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A- Regional Plans on the reduction of inputs of nine Chemicals in the framework of the implementation of Article 15 of the LBS Protocol

1. Rationale

1.1 The LBS Protocol

According to the provisions of the LBS Protocol, countries shall take the appropriate measures to prevent, abate, combat and eliminate to the fullest possible extent pollution of the Mediterranean sea Area caused by discharges from rivers, coastal establishments or outfalls, or emanating from any other land-based sources and activities within their territories, giving priorities to the phasing out of inputs of substances that are toxic, persistent and liable to bioaccumulate. Annex 1 of the Protocol outlines the sectors (Annex 1a) on which the provisions of the Protocol should apply. Annex 1c lists the priority categories of substances which might be released, as follows:

Annex 1c,1: Organohalogenes compounds and substances which may form such compounds in the marine environment;

Annex 1c,4: Polycyclic Aromatic Hydrocarbons;

Annex 1c,8: Biocides and their derivatives.

1.2 The Stockholm Convention

The Contracting Parties to the Stockholm Convention at their fourth meeting held in Geneva in 2009 amended the Annex A and Annex B of the Convention to include nine new chemicals classified under Chlorinated Pesticides, Flame retardant and Chlorinated substances as follows:

- I- Alpha hexachlorocyclohexane;
- II- Beta hexachlorocyclohexane;
- III- Hexabromobiphenyl;
- IV- Chlordecone;
- V- Pentachlorobenzene;
- VI- Tetrabromodiphenyl ether and Pentabromodiphenyl ether;
- VII- Hexabromodiphenyl ether and Heptabromodiphenyl ether;
Lindane;
- IX- Perfluorooctane sulfonic acid, its salts and perfluorooctane sulfonyl fluoride;

The amendments have been proposed by the Convention review committee as a result of exhaustive negotiations between the Parties to the Convention.

2. Proposed Regional Plans

The Secretariat proposal here below takes into full account the LBS Protocol, the amendments to the Stockholm Convention of 2009, the EU Water Framework Directive, the hazardous substances and the Marine Strategy Directives, the national regulations on POPs in force in Mediterranean Countries (see Document UNEP(DEPI)/MED WG. 352/Inf. 5) and follows the provisions of Article 15 of the LBS Protocol.

Even considering the existence of the Stockholm Convention, the present Regional Plans indeed constitute a step forward for the Mediterranean region. In fact, not all Contracting Parties to the Barcelona Convention are Parties to the Stockholm Convention and therefore the provisions of these plans would be applicable to all Mediterranean Countries including those that are manufacturing some of the targeted substances. In addition, in some cases

the Plans present stricter measures (deadline for implementation and /or exemptions) than the Stockholm Convention, in line with the approach adopted by the Regional Plan on chlorinated pesticides adopted by the 16th meeting of the Contracting Parties to the Barcelona Convention in November 2009 (Decisions 19/8 and 19/9).

- A-1 *Regional Plan on the phasing out of HEXABROMODIPHENYL ETHER, HEPTABROMODIPHENYL ETHER, TETRABROMODIPHENYL ETHER AND PENTABROMODIPHENYL ETHER in the framework of the implementation of Article 15 of the LBS Protocol*

ARTICLE I

Definitions of Terms

- (a) "HEXABROMODIPHENYL ETHER has a CAS No: 68631-49-2 ,207122-15-4

It is used as flame retardant in thermoplastic acrinotrile-butadiene-styrene (ABS) for the construction, electric appliance and electrical products industries as well as in polyurethane foam for auto upholstery.

- (b) "HEPTABROMODIPHENYL ETHER" has a CAS No;446255-22-7,207122-16-5

It is used almost exclusively for the manufacture of flexible polyurethane (PUR) foam for furniture and upholstery in homes and vehicles, packaging and flexible polyurethane (PUR) without foam for electronic equipment. It is also sometimes used in specialized applications in textiles and industry.

- (c) TETRABROMODIPHENYL ETHER "has a CAS No: 40088-47-9, and PENTABROMODIPHENYL ETHER" has a CAS No: 32534-81-9

It is used almost exclusively for the manufacture of flexible polyurethane (PUR) foam for furniture and upholstery in homes and vehicles, packaging and PUR without foam for electronic equipment. It is also sometimes used in specialized applications in textiles and industry.

- (d) "Persistent Organic Pollutants (POPs)" are organic compounds from natural or anthropogenic origin that possess toxic properties, resist physical, chemical and biological degradation, bioaccumulate in high concentrations through the food web and are transported through air, water and migratory species, reaching regions where they have never been produced or used; their high persistence pose a risk of causing adverse effects to the environment and human health.
- (e) "Wastes" means substances or objects which are disposed of or are intended to be disposed of or are required to be disposed of by the provisions of national law.(e)"Environmentally sound management of pesticides wastes" means taking all practical steps to ensure that wastes are collected, transported, and disposed of (including after-care of disposal sites) in a manner which will protect human health and the environment against the adverse effects which may result from such wastes.
- (f) "Best Available Techniques (BAT)" means the latest stage of development (state of the art) of processes of facilities, or of methods of operation which indicate the practical suitability of a particular measure for limiting discharges, emissions and waste.
- (g) "Best Environmental Practices (BEP)" means the application of the most appropriate combination of environmental control measures and strategies.

ARTICLE I (Bis)

Preservation of Rights

The provisions of this Regional Plan shall be without prejudice to stricter provisions respecting the phasing out of HEXABROMODIPHENYL ETHER, HEPTABROMODIPHENYL ETHER, *TETRABROMODIPHENYL ETHER and PENTABROMODIPHENIL ETHER* contained in other existing or future, national, regional or international instruments or programmes.

