mid-year 2021, there were exports of plastic wastes to 17 countries in total. Trading partners across the years was 13 in 2019, 14 in 2020, and 9 up to mid-year in 2021.

Exports were approximately 10,487 tonnes, 8,972 tonnes, and 5,563 tonnes respectively in 2019, 2020 and mid-2021. The majority of the exporters traded plastic waste of HS Code 3915900000 (i.e., PET, PP and other waste parings and scrap of plastics other than polymers of ethylene styrene or vinyl chloride), which was the smaller quantity of exports in comparison to plastic waste of HS Code 3915100000 (i.e., waste parings and scrap of ethylene). Few exporters traded plastic waste of HS Code 3915100000.

Visuals of the waste observed being prepared for export are as follows:

- Pre-consumer waste as observed in Figures 10 – 11
- Post-consumer waste similar to that observed in Figures 9 and 12 through 14



Figure 12: Baled Polyethylene Terephthalate (PET) clear plastic beverage bottles with polypropylene caps. The bale had signs of contamination.



Figure 13: Baled Polyethylene Terephthalate (PET) green plastic beverage bottles with polypropylene



Figure 14: Baled High Density Polyethylene (HDPE) plastic waste with polypropylene caps.

¹ Data received from the Statistical Institute of Jamaica (STATIN)

The Agency continues to consider appropriate actions for raising awareness about the amendments and for building capacity for implementation among all relevant stakeholders at the national level.