

COMMUNICATION

NOTIFICATION OF NATIONAL DEFINITION OF HAZARDOUS WASTES PURSUANT TO ARTICLE 3 OF THE BASEL CONVENTION AUSTRIA, POLAND AND TUNISIA

Pursuant to article 3 of the Basel Convention, the Secretariat informs Parties and Signatories that Austria, Poland and Tunisia have submitted communications on 15, 17 and 4 February 2005, respectively, concerning their national definitions of wastes, other than those listed in Annexes I, and II of the Basel Convention, considered or defined as hazardous under its national legislation and requirements concerning transboundary movement procedures applicable to such wastes.

The full text of the three communications has been placed on the web site of the Basel Convention (www.basel.int). For those Parties or Signatories wishing to obtain a printed copy of the communications kindly contact the Secretariat (sbc@unep.ch).



To Focal Points of Parties and
Signatories to the Basel Convention

cc: Permanent Missions to the United Nations in Geneva

	<p align="center">Secretariat of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal</p> <p align="center">Notification of national definitions or significant change to national definitions pursuant to article 3 of the Basel Convention</p> <p align="center">(Information reported using this form shall be regarded as formal notification pursuant to article 3 and shall be transmitted by the Secretariat of the Basel Convention to all Parties as well as Signatories)</p>	
	<p>Country: Poland</p> <p>Government entity completing the questionnaire: Chief Inspectorate for Environmental Protection</p> <p>Address: Wawelska 52/54 Str 00-922 Warsaw Poland</p> <p>Telephone no: +48 22 8259775 Fax no: +48 22 8259775</p> <p>Contact person: Krystyna Panek-Gondek</p> <p>Title: Director of International Co-operation and European Integration Department</p> <p>Telephone no: (if different from above)</p> <p>E-mail: k.panek@gios.gov.pl</p> <p>Date when form completed(D/M/Y): 20.01.2005</p> <p>This report contains an updated national definition: Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/></p>	

National Definition of Hazardous Wastes

1	Is there a definition of hazardous waste in your national legislation?		
	Yes: X	No: <input type="checkbox"/>	(If no, do not fill in the rest of the form)
	If yes, please provide the text of the national definition of hazardous waste (Please attach the full text of the relevant legislation):		
	<p>In the light of the Act on Waste of 27 April 2001 (came into force in October 2001), “hazardous waste” shall mean waste:</p> <ul style="list-style-type: none"> belonging to the categories or types of waste featuring in List A in Annex II to this Act and displaying at least one of the properties enumerated in Annex IV to this Act; or belonging to the categories or types of waste featuring in List B in Annex II to this Act, containing any of the constituents enumerated in Annex III and displaying at least one of the properties enumerated in Annex IV to this Act. <p>Annex II features categories or types of hazardous waste. Annex III features constituents of wastes which render them hazardous.</p> <p>The minister responsible for the environment laid down the ordinance on the waste catalogue (O.J. of 2001, No.112, Item 1206). The new national list of hazardous waste is a part of waste catalogue. New waste classification is consistent with EU classification.</p>		
1a	Is this a significant change to the national definition that has been previously notified to the Secretariat of the Basel Convention pursuant to article 3(2)? (NB: Information transmitted annually under article 13 (3) does not represent a notification in compliance with article 3)		
	Yes <input type="checkbox"/>	No X	
1b	What is the source/ basis of this definition?		
	Basel Convention <input type="checkbox"/>	OECD-Council Acts <input type="checkbox"/>	EU Waste Law X
	National	Other <input type="checkbox"/> (specify under remarks)	
	<u>Remarks, if necessary:</u> <div style="height: 150px; border: 1px solid black; margin-top: 5px;"></div>		

2	Does the national definition of hazardous waste cover wastes other than those listed in Annexes I, II and VIII of the Basel Convention?		
	Yes: <input checked="" type="checkbox"/>	No: <input type="checkbox"/>	
	If yes, please tick the box(es) below indicating the list(s) containing such wastes and, in the table below or as an attachment, list the wastes.		
	WCO-HS <input type="checkbox"/>	OECD <input type="checkbox"/>	EU-Waste List <input checked="" type="checkbox"/>
	National <input checked="" type="checkbox"/> (specify under remarks)		Other <input type="checkbox"/> (specify under remarks)
	<u>General remarks, if any</u> National list of hazardous waste is defined in the ordinance of the Minister of Environment on the waste catalogue (O.J of 2001, No.112, Item 1206). Catalogue is based on European Waste List. Waste are divided into 20 groups. Catalogue defines groups, subgroups, types of waste and their codes (six figures). Two first figures mean the source of generation, two next figures describe subgroup of waste and the whole six figures codes means type of waste. Hazardous waste are marked on the list with asterisk. Polish National list of hazardous waste covers all types of hazardous waste stipulated in European Waste Catalogue and additionally covers the below mentioned waste which are consider hazardous under national legislation.		

Waste code *	Waste description	Remarks, if any
01 03 80 *	Tailings from enrichment by flotation of non-iron metal ores that contain hazardous substances	
01 04 80 *	Tailings from enrichment by flotation of coal that contain hazardous substances	
01 04 82 *	Tailings from enrichment by flotation of sulfide ores that contain hazardous substances	
01 04 84 *	Tailings from enrichment by flotation of phosphoric ores (phosphorites, apatites) that contain hazardous substances	
02 01 80 *	Dead animals and animals slaughtered out of necessity as well as animal tissue waste, that exhibit hazardous properties	
02 02 80 *	Animal tissue waste that exhibits hazardous properties	
03 01 80 *	Waste from chemical processing of wood that contain hazardous substances	
05 06 80 *	Liquid wastes that contain phenols	
07 04 80 *	Expired plant protection agents, toxicity class I and II (highly toxic and toxic)	
07 05 80 *	Liquid wastes containing hazardous substances	
09 01 80 *	Expired photography reagents	
10 11 81 *	Azbestos-containing waste	
16 81	Waste resulting from accidents and unplanned events	
16 81 01 *	Wastes exhibiting hazardous properties	
16 82	Waste resulting from natural disasters	
16 82 01 *	Wastes exhibiting hazardous properties	
18 01 80 *	Used therapeutic baths, biologically active, with infectious capability	

* Please ensure that your listing is as precise and clear as possible.

Waste code *	Waste description	Remarks, if any
18 01 82 *	Food remains from feeding patients residing in infectious unit	
Hazardous waste are marked on the list with asterisk.		

3	Specify any requirements (procedures) concerning transboundary movements that are applicable to the wastes listed under question 2 above:	
	The same as for wastes of Annex I, II or VIII: X	Other requirements (procedures): <input type="checkbox"/> If other, please specify the requirements (procedures):