ARTICLE II

Measures

1. The Parties shall prohibit and/or take legal and administrative measures necessary to eliminate:
 - (a) the production and use of HEXABROMODIPHENYL ETHER, HEPTABROMODIPHENYL ETHER, *TETRABROMODIPHENYL ETHER and PENTABROMODIPHENIL ETHER*, subject to the provisions of Appendix A; and
 - (b) the import and export of HEXABROMODIPHENYL ETHER, HEPTABROMODIPHENYL ETHER, *TETRABROMODIPHENYL ETHER and PENTABROMODIPHENIL ETHER* and its waste in accordance with paragraph 2 of this article.
2. The Parties shall ensure that these chemicals as an active substances or as wastes are imported or exported only:
 - (a) for the purpose of environmentally sound disposal according to the provisions of the Protocol on the Prevention of Pollution of the Mediterranean sea by Transboundary Movements of Hazardous Wastes and their Disposal and the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal;
 - (b) for a use or purpose which is permitted for that Party under Appendix A.
3. The Parties shall take appropriate measures so that HEXABROMODIPHENYL ETHER, HEPTABROMODIPHENYL ETHER, *TETRABROMODIPHENYL ETHER and PENTABROMODIPHENIL ETHER* waste, including products and articles upon becoming wastes, are:
 - (a) handled, collected, transported and stored in an environmentally sound manner;
 - (b) disposed of in such a way that the persistent organic pollutant content is destroyed or irreversibly transformed so that they do not exhibit the characteristics of persistent organic pollutants or otherwise disposed of in an environmentally sound manner when destruction or irreversible transformation does not represent the environmentally preferable option or the persistent organic pollutant content is low, taking into account international rules, standards, and guidelines, and relevant global and regional regimes governing the management of hazardous wastes;
 - (c) not permitted to be subjected to disposal operations that may lead to recovery, recycling, reclamation, direct reuse or alternative uses of persistent organic pollutants; and
 - (d) not transported across international boundaries without taking into account relevant international rules, standards and guidelines.

4. The Contracting Parties shall endeavor to apply BEPs for environmentally sound management of HEXABROMODIPHENYL ETHER, HEPTABROMODIPHENYL ETHER, *TETRABROMODIPHENYL ETHER* and *PENTABROMODIPHENYL ETHER*. In doing so, the information provided in Appendix B shall, among others, be used.
5. The Parties shall ensure that their competent authorities or appropriate bodies monitor the implementation of the measures.
6. A Party may allow recycling of articles that contain or may contain tetrabromodiphenyl ether and pentabromodiphenyl ether, and the use and final disposal of articles manufactured from recycled materials that contain or may contain tetrabromodiphenyl ether and pentabromodiphenyl ether, provided that:
 - (a) The recycling and final disposal is carried out in an environmentally sound manner and does not lead to recovery of tetrabromodiphenyl ether and pentabromodiphenyl ether for the purpose of their reuse;
 - (b) The Party does not allow this exemption to lead to the export of articles containing levels/concentrations of tetrabromodiphenyl ether and pentabromodiphenyl ether that exceed those permitted to be sold within the territory of the Party; and the Party has notified the Secretariat of its intention to make use of this exemption;

ARTICLE III

Timetables for Implementation

Each Party shall implement the measures to eliminate HEXABROMODIPHENYL ETHER, HEPTABROMODIPHENYL ETHER, *TETRABROMODIPHENYL ETHER* and *PENTABROMODIPHENYL ETHER* by the 18th Meeting of the Contracting Parties in [2013] and the chemical waste and stock piles by [2015] at the latest.

ARTICLE IV

Reporting

In conformity with Article 26 of the Convention and Article 13, paragraph 2(d), of the LBS Protocol, the Parties shall report on a biennial basis on the implementation of the above measures and on their effectiveness. In doing so, the Contracting Parties agree that the reporting format of the Barcelona Convention shall be adjusted to be, as much as possible, in line with the reporting requirements – both in terms of content and timing – of the Stockholm Convention and with other Parties' reporting obligations on chemicals, as appropriate. The Contracting Parties should review the status of implementation of these measures in [2013].

ARTICLE V

Technical Assistance

For the purpose of facilitating the implementation of the measures, capacity building including transfer of know-how and technology would be provided by the Parties and the Secretariat. Priority would be given to those Parties who have ratified the LBS Protocol.

ARTICLE VI

Identification of Stock Piles

The Parties should identify to the extent practicable stock piles consisting of or containing HEXABROMODIPHENYL ETHER, HEPTABROMODIPHENYL ETHER, *TETRABROMODIPHENYL ETHER* and *PENTABROMODIPHENYL ETHER* and they should report to the Secretariat of the Barcelona Convention before [2013].

ARTICLE VII

Entry into Force

The regional plan shall enter into force and become binding on the 180th day following the day of notification by the Secretariat in accordance with Article 15, paragraphs 3 and 4, of the LBS Protocol.

APPENDIX A

List of Accepted Purposes and Specific Exemptions for HEXABROMODIPHENYL ETHER, HEPTABROMODIPHENYL ETHER, *TETRABROMODIPHENYL ETHER* and *PENTABROMODIPHENYL ETHER*.

CHEMICAL	ACTIVITY	SPECIFIC EXEMPTIONS ^{a b}
HEXABROMODIPHENYL ETHER AND HEPTABROMODIPHENYL ETHER	Production	None
	use	<p>1. A Party may allow recycling of articles that contain or may contain hexabromodiphenyl ether and heptabromodiphenyl ether, and the use and final disposal of articles manufactured from recycled materials that contain or may contain hexabromodiphenyl ether and heptabromodiphenyl ether, provided that:</p> <p>(a) The recycling and final disposal is carried out in an environmentally sound manner and does not lead to recovery of hexabromodiphenyl ether and heptabromodiphenyl ether for the purpose of their reuse</p> <p>(b) The Party takes steps to prevent exports of such articles that contain levels/concentration of heptabromodiphenyl ether exceeding those permitted for the sale, use, import or manufacture of those articles within territory of the Party; and</p> <p>(c) The Party has notified the Secretariat of its intention to make use of this exemption.</p> <p>2. At its every second ordinary meeting thereafter the Conference of the Parties shall evaluate the progress that Parties have made towards achieving their ultimate objective of elimination of hexabromodiphenyl ether and heptabromodiphenyl ether contained in articles and review the continued need for this specific exemption. This specific exemption shall in any case expire at the latest in [2020].</p>

^a Exemption can be granted for quantities to be used for laboratory-scale research or as a reference standard.

^b Except quantities of the chemical occurring as unintentional trace contaminants in products and articles shall not be considered to be listed in this Appendix

CHEMICAL	ACTIVITY	SPECIFIC EXEMPTIONS ^{a b}
<i>TETRABROMODIPHENYL ETHER AND PENTABROMODIPHENYL ETHER</i>	Production	None
	use	Articles in accordance with the provisions of part 6 of the Art II

^a. Exemption can be granted for quantities to be used for laboratory-scale research or as a reference standard.

^b. Except quantities of the chemical occurring as unintentional trace contaminants in products and articles shall not be considered to be listed in this Appendix.

APPENDIX B

Best Environmental Practices (BEP) for Environmentally Sound Management of HEXABROMODIPHENYL ETHER, HEPTABROMODIPHENYL ETHER, TETRABROMODIPHENYL ETHER and PENTABROMODIPHENYL ETHER Wastes

- A. Several BEPs for the phasing out of HEXABROMODIPHENYL ETHER, HEPTABROMODIPHENYL ETHER, *TETRABROMODIPHENYL ETHER* and *PENTABROMODIPHENYL ETHER* are hereby described:
1. Develop appropriate strategies to identify:
 - i. Stockpiles consisting of or containing HEXABROMODIPHENYL ETHER, HEPTABROMODIPHENYL ETHER, *TETRABROMODIPHENYL ETHER* and *PENTABROMODIPHENYL ETHER* and its derivatives;
 - ii. Products in use and wastes consisting of or containing HEXABROMODIPHENYL ETHER, HEPTABROMODIPHENYL ETHER, *TETRABROMODIPHENYL ETHER* and *PENTABROMODIPHENYL ETHER*;
 2. Minimize cross-contamination which may affect the choice of available destruction options. Managers of collection points and consolidation stores shall ensure segregation of HEXABROMODIPHENYL ETHER, HEPTABROMODIPHENYL ETHER, *TETRABROMODIPHENYL ETHER* and *PENTABROMODIPHENYL ETHER* waste by trained personnel on the basis of:
 - i. label information where HEXABROMODIPHENYL ETHER, HEPTABROMODIPHENYL ETHER, *TETRABROMODIPHENYL ETHER* and *PENTABROMODIPHENYL ETHER* waste is in its original container with a definitive label;
 - ii. or indicative analytical tests, where label information is not available.
 3. Waste holders of HEXABROMODIPHENYL ETHER, HEPTABROMODIPHENYL ETHER, *TETRABROMODIPHENYL ETHER* and *PENTABROMODIPHENYL ETHER*, shall be responsible for the sound management of that waste which is in their possession.
 4. HEXABROMODIPHENYL ETHER, HEPTABROMODIPHENYL ETHER, *TETRABROMODIPHENYL ETHER* and *PENTABROMODIPHENYL ETHER* waste must be segregated from other categories of waste that may be collected in any collection programme.
 5. Mixing or bulking of HEXABROMODIPHENYL ETHER, HEPTABROMODIPHENYL ETHER, *TETRABROMODIPHENYL ETHER* and *PENTABROMODIPHENYL ETHER* waste shall not occur unless the waste has been positively identified by individual or composite sampling and analysis techniques.
 6. Managers of collection points and consolidation stores shall adopt and employ emergency containment and clean-up procedures for the accidental release of HEXABROMODIPHENYL ETHER, HEPTABROMODIPHENYL ETHER, *TETRABROMODIPHENYL ETHER* and *PENTABROMODIPHENYL ETHER* waste into the environment, as approved by the national authority.
 7. Endeavour to develop appropriate strategies to identify sites contaminated by HEXABROMODIPHENYL ETHER, HEPTABROMODIPHENYL ETHER, *TETRABROMODIPHENYL ETHER* and *PENTABROMODIPHENYL ETHER* and its derivatives. Remediation should be undertaken in an environmentally sound manner.

8. HEXABROMODIPHENYL ETHER, HEPTABROMODIPHENYL ETHER, *TETRABROMODIPHENYL ETHER* and *PENTABROMODIPHENYL ETHER* waste in consolidation stores shall be consigned, within one year of the starting date, for destruction by a licensed destruction facility, unless the national authority determines that viable destruction facilities are not available in the country.
- B. The BEP list above mentioned is not exhaustive; more extensive and detailed information is described in the MAP Technical Report n° 155 Plan for the Management of PCB Waste and Nine Pesticides for the Mediterranean Region, in the Stockholm Convention on Persistent Organic Convention (Annex B Part II), and in the Basel Convention Technical guidelines for the Environmentally Sound Management of Wastes Consisting of, Containing or Contaminated with HEXABROMODIPHENYL ETHER, HEPTABROMODIPHENYL ETHER, *TETRABROMODIPHENYL ETHER* and *PENTABROMODIPHENYL ETHER*.

The Parties shall add to, and exchange information on, other strategies and/or practices helpful to the phase out of the pesticides concerned.

A-2 Regional Plan on the phasing out of LINDANE in the framework of the implementation of Article 15 of the LBS Protocol

ARTICLE I

Definitions of Terms

- (a) "LINDANE" has a CAS No: 58-89-9. It is used as high-spectrum insecticide for seed and soil treatment, foliar applications, tree and wood treatment and also for antiparasitic applications to humans and animals.
- (b) "Persistent Organic Pollutants (POPs)" are organic compounds from natural or anthropogenic origin that possess toxic properties, resist physical, chemical and biological degradation, bioaccumulate in high concentrations through the food web and are transported through air, water and migratory species, reaching regions where they have never been produced or used; their high persistence pose a risk of causing adverse effects to the environment and human health.
- (c) "Wastes" means substances or objects which are disposed of or are intended to be disposed of or are required to be disposed of by the provisions of national law.
- (d) "Environmentally sound management of pesticides wastes" means taking all practical steps to ensure that wastes are collected, transported, and disposed of (including after-care of disposal sites) in a manner which will protect human health and the environment against the adverse effects which may result from such wastes.
- (e) "Best Available Techniques (BAT)" means the latest stage of development (state of the art) of processes of facilities, or of methods of operation which indicate the practical suitability of a particular measure for limiting discharges, emissions and waste.
- (f) "Best Environmental Practices (BEP)" means the application of the most appropriate combination of environmental control measures and strategies.

ARTICLE I (Bis)

Preservation of Rights

The provisions of this Regional Plan shall be without prejudice to stricter provisions respecting the phasing out of LINDANE contained in other existing or future, national, regional or international instruments or programmes.

ARTICLE II

Measures

1. The Parties shall prohibit and/or take legal and administrative measures necessary to eliminate:
 - (a) the production and use of LINDANE, subject to the provisions of Appendix A; and
 - (b) the import and export of LINDANE and its waste in accordance with paragraph 2 of this article.
2. The Parties shall ensure that LINDANE as an active substance or as a waste is imported or exported only:

- (a) for the purpose of environmentally sound disposal according to the provisions of the Protocol on the Prevention of Pollution of the Mediterranean sea by Transboundary Movements of Hazardous Wastes and their Disposal and the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal,
 - (b) for a use or purpose which is permitted for that Party under Appendix A.
3. The Parties shall take appropriate measures so that LINDANE waste, including products and articles upon becoming wastes, are:
- (a) handled, collected, transported and stored in an environmentally sound manner;
 - (b) disposed of in such a way that the persistent organic pollutant content is destroyed or irreversibly transformed so that they do not exhibit the characteristics of persistent organic pollutants or otherwise disposed of in an environmentally sound manner when destruction or irreversible transformation does not represent the environmentally preferable option or the persistent organic pollutant content is low, taking into account international rules, standards, and guidelines, and relevant global and regional regimes governing the management of hazardous wastes;
 - (c) not permitted to be subjected to disposal operations that may lead to recovery, recycling, reclamation, direct reuse or alternative uses of persistent organic pollutants; and
 - (d) not transported across international boundaries without taking into account relevant international rules, standards and guidelines.
4. The Contracting Parties shall endeavor to apply BEPs for environmentally sound management of Lindane. In doing so, the information provided in Appendix B shall, among others, be used.
5. The Parties shall ensure that their competent authorities or appropriate bodies monitor the implementation of the measures.

ARTICLE III

Timetables for Implementation

Each Party shall implement the measures to eliminate LINDANE by the 18th Meeting of the Contracting Parties in [2013] and the chemical waste and stock piles by [2013] at the latest.

ARTICLE IV

Reporting

In conformity with Article 26 of the Convention and Article 13, paragraph 2(d), of the LBS Protocol, the Parties shall report on a biennial basis on the implementation of the above measures and on their effectiveness. In doing so, the Contracting Parties agree that the reporting format of the Barcelona Convention shall be adjusted to be, as much as possible, in line with the reporting requirements – both in terms of content and timing – of the Stockholm Convention and with other Parties' reporting obligations on chemicals, as appropriate. The Contracting Parties should review the status of implementation of these measures in [2013].

ARTICLE V

Technical Assistance

For the purpose of facilitating the implementation of the measures, capacity building including transfer of know-how and technology would be provided by the Parties and the Secretariat. Priority would be given to those Parties who have ratified the LBS Protocol.

ARTICLE VI

Identification of Stock Piles

The Parties should identify to the extent practicable stock piles consisting of or containing LINDANE and they should report to the Secretariat of the Barcelona Convention before [2013].

ARTICLE VII

Entry into Force

The regional plan shall enter into force and become binding on the 180th day following the day of notification by the Secretariat in accordance with Article 15, paragraphs 3 and 4, of the LBS Protocol.

APPENDIX A

List of Accepted Purposes and Specific Exemptions for LINDANE

CHEMICAL	ACTIVITY	SPECIFIC EXEMPTIONS ^{a b}
LINDANE	Production	None
	Use	Human health pharmaceutical for control of head lice and scabies a second line treatment

^a Exemption can be granted for quantities to be used for laboratory-scale research or as a reference standard.

^b Except quantities of the chemical occurring as unintentional trace contaminants in products and articles shall not be considered to be listed in this Annex.

APPENDIX B

Best Environmental Practices (BEP) for Environmentally Sound Management of LINDANE wastes

- A. Several BEPs for the phasing out of LINDANE are hereby described:
1. Develop appropriate strategies to identify:
 - i Stockpiles consisting of or containing LINDANE and its derivatives;
 - ii Products in use and wastes consisting of or containing LINDANE;
 2. Minimize cross-contamination which may affect the choice of available destruction options. Managers of collection points and consolidation stores shall ensure segregation of LINDANE waste by trained personnel on the basis of:
 - i label information where LINDANE waste is in its original container with a definitive label;
 - ii or indicative analytical tests, where label information is not available.

3. Waste pesticide holders, including farmers and householders, shall be responsible for the sound management of that waste which is in their possession.
4. LINDANE waste must be segregated from other categories of waste that may be collected in any collection programme.
5. Mixing or bulking of LINDANE waste shall not occur unless the waste has been positively identified by individual or composite sampling and analysis techniques.
6. Managers of collection points and consolidation stores shall adopt and employ emergency containment and clean-up procedures for the accidental release of LINDANE waste into the environment, as approved by the national authority.
7. Endeavour to develop appropriate strategies to identify sites contaminated by LINDANE and its derivatives. Remediation should be undertaken in an environmentally sound manner.
8. LINDANE waste in consolidation stores shall be consigned, within one year of the starting date, for destruction by a licensed destruction facility, unless the national authority determines that viable destruction facilities are not available in the country.

B. The BEP list above mentioned is not exhaustive; more extensive and detailed information is described in the MAP Technical Report n° 155 Plan for the Management of PCB Waste and Nine Pesticides for the Mediterranean Region, in the Stockholm Convention on Persistent Organic Convention (Annex B Part II), and in the Basel Convention Technical guidelines for the Environmentally Sound Management of Wastes Consisting of, Containing or Contaminated with LINDANE.

The Parties shall add to, and exchange information on, other strategies and/or practices helpful to the phase out of the pesticides concerned.

A-3 *Regional Plan on the phasing out of PERFLUOROOCTANE SULFONIC ACID, its SALTS and PERFLUOROOCTANE SULFONYL FLUORIDE in the framework of the implementation of Article 15 of the LBS Protocol*

ARTICLE I

Definitions of Terms

- (a) PERFLUOROOCTANE SULFONIC ACID, its SALTS and PERFLUOROOCTANE SULFONYL FLUORIDE “has a CAS No: CAS No:1763-23-1 and its Salts CAS No:307-35-7 It is used almost exclusively for the manufacture of flexible polyurethane (PUR) foam for furniture and upholstery in homes and vehicles, packaging and PUR without foam for electronic equipment. It is also sometimes used in specialized applications in textiles and industry.
- (b) “Persistent Organic Pollutants (POPs)” are organic compounds from natural or anthropogenic origin that possess toxic properties, resist physical, chemical and biological degradation, bioaccumulate in high concentrations through the food web and are transported through air, water and migratory species, reaching regions where they have never been produced or used; their high persistence pose a risk of causing adverse effects to the environment and human health.
- (c) “Wastes” means substances or objects which are disposed of or are intended to be disposed of or are required to be disposed of by the provisions of national law.
- (d) “Environmentally sound management of pesticides wastes” means taking all practical steps to ensure that wastes are collected, transported, and disposed of (including after-care of disposal sites) in a manner which will protect human health and the environment against the adverse effects which may result from such wastes.
- (e) “Best Available Techniques (BAT)” means the latest stage of development (state of the art) of processes of facilities, or of methods of operation which indicate the practical suitability of a particular measure for limiting discharges, emissions and waste.
- (f) “Best Environmental Practices (BEP)” means the application of the most appropriate combination of environmental control measures and strategies.

ARTICLE I (Bis)

Preservation of Rights

The provisions of this Regional Plan shall be without prejudice to stricter provisions respecting the phasing out of PERFLUOROOCTANE SULFONIC ACID, its SALTS and PERFLUOROOCTANE SULFONYL FLUORIDE contained in other existing or future, national, regional or international instruments or programmes.

ARTICLE II

Measures

1. The Parties shall prohibit and/or take legal and administrative measures necessary to eliminate:
 - (a) the production and use of PERFLUOROOCTANE SULFONIC ACID,ITS SALTS and PERFLUOROOCTANE SULFONYL FLUORIDE, subject to the provisions of Appendix A; and
 - (b) the import and export of PERFLUOROOCTANE SULFONIC ACID,ITS SALTS and PERFLUOROOCTANE SULFONYL FLUORIDE and its waste in accordance with paragraph 2 of this article

2. The Parties shall ensure that this chemical as an active substance or as a waste is imported or exported only:
 - (a) for the purpose of environmentally sound disposal according to the provisions of the Protocol on the Prevention of Pollution of the Mediterranean sea by Transboundary Movements of Hazardous Wastes and their Disposal and the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal,
 - (b) for a use or purpose which is permitted for that Party under Appendix A.
3. The Parties shall take appropriate measures so that such PERFLUOROOCTANE SULFONIC ACID, its SALTS and PERFLUOROOCTANE SULFONYL FLUORIDE waste, including products and articles upon becoming wastes, are:
 - (a) handled, collected, transported and stored in an environmentally sound manner;
 - (b) disposed of in such a way that the persistent organic pollutant content is destroyed or irreversibly transformed so that they do not exhibit the characteristics of persistent organic pollutants or otherwise disposed of in an environmentally sound manner when destruction or irreversible transformation does not represent the environmentally preferable option or the persistent organic pollutant content is low, taking into account international rules, standards, and guidelines, and relevant global and regional regimes governing the management of hazardous wastes;
 - (c) not permitted to be subjected to disposal operations that may lead to recovery, recycling, reclamation, direct reuse or alternative uses of persistent organic pollutants; and
 - (d) not transported across international boundaries without taking into account relevant international rules, standards and guidelines.
4. The Contracting Parties shall endeavor to apply BEPs for environmentally sound management of PERFLUOROOCTANE SULFONIC ACID, its SALTS and PERFLUOROOCTANE SULFONYL FLUORIDE waste. In doing so, the information provided in Appendix B shall, among others, be used.
5. The Parties shall ensure that their competent authorities or appropriate bodies monitor the implementation of the measures.
6. Also decides that:
 - (a) The production and use of Perfluorooctane sulfonic acid (PFOS), its salts and Perfluorooctane sulfonyl fluoride (PFOSF) shall be eliminated by all Parties except as provided in Appendix A for Parties that have notified the Secretariat of their intention to produce and/or use them for acceptable purposes. A Register of Acceptable Purposes is hereby established and shall be available to the public. The Secretariat shall maintain the Register of Acceptable Purposes. In the event that a Party not listed in the Register determines that it requires the use of PFOS, its salts or PFOSF for the acceptable purposes listed in Appendix A it shall notify the Secretariat as soon as possible in order to have its name added forthwith to the Register;
 - (b) Parties that produce and/or use these chemicals shall take into account, as appropriate, guidance such as that given in the relevant parts of the general guidance on best available techniques and best environmental practices given in Appendix B of the Convention;
 - (c) Every two years each Party that uses and/or produces these chemicals shall report on progress made to eliminate PFOS, its salts and PFOSF and submit information on such

progress to the Conference of the Parties pursuant to and in the process of reporting under Article 26 of Barcelona Convention and Art.13 of the LBS Protocol;

- (d) With the goal of reducing and ultimately eliminating the production and/or use of these chemicals, the Conference of the Parties shall encourage:
- (i) Each Party using these chemicals to take action to phase out uses when suitable alternative substances or methods are available;
 - (ii) The Parties, within their capabilities, to promote research on and development of safe alternative chemical and non-chemical products and processes, methods and strategies for Parties using these chemicals, relevant to the conditions of those Parties. Factors to be promoted when considering alternatives or combinations of alternatives shall include the human health risks and environmental implications of such alternatives;
- (e) The Conference of the Parties shall evaluate the continued need for these chemicals for the various acceptable purposes and specific exemptions on the basis of available scientific, technical, environmental and economic information, including:
- (i) Information provided in their national reports;
 - (ii) Information on the production and use of these chemicals;
 - (iii) Information on the availability, suitability and implementation of alternatives to these chemicals;
 - (iv) Information on progress in building the capacity of countries to transfer safely to reliance on such alternatives;
- (f) The evaluation referred to in the preceding paragraph shall take place not later than in [2013], in conjunction with a regular meeting of the Conference of the Parties;
- (g) Due to the complexity of the use and the many sectors of society involved in the use of these chemicals, there might be other uses of these chemicals of which countries are not presently aware. Parties which become aware of other uses are encouraged to inform the Secretariat as soon as possible;
7. A Party may, at any time, withdraw its name from the Register of acceptable purposes upon written notification to the Secretariat. The withdrawal shall take effect on the date specified in the notification.

ARTICLE III

Timetables for Implementation

Each Party shall implement the measures to eliminate PERFLUOROOCTANE SULFONIC ACID, its SALTS and PERFLUOROOCTANE SULFONYL FLUORIDE by the 18th Meeting of the Contracting Parties in [2013] and the chemical waste and stock piles by [2013] at the latest.

ARTICLE IV

Reporting

In conformity with Article 26 of the Convention and Article 13, paragraph 2(d), of the LBS Protocol, the Parties shall report on a biennial basis on the implementation of the above measures and on their effectiveness. In doing so, the Contracting Parties agree that the reporting format of the Barcelona Convention shall be adjusted to be, as much as possible, in line with the reporting requirements – both in terms of content and timing – of the Stockholm

Convention and with other Parties' reporting obligations on chemicals, as appropriate. The Contracting Parties should review the status of implementation of these measures in [2013]

ARTICLE V

Technical Assistance

For the purpose of facilitating the implementation of the measures, capacity building including transfer of know-how and technology would be provided by the Parties and the Secretariat. Priority would be given to those Parties who have ratified the LBS Protocol.

ARTICLE VI

Identification of Stock Piles

The Parties should identify to the extent practicable stock piles consisting of or containing PERFLUOROOCTANE SULFONIC ACID, its SALTS and PERFLUOROOCTANE SULFONYL FLUORIDE and they should report to the Secretariat of the Barcelona Convention before [2013].

ARTICLE VII

Entry into Force

The regional plan shall enter into force and become binding on the 180th day following the day of notification by the Secretariat in accordance with Article 15, paragraphs 3 and 4, of the LBS Protocol.

APPENDIX A

List of Accepted Purposes and Specific Exemptions for PERFLUOROOCTANE SULFONIC ACID, its SALTS and PERFLUOROOCTANE SULFONYL FLUORIDE.

CHEMICAL	ACTIVITY	SPECIFIC EXEMPTIONS ^{a b}
<p>PERFLUOROOCTANE SULFONIC ACID,ITS SALTS ANDPERFLUOROOCTANE SULFONYL FLUORIDE</p>	<p>Production</p>	<p>Acceptable purpose: In accordance with part III of this Annex, production of other chemicals to be used solely for the uses below. Production for uses listed below. Specific exemption: As allowed for Parties listed in the Register.</p>
	<p>use</p>	<p>Acceptable purpose: In accordance with part III of this Annex for the following acceptable purposes, or as an intermediate in the production of chemicals with the following acceptable purposes: Photo-imaging Photo-resist and anti-reflective coatings for semi-conductors Etching agent for compound semi-conductors and ceramic filters Aviation hydraulic fluids Metal plating (hard metal plating) only in closed-loop systems Certain medical devices (such as ethylene tetrafluoroethylene copolymer (ETFE) layers and radio-opaque ETFE production, in-vitro diagnostic medical devices, and CCD colour filters) Fire-fighting foam Insect baits for control of leaf-cutting ants from <i>Atta</i> spp. and <i>Acromyrmex</i> spp. Specific exemption: For the following specific uses, or as an intermediate in the production of chemicals with the following specific uses: Photo masks in the semiconductor and liquid crystal display (LCD) industries Metal plating (hard metal plating) Metal plating (decorative plating) Electric and electronic parts for some color printers and color copy machines Insecticides for control of red imported fire ants and termites Chemically driven oil production Carpets Leather and apparel Textiles and upholstery Paper and packaging Coatings and coating additives Rubber and plastics</p>

^a Exemption can be granted for quantities to be used for laboratory-scale research or as a reference standard.

^b Except quantities of the chemical occurring as unintentional trace contaminants in products and articles shall not be considered to be listed in this Annex.

APPENDIX B

Best Environmental Practices (BEP) for Environmentally Sound Management of PERFLUOROOCTANE SULFONIC ACID, its SALTS and PERFLUOROOCTANE SULFONYL FLUORIDE Wastes

- A. Several BEPs for the phasing out of PERFLUOROOCTANE SULFONIC ACID, its SALTS and PERFLUOROOCTANE SULFONYL FLUORIDE are hereby described:
1. Develop appropriate strategies to identify:
 - i. Stockpiles consisting of or containing PERFLUOROOCTANE SULFONIC ACID, its SALTS and PERFLUOROOCTANE SULFONYL FLUORIDE and its derivatives;
 - ii. Products in use and wastes consisting of or containing PERFLUOROOCTANE SULFONIC ACID, its SALTS and PERFLUOROOCTANE SULFONYL FLUORIDE;
 2. Minimize cross-contamination which may affect the choice of available destruction options. Managers of collection points and consolidation stores shall ensure segregation of PERFLUOROOCTANE SULFONIC ACID, its SALTS and PERFLUOROOCTANE SULFONYL FLUORIDE waste by trained personnel on the basis of:
 3. label information where PERFLUOROOCTANE SULFONIC ACID, its SALTS and PERFLUOROOCTANE SULFONYL FLUORIDE waste is in its original container with a definitive label;
or indicative analytical tests, where label information is not available.
- (a) Waste holders, shall be responsible for the sound management of that waste which is in their possession.
 - (b) PERFLUOROOCTANE SULFONIC ACID, its SALTS and PERFLUOROOCTANE SULFONYL FLUORIDE waste must be segregated from other categories of waste that may be collected in any collection programme.
 - (c) Mixing or bulking of PERFLUOROOCTANE SULFONIC ACID, its SALTS and PERFLUOROOCTANE SULFONYL FLUORIDE waste shall not occur unless the waste has been positively identified by individual or composite sampling and analysis techniques.
 - (d) Managers of collection points and consolidation stores shall adopt and employ emergency containment and clean-up procedures for the accidental release of PERFLUOROOCTANE SULFONIC ACID, its SALTS and PERFLUOROOCTANE SULFONYL FLUORIDE waste into the environment, as approved by the national authority.
 - (e) Endeavour to develop appropriate strategies to identify sites contaminated by PERFLUOROOCTANE SULFONIC ACID, its SALTS and PERFLUOROOCTANE SULFONYL FLUORIDE and its derivatives. Remediation should be undertaken in an environmentally sound manner.
 - (f) PERFLUOROOCTANE SULFONIC ACID, its SALTS and PERFLUOROOCTANE SULFONYL FLUORIDE waste in consolidation stores shall be consigned, within one year of the starting date, for destruction by a licensed destruction facility, unless the national authority determines that viable destruction facilities are not available in the country.
- B. The BEP list above mentioned is not exhaustive; more extensive and detailed information is described in the MAP Technical Report n° 155 "Plan for the Management of PCB Waste

and Nine Pesticides for the Mediterranean Region”, in the Stockholm Convention on Persistent Organic Convention (Annex B Part II), and in the Basel Convention Technical guidelines for the Environmentally Sound Management of Wastes Consisting of, Containing or Contaminated with PERFLUOROOCTANE SULFONIC ACID, its SALTS and PERFLUOROOCTANE SULFONYL FLUORIDE.

The Parties shall add to, and exchange information on, other strategies and/or practices helpful to the phase out of the pesticides concerned.

A-4 *Regional Plan on the elimination of Alpha hexachlorocyclohexane, Beta hexachlorocyclohexane, Chlordecane, Hexabromobiphenil, Pentachlorobenzen in the framework of the implementation of Article 15 of the LBS Protocol*

ARTICLE I

Definitions of Terms

(a) *Alpha hexachlorocyclohexane* has a CAS No: 319-84-6. It is an unintentional derivate for discarding. It is a by-product of the production of the insecticide lindane.

Beta hexachlorocyclohexane has a CAS No: 319-85-7. It is an unintentional derivate for discarding. It is a by-product of the production of the insecticide lindane

Chlordecane has a CAS No: 143-50-0. Pesticide previously used to treat root disease of banana, mildew, potato moth, rust, other insects, and in traps.

Hexabromobiphenil has a CAS No: 36355-01-8. It has been used as a flame retardant in thermoplastic acrinotril-butadiene-styrene (ABS) for the construction, electric appliance and electrical products industry as well as in polyurethane foam for auto upholstery.

Pentachlorobenze has a CAS No: 608-93-5. There are currently no intentional uses, although it has been discovered in the following uses: PCBs, packages of dyes, flame retardants and pesticides (quintozene, endosulfan, chlorpyrifos methyl, atrazine and clopirilida). It is also used as an intermediate in the manufacture of the fungicide pentachloronitrobenzene.

(b) "Wastes" means substances or objects 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) "Environmentally Sound Management" of pesticides wastes" means taking all practical steps to ensure that wastes are collected, transported, and disposed of (including after-care of disposal sites) in a manner which will protect human health and the environment against the adverse effects which may result from such wastes.

(d) "Best Available Techniques (BAT)" means the latest stage of development (state of the art) of processes of facilities, or of methods of operation which indicate the practical suitability of a particular measure for limiting discharges, emissions and waste.

(e) "Best Environmental Practices (BEP)" means the application of the most appropriate combination of environmental control measures and strategies.

ARTICLE I (Bis)

Preservation of Rights

The provisions of this Regional Plan shall be without prejudice to stricter provisions respecting the elimination of:

- *Alpha hexachlorocyclohexane*
- *Beta hexachlorocyclohexane*
- *Chlordecane*
- *Hexabromobiphenil*
- *Pentachlorobenzen*

contained in other existing or future national, regional or international instruments or programmes.

ARTICLE II

Measures

1. The Parties shall prohibit and/or take legal and administrative measures necessary to eliminate:
 - (a) the production and use of Alpha hexachlorocyclohexane, Beta hexachlorocyclohexane, Chlordecane, Hexabromobiphenil, Pentachlorobenzen, subject to the provisions of Appendix A; and
 - (b) the import and export of Alpha hexachlorocyclohexane, Beta hexachlorocyclohexane, Chlordecane, Hexabromobiphenil, Pentachlorobenzen and their wastes, in accordance with paragraph 2 of this article.
2. The Parties shall ensure that Alpha hexachlorocyclohexane, Beta hexachlorocyclohexane, Chlordecane, Hexabromobiphenil, Pentachlorobenzen as active substances and/or as waste are imported or exported only:
 - (a) for the purpose of environmentally sound disposal according to the provisions of the Protocol on the Prevention of Pollution of the Mediterranean Sea by Transboundary Movements of Hazardous Wastes and their Disposal and the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal.
3. The Parties shall take appropriate measures so that such wastes, including products and articles upon becoming wastes, are:
 - (a) handled, collected, transported and stored in an environmentally sound manner;
 - (b) disposed of in such a way that the persistent organic pollutant content is destroyed or irreversibly transformed so that they do not exhibit the characteristics of persistent organic pollutants or otherwise disposed of in an environmentally sound manner when destruction or irreversible transformation does not represent the environmentally preferable option or the persistent organic pollutant content is low, taking into account international rules, standards, and guidelines, and relevant global and regional regimes governing the management of hazardous wastes and the Basel Convention;
 - (c) not permitted to be subjected to disposal operations that may lead to recovery, recycling, reclamation, direct reuse or alternative uses of persistent organic pollutants; and
 - (d) not transported across international boundaries without taking into account relevant international rules, standards and guidelines.
4. The Contracting Parties shall endeavor to apply BAT and BEPs for environmentally sound management of Alpha hexachlorocyclohexane, Beta hexachlorocyclohexane, Chlordecane, Hexabromobiphenil, Pentachlorobenzen. In doing so, the information provided in Appendix B shall, among others, be used.
5. Each Party shall at a minimum take measures to reduce the total releases derived from anthropogenic releases of Pentachlorobenzen, with the goal of their continuing minimization and, where feasible, ultimate elimination in accordance with the obligations under article 5 of the Stockholm Convention taking into consideration the Guidelines on BAT and BEP and new progresses on this issue developed within the framework of the mentioned Convention.
6. The Parties shall ensure that their competent authorities or appropriate bodies shall monitor the implementation of the measures.

ARTICLE III

Timetables for implementation

Each Party shall implement the measures to eliminate the chemicals listed in Appendix A by the 18th Meeting of the Contracting Parties in [2013] and their chemical wastes and stock piles by [2013] at the latest.

ARTICLE IV

Reporting

In conformity with Article 26 of the Convention and Article 13, paragraph 2(d), the Parties shall report on a biennial basis on the implementation of the above measures and on their effectiveness. In doing so, the Contracting Parties agree that the reporting format of the Barcelona Convention shall be adjusted to be, as much as possible, in line with the reporting requirements – both in terms of content and timing – of the Stockholm Convention and