



United Nations
Environment
Programme



UNEP(OCA)/MED IG.2/3 Add.1
July 31, 1991

Original: ENGLISH

MEDITERRANEAN ACTION PLAN

Seventh Ordinary Meeting of the Contracting
Parties to the Convention for the Protection
of the Mediterranean Sea against Pollution and
its related protocols

Cairo, Egypt, 8-11 October 1991

**DRAFT PROTOCOL FOR THE PREVENTION OF POLLUTION OF THE
MEDITERRANEAN SEA BY TRANSBOUNDARY MOVEMENTS OF
HAZARDOUS WASTES AND THEIR DISPOSAL**

PREFACE

The Sixth Meeting of the Contracting Parties to the Barcelona Convention (Athens, October 1989), requested the Secretariat to prepare an assessment of the nature of the transboundary movement of hazardous wastes in the Mediterranean including the carriage of hazardous wastes by ships transiting the Mediterranean Sea, and requested the Secretariat to suggest a mechanism to assist Contracting Parties in monitoring the movement of hazardous wastes in and through the Mediterranean and their disposal and in the light of the assessment to proceed with the preparation of a draft legal instrument or a protocol on the subject applicable to the Mediterranean region.

During the Joint Meeting of the Scientific and Technical Committee and the Socio-Economic Committee (Athens, 6-10 May 1991), the issue of the hazardous wastes was discussed. The meeting requested the Secretariat to submit to the Seventh Ordinary Meeting of the Contracting Parties (Cairo, 8-11 October 1991) a concrete draft proposal on this issue and to explore the possibility of external resources in 1991. The representative of the Greenpeace offered to assist the Contracting Parties in this respect.

Pursuant to these discussions, and upon the request by the Secretariat, Greenpeace prepared a draft protocol for the prevention of pollution of the Mediterranean Sea by transboundary movement of hazardous wastes and their disposal. The draft protocol was reviewed by the UNEP Secretariats and is now before the meeting for its consideration.

DRAFT PROTOCOL FOR THE PREVENTION OF POLLUTION OF THE MEDITERRANEAN SEA BY TRANSBOUNDARY MOVEMENTS OF HAZARDOUS WASTES AND THEIR DISPOSAL

Following is an annotated version of the draft Protocol on transboundary movements of hazardous wastes. Selected provisions of the draft Protocol have accompanying annotations where further explanation was considered helpful. The annotations are made in capital letters and follow the respective Articles to which they refer.

The Contracting Parties to the present Protocol,

Being Parties to the Convention for the Protection of the Mediterranean Sea against Pollution, adopted at Barcelona on 16 February 1976,

Conscious of the danger threatening the environment of the Mediterranean Sea area as a whole, caused by the transboundary movement and disposal of hazardous wastes,

Convinced that the most effective way of protecting human health and the marine environment from the dangers posed by hazardous wastes is the reduction and elimination of their generation through, e.g., substitution and other clean production methods,

Recognising the increased desire for the prohibition of transboundary movements of hazardous wastes and their disposal in other States, especially developing countries,

Recalling the 1972 United Nations Stockholm Conference on the Human Environment Declaration, in particular Principle 21 which notes States' "responsibility to ensure that activities within their jurisdiction...do not cause damage to the environment of other States or of the areas beyond the limits of national jurisdiction",

Aware of the growing international concern about the need to ensure that pollution originating in one State is not transferred to other States, and consistent with this objective, of the need as far as possible to reduce transboundary movements of hazardous wastes to a minimum, with the ultimate aim of phasing out such movements,

Further recognising that any State has the sovereign right to ban the entry or disposal of foreign hazardous wastes in its territory,

Taking into account the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, adopted March, 1989, and in particular Article 11,

Further taking into account that many States, among them Contracting Parties to the Barcelona Convention, have taken legal measures and entered into international agreements, consistent with the Basel Convention, to ban transboundary movements of hazardous wastes, such as the Fourth ACP-EEC Convention signed in Lome on 15 December 1989 by the European Economic Community and the Africa Caribbean and Pacific Group of States, and the Bamako Convention on the Ban of the Import into Africa and the Control of Transboundary Movements and Management of Hazardous Wastes within Africa, adopted under the auspices of the Organisation of African Unity in January 1991,

Recognising the differences in levels of economic and legislative development between the various Mediterranean coastal States, and realising that hazardous waste should not be allowed to be transported to take advantage of such economic or legislative disparities to the detriment of the environment and social well being of developing countries,

Have agreed as follows:

[MANY OF THE PREAMBLE PARAGRAPHS ARE TAKEN DIRECTLY FROM THE BASEL CONVENTION AND THE BAMAKO CONVENTION.]

Article 1

1. The Contracting Parties to this Protocol (hereafter referred to as "the Parties") shall take all appropriate measures to prevent and eliminate pollution of the Mediterranean Sea Area which can be caused by transboundary movements and disposal of hazardous wastes. The Parties shall take all appropriate measures to reduce to a minimum, and where possible eliminate, the generation of hazardous wastes.

[AS RECOGNISED IN BOTH THE BASEL CONVENTION AND THE BAMAKO CONVENTION, THE ISSUE OF TRANSBOUNDARY MOVEMENTS OF HAZARDOUS WASTES AND THEIR DISPOSAL, AND THE ISSUE OF MINIMISING THE GENERATION OF HAZARDOUS WASTES ARE INSEPARABLE, AND THEREFORE SHOULD BE ADDRESSED TOGETHER.]

Article 2

1. For the purposes of this Protocol:
 - (a) "The Convention" means the Convention for the Protection of the Mediterranean Sea against Pollution, adopted at Barcelona on 16 February 1976;
 - (b) "Wastes" are substances or materials which are disposed of, or are intended to be disposed of, or are required to be disposed of by the provisions of national law;
 - (c) "Hazardous wastes" means wastes as specified in Article 4 of this Protocol;
 - (d) "Disposal" means any operation specified in Annex III to this Protocol;
 - (e) "Transboundary movement" means any movement of hazardous wastes from an area under the national jurisdiction of any State to or through an area under the national jurisdiction of another State, or to or through an area not under the national jurisdiction of another State, provided at least two States are involved in the movement;
 - (f) "Clean production methods" means production or industrial systems which avoid, or eliminate the generation of hazardous wastes and hazardous products in conformity with Article 7 of this Protocol;
 - (g) "person" means any natural or legal person;
 - (h) "Developing countries" means those countries not Member States of the Organisation of Economic Co-operation and Development (OECD);
 - (i) "Developed countries" means those countries which are Member States of the Organisation of Economic Co-operation and Development (OECD);

(j) "Organisation" means the body referred to in Article 13 of the Convention.

[THE DEFINED TERMS AND THEIR DEFINITIONS COME FROM THE BASEL AND BAMAKO CONVENTIONS, OR FROM EXISTING BARCELONA CONVENTION PROTOCOLS - NO CHANGES WERE MADE. THE ONLY NEW DEFINED TERMS INCLUDE "DEVELOPED COUNTRIES" AND "DEVELOPING COUNTRIES" DUE TO THE IMPORTANCE OF DEFINING THESE TERMS FOR PURPOSES OF THE LEGAL OBLIGATIONS CONTAINED IN ARTICLE 6. THE OECD AND NON-OECD DISTINCTION HAS BEEN USED SINCE IT PROVIDES A COMMONLY USED DISTINCTION BETWEEN DEVELOPED AND DEVELOPING COUNTRIES WHERE THERE ARE CLEAR DIFFERENCES IN ECONOMIC AND LEGISLATIVE DEVELOPMENT. A PRIMARY OBJECTIVE IS TO ENSURE THAT HAZARDOUS WASTES ARE NOT EXPORTED TO DEVELOPING COUNTRIES TO TAKE ADVANTAGE OF SUCH ECONOMIC AND LEGISLATIVE DISPARITIES TO THE DETRIMENT OF THE SOCIAL AND ENVIRONMENTAL WELL BEING OF DEVELOPING COUNTRIES.]

Article 3

1. This Protocol shall apply to transboundary movements of hazardous wastes and/or their disposal which have the potential of affecting the territories of the coastal States which are Parties to the Convention (hereinafter referred to as the "Protocol Area").

[THE BROAD APPLICATION OF THE PROTOCOL TO THE TERRITORIES OF THE COASTAL STATES WHICH ARE CONTRACTING PARTIES IS NECESSARY FROM A PRACTICAL PERSPECTIVE. ANY TRANSBOUNDARY MOVEMENT OF HAZARDOUS WASTES FOR DISPOSAL WITHIN THE TERRITORIES OF THE CONTRACTING PARTIES WHICH ARE DEVELOPING COUNTRIES HAS THE POTENTIAL OF AFFECTING, EITHER DIRECTLY OR INDIRECTLY, THE MEDITERRANEAN SEA. TO ATTEMPT TO CONTROL ONLY PORTIONS OF THE TERRITORIES, I.E., DRAINAGE AREAS WHICH DIRECTLY FEED INTO THE MEDITERRANEAN SEA, WOULD BE IMPRACTICAL AND WOULD ONLY SERVE AS AN INCENTIVE FOR TRADE AND DISPOSAL IN NON-MARITIME AREAS BY THOSE WISHING TO CIRCUMVENT THE PROTOCOL. IT IS NECESSARY TO ADDRESS THE ENVIRONMENTAL PROTECTION OF THE COMBINED TERRITORIES OF DEVELOPING COUNTRIES FROM HAZARDOUS WASTE TRADE, ENSURING THAT ECONOMIC AND LEGISLATIVE DISPARITIES ARE NOT ABUSED WITH RESPECT TO HAZARDOUS WASTE DISPOSAL.]

Article 4

1. The following substances shall be hazardous wastes for the purposes of this Protocol:
 - (a) Wastes that belong to any category contained in Annex I of this Protocol;
 - (b) Wastes that are not covered under paragraph (a) above but are defined as, or are considered to be, hazardous wastes by the domestic legislation of the State of export, import or transit;
 - (c) Wastes that possess any of the characteristics contained in Annex II of this Protocol;
 - (d) Hazardous substances that have been banned, cancelled or refused registration by government regulatory action in the country of manufacture for human health or environmental reasons, or voluntarily withdrawn or omitted from government registration required for use in the country of manufacture.

[THIS DEFINITION OF HAZARDOUS WASTES WAS TAKEN FROM THE BAMAKO CONVENTION, ARTICLE 2, PARAGRAPH 1.]

Article 5

1. Each State shall, within six months of becoming a Party to this Protocol, inform the Organisation of the wastes, other than those listed in Annex I of this Protocol, considered or defined as hazardous wastes under its national legislation and of any requirements concerning transboundary movement procedures applicable to such wastes.
2. Each Party shall subsequently inform the Organisation of any significant changes in information it has provided pursuant to paragraph 1 of this Article.
3. The Organisation shall inform all Parties of this Protocol of the information it has received pursuant to paragraphs 1 and 2 of this Article.
4. Parties shall be responsible for making the information transmitted to them by the Organisation under paragraph 3 of this Article available to their exporters and other appropriate bodies.

[THIS ARTICLE WAS TAKEN FROM THE BAMAKO CONVENTION, ARTICLE 3, AND IS THE SAME AS THE BASEL CONVENTION, ARTICLE 3.]

Article 6

1. The Parties undertake to eliminate and prevent pollution of the Protocol Area from transboundary movements of hazardous wastes and their disposal.
2. The Parties which are developed countries shall take all appropriate legal, administrative and other measures within the area under their jurisdiction to prohibit the export of hazardous wastes for any reason to developing countries.
3. The Parties which are developing countries shall take all appropriate legal, administrative and other measures within the area under their jurisdiction to prohibit the import of hazardous wastes for any reason from developed countries.
4. The Parties undertake to comply with other relevant international agreements relating to transboundary movements of hazardous wastes and their disposal, for all transboundary movements of hazardous wastes not prohibited by this Protocol.

[AGAIN, THE PRIMARY OBJECTIVE, IN ORDER TO ADDRESS THE PROBLEM OF TRANSBOUNDARY MOVEMENTS OF HAZARDOUS WASTES IN THE MEDITERRANEAN REGION, IS TO STOP MOVEMENTS FROM DEVELOPED COUNTRIES TO DEVELOPING COUNTRIES. SUCH MOVEMENTS OCCUR PRIMARILY DUE TO LESSER DISPOSAL STANDARDS AND COSTS IN DEVELOPING COUNTRIES. DEVELOPED COUNTRIES SHOULD NOT BE ALLOWED TO TAKE ADVANTAGE OF LESSER STANDARDS AND SUBJECT DEVELOPING COUNTRY CITIZENS TO RISKS AND DAMAGE WHICH THEY DO NOT PERMIT THEIR OWN CITIZENS TO BE SUBJECTED TO. CONSISTENT WITH THE MANY STATEMENTS FROM DEVELOPED COUNTRIES, INCLUDING THE EEC, THE DEVELOPED COUNTRIES SHOULD ACHIEVE SELF-SUFFICIENCY, AND REDUCE AND ELIMINATE HAZARDOUS WASTE GENERATION, AND THEREBY, THEIR EXPORTS OF SUCH WASTES. THIS IS A NECESSARY FIRST STEP TO ADEQUATELY PROTECTING THE REGION FROM THE DANGERS AND RISKS POSED BY TRANSBOUNDARY MOVEMENTS OF HAZARDOUS WASTES AND THEIR DISPOSAL.]

Article 7

1. In conformity with Article 11 of the Convention, the Parties shall co-operate as far as possible in scientific and technological fields related to pollution from hazardous wastes, particularly on the implementation and development of new methods for reducing and eliminating hazardous waste generation through clean production methods.

[TAKEN FROM EXISTING BARCELONA CONVENTION PROTOCOL LANGUAGE, E.G., LAND-BASED SOURCES PROTOCOL, ARTICLE 9, WITH SOME MODIFICATIONS RELATING TO THE BAMAKO CONVENTION.]

2. To this end the Parties shall ensure that hazardous waste generators within the area under their jurisdiction submit reports regarding the hazardous wastes that they generate in order to enable the Organisation to produce a hazardous waste audit.

[BAMAKO CONVENTION, ARTICLE 4, PARAGRAPH 3 (a).]

3. The Parties shall strive to implement the precautionary approach based on prevention to pollution problems arising from hazardous wastes and their transboundary movement and disposal. The Parties shall co-operate in taking appropriate measures to implement the precautionary approach through clean production methods applicable to the entire product life cycles including:

- raw material selection, extraction and processing;
- product conceptualisation, design, manufacture and assemblage;
- materials transport during all phases;
- industrial and household usage;
- reintroduction of the product into industrial systems or nature when it no longer serves a useful function.

[BAMAKO CONVENTION, ARTICLE 4, PARAGRAPH 3 (g).]

Article 8

1. The Parties shall, directly or with the assistance of competent regional or other international organisations or bilaterally, co-operate with a view to formulating and implementing programmes of financial and technical assistance to developing countries.

[EXISTING LANGUAGE FROM BARCELONA CONVENTION PROTOCOLS, E.G., LAND-BASED SOURCES PROTOCOL, ARTICLE 10.]

Article 9

1. For the purpose of this Protocol, any transboundary movement of hazardous wastes in contravention of this Protocol shall be deemed to be illegal and a criminal act.
2. Each Party shall introduce appropriate national legislation for imposing criminal penalties on all persons who have planned, carried out, or assisted in such illegal activities. Such penalties shall be sufficiently high to both punish and deter such conduct.
3. The Parties shall forward as soon as possible, all information relating to such illegal transboundary movements of hazardous wastes to the Organisation who shall distribute the information to all Contracting Parties.

4. The Parties shall co-operate to ensure that no transboundary movements of hazardous waste in contravention of this Protocol take place. To this end, the Parties shall consider other enforcement mechanisms.

[BAMAKO CONVENTION, ARTICLE 4, PARAGRAPH 1, AND ARTICLE 9, PARAGRAPH 2. THE PROVISIONS ARE ALSO INCLUDED IN THE BASEL CONVENTION.]

Article 10

1. Taking into account Article 22, paragraph 1, of the Convention, when a transboundary movement of hazardous wastes involving one or more Parties is likely to prejudice directly the interests of one or more of the other Parties, the Parties concerned shall, at the request of one or more of them, undertake to enter into consultation with a view to seeking a satisfactory solution.
2. At the request of any Party concerned, the matter shall be placed on the agenda of the next meeting of the Parties held in accordance with Article 12 of this Protocol; the meeting may make recommendations with a view to reaching a satisfactory solution.

[EXISTING BARCELONA CONVENTION PROTOCOL LANGUAGE, E.G., LAND-BASED SOURCES PROTOCOL, ARTICLE 12.]

Article 11

1. The Parties shall inform one another through the Organisation of measures taken, of results achieved and, if the case arises, of difficulties encountered in the application of this Protocol. Procedures for the collection and distribution of such information shall be determined at the meetings of the Parties.

[EXISTING BARCELONA CONVENTION PROTOCOL LANGUAGE, E.G., LAND-BASED SOURCES PROTOCOL, ARTICLE 13.]

Article 12

1. Ordinary meetings of the Parties shall take place in conjunction with ordinary meetings of the Contracting Parties to the Convention held pursuant to Article 14 of the Convention. The Parties to this Protocol may also hold extraordinary meetings in conformity with Article 14 of the Convention.
2. The functions of the meetings of the Parties to this Protocol shall be, inter alia:
 - (a) To keep under review the implementation of this Protocol, and to consider any additional measures, in particular in the form of annexes;
 - (b) To revise and amend any annex to this Protocol, as appropriate;
 - (c) To formulate and adopt programmes and measures in accordance with Articles 7, 8 and 9 of this Protocol;
 - (d) To make recommendations in accordance with Article 10, paragraph 2 of this Protocol;

- (e) To consider the information submitted by the Parties under Article 7, 9 and 11 of this Protocol;
- (f) To discharge such other functions as may be appropriate for the application of this Protocol.

[EXISTING BARCELONA CONVENTION PROTOCOL LANGUAGE, E.G., LAND- BASED SOURCES PROTOCOL, ARTICLE 14.]

Article 13

1. The meeting of the Parties shall adopt, by a two-thirds (2/3) majority, any additional programmes and measures for the prevention and elimination of pollution from transboundary movements of hazardous wastes and their disposal.
2. The Parties which are not able to accept a programme or measures shall inform the meeting of the Parties of the action they intend to take as regards the programme or measures concerned, it being understood that these Parties may, at any time, give their consent to the programme or measures that have been adopted.

[EXISTING BARCELONA CONVENTION PROTOCOL LANGUAGE, E.G., LAND- BASED SOURCES PROTOCOL, ARTICLE 15.]

Article 14

1. The provisions of the Convention relating to any Protocol shall apply with respect to this Protocol.
2. The rules of procedure and the financial rules adopted pursuant to Article 18 of the Convention shall apply with respect to this Protocol, unless the Parties to this Protocol agree otherwise.
3. This Protocol shall be open for signature, at _____, from _____ to _____ by any State invited to the Conference of Plenipotentiaries of the Coastal States of the Mediterranean Region for the Protection of the Mediterranean Sea against Pollution from transboundary movements of hazardous wastes and their disposal held at _____ from _____ to _____. It shall also be open until the same dates for signature by the European Economic Community and by any similar regional economic grouping of which at least one member is a coastal State of the Mediterranean Sea Area and which exercises competence in the fields covered by this Protocol.
4. This Protocol shall be subject to ratification, acceptance or approval. Instruments of ratification, acceptance or approval shall be deposited with the Government of _____, which will assume the functions of Depository.
5. As from _____, this Protocol shall be open for accession by the States referred to in paragraph 3 above, by the European Economic Community and by any grouping referred to in that paragraph.

6. This Protocol shall enter into force on the thirtieth (30) day following the deposit of at least six (6) instruments of ratification, acceptance or approval of, or accession to, the Protocol by the Parties referred to in paragraph 3 of this Article.

[EXISTING BARCELONA CONVENTION PROTOCOL LANGUAGE, E.G., LAND-BASED SOURCES PROTOCOL, ARTICLE 16.]

IN WITNESS WHEREOF the undersigned, being duly authorised by their respective Governments, have signed this Protocol.

DONE at _____ on this ____ day of _____ in a single copy in the Arabic, English, French, and Spanish languages, the four texts being equally authoritative.

[ALL ANNEXES ARE TAKEN FROM THE BAMAKO CONVENTION, WHICH DERIVE FROM THE BASEL CONVENTION ANNEXES, WITH ONE SUBSTANTIVE DIFFERENCE (INCLUSION OF RADIOACTIVE WASTES IN ANNEX I) AND MINOR DIFFERENCES IN FORM.]

ANNEX I

CATEGORIES OF WASTES WHICH ARE HAZARDOUS WASTES

Waste Streams:

- Y0 All wastes containing or contaminated by radionuclides, the concentration or properties of which result from human activity
- Y1 Clinical wastes from medical care in hospitals, medical centers and clinics
- Y2 Wastes from the production and preparation of pharmaceutical products
- Y3 Waste pharmaceuticals, drugs and medicines
- Y4 Wastes from the production, formulation and use of biocides and phytopharmaceuticals
- Y5 Wastes from the manufacture, formulation and use of wood preserving chemicals
- Y6 Wastes from the production, formulation and use of organic solvents
- Y7 Wastes from heat treatment and tempering operations containing cyanides
- Y8 Waste mineral oils unfit for their originally intended use
- Y9 Waste oils/water, hydrocarbons/water mixtures, emulsions
- Y10 Waste substances and articles containing or contaminated with polychlorinated biphenyls (PCBs) and/or polychlorinated terphenyls (PCTs) and/or polybrominated biphenyls (PBBs)
- Y11 Waste tarry residues arising from refining, distillation and any pyrolytic treatment
- Y12 Wastes from production, formulation and use of inks, dyes, pigments, paints, lacquers, varnish
- Y13 Wastes from production, formulation and use of resins, latex, plasticizers, glues/adhesives
- Y14 Waste chemical substances arising from research and development or teaching activities which are not identified and/or are new and whose effects on man and/or the environment are not known
- Y15 Wastes of an explosive nature not subject to other legislation
- Y16 Wastes from production, formulation and use of photographic chemicals and processing materials
- Y17 Wastes resulting from surface treatment of metals and plastics
- Y18 Residues arising from industrial waste disposal operations
- Y46 Wastes collected from households, including sewage and sewage sludges
- Y47 Residues arising from the incineration of household wastes

Wastes having as constituents:

- Y19 Metal carbonyls
- Y20 Beryllium; beryllium compounds
- Y21 Hexavalent chromium compounds
- Y22 Copper compounds
- Y23 Zinc compounds
- Y24 Arsenic; arsenic compounds
- Y25 Selenium; selenium compounds
- Y26 Cadmium; cadmium compounds
- Y27 Antimony; antimony compounds
- Y28 Tellurium; tellurium compounds
- Y29 Mercury; mercury compounds
- Y30 Thallium; thallium compounds
- Y31 Lead; lead compounds
- Y32 Inorganic fluorine compounds excluding calcium fluoride
- Y33 Inorganic cyanides
- Y34 Acidic solutions or acids in solid form
- Y35 Basic solutions or bases in solid form
- Y36 Asbestos (dust and fibres)
- Y37 Organic phosphorous compounds
- Y38 Organic cyanides
- Y39 Phenols; phenolic compounds including chlorophenols
- Y40 Ethers
- Y41 Halogenated organic solvents
- Y42 Organic solvents excluding halogenated solvents
- Y43 Any congener of polychlorinated dibenzo-furan
- Y44 Any congener of polychlorinated dibenzo-p-dioxin
- Y45 Organohalogen compounds other than substances referred to in this Annex (e.g., Y39, Y41, Y42, Y43, Y44).

ANNEX II

LIST OF HAZARDOUS CHARACTERISTICS

UN Code Class*	Characteristics
1 H1	Explosive An explosive substance or waste is a solid or liquid substance or waste (or mixture of substances or wastes) which is in itself capable by chemical reaction or producing gas at such a temperature and pressure and at such a speed as to cause damage to the surroundings.
3 H3	Flammable liquids The word "flammable" has the same meaning as "inflammable". Flammable liquids are liquids, or mixtures of liquids, or liquids containing solids in solution or suspension (for example paints, varnishes, lacquers, etc., but not including substances or wastes otherwise classified on account of their dangerous characteristics) which give off a flammable vapour at temperatures of not more than 60.5 degrees C, closed-cup test, or not more than 65.6 degrees C, open-cup test. (Since the results of open-cup tests and of closed-cup tests are not strictly comparable and even individual results by the same test are often variable, regulations varying from the above figures to make allowance for such difference would be within the spirit of this definition).
4.1 H4.1	Flammable solids Solids, or waste solids, other than those classed as explosives, which under conditions encountered in transport are readily combustible, or may cause or contribute to fire through friction.
4.2 H4.2	Substances or wastes liable to spontaneous combustion Substances or wastes which are liable to spontaneous heating under normal conditions encountered in transport, or to heating up on contact with air, and being then liable to catch fire.
4.3 H4.3	Substances or wastes which, in contact with water emit flammable gases Substances or wastes which, by interaction with water, are liable to become spontaneously flammable or to give off flammable gases in dangerous quantities.

* Corresponds to the hazardous classification system included in the United Nations Recommendations on the transport of Dangerous Goods (ST/SG/AC.10/1/Rev.5, United Nations, New York, 1988).

- 5.1 H5.1 Oxidizing
- Substances or wastes which, while in themselves not necessarily combustible, may, generally by yielding oxygen, cause or contribute to the combustion of other materials.
- 5.2 H5.2 Organic peroxides
- Organic substances or wastes which contain the bivalent-O-O-structure are thermally unstable substances which may undergo exothermic self-accelerating decomposition.
- 6.1 H6.1 Poisonous (Acute)
- Substances or wastes liable either to cause death or serious injury or to harm human health if swallowed or inhaled or by skin contact.
- 6.2 H6.2 Infectious substances
- Substances or wastes containing viable micro organisms or their toxins which are known or suspected to cause disease in animals or humans.
- 8 H8 Corrosives
- Substances or wastes which, by chemical action, will cause severe damage when in contact with living tissue, or in the case of leakage, will materially damage, or even destroy, other goods or the means of transport; they may also cause other hazards.
- 9 H10 Liberation of toxic gases in contact with air or water
- Substances or wastes which, by interaction with air or water, are liable to give off toxic gases in dangerous quantities.
- 9 H11 Toxic (Delayed or chronic)
- Substances or wastes which, if they are inhaled or ingested or if they penetrate the skin, may involve delayed or chronic effects, including carcinogenicity.
- 9 H12 Ecotoxic
- Substances or wastes which if released present or may present immediate or delayed adverse impacts to the environment by means of bioaccumulation and/or toxic effects upon biotic systems.
- 9 H13 Capable, by any means, after disposal, of yielding another material, e.g., leachate, which possesses any of the characteristics listed above.

ANNEX III

DISPOSAL OPERATIONS

- D1 Deposit into or onto land, (e.g., landfill, etc.)
- D2 Land treatment, (e.g., biodegradation of liquid or sludgy discards in soils, etc.)
- D3 Deep injection, (e.g., injection of pumpable discards into wells, salt domes or naturally occurring repositories, etc.)
- D4 Surface impoundment, (e.g., placement of liquid or sludge discards into pits, ponds, or lagoons, etc.)
- D5 Specially engineered landfill, (e.g., placement into lined discrete cells which are capped and isolated from one another and the environment, etc.)
- D6 Release into a water body except seas/oceans
- D7 Release into seas/oceans including sea-bed insertion
- D8 Biological treatment not specified elsewhere in this Annex which results in final compounds or mixtures which are discarded by means of any of the operations in Annex III
- D9 Physico-chemical treatment not specified elsewhere in this Annex which results in final compounds or mixtures which are discarded by means of any of the operations in Annex III, (e.g., evaporation, drying, calcination, neutralisation, precipitation, etc.)
- D10 Incineration on land
- D11 Incineration at sea
- D12 Permanent storage, (e.g., emplacement of containers in a mine, etc.)
- D13 Blending or mixing prior to submission to any of the operations in Annex III
- D14 Repackaging prior to submission to any of the operations in Annex III
- D15 Storage pending any of the operations in Annex III
- D16 Use as a fuel (other than in direct incineration) or other means to generate energy
- D17 Solvent reclamation/regeneration
- D18 Recycling/reclamation of organic substances which are not used as solvents
- D19 Recycling/reclamation of metals and metal compounds
- D20 Recycling/reclamation of other inorganic materials
- D21 Regeneration of acids and bases
- D22 Recovery of components used for pollution abatement
- D23 Recovery of components from catalysts

D24 Used oil re-refining or other reuses of previously used oil

D25 Land treatment resulting in benefit to agriculture or ecological improvement

D26 Uses of residual materials obtained from any of the operations numbered D1-D25

D27 Exchange of wastes for submission to any of the operations numbered D1-D26

D28 Accumulation of material intended for any operation in Annex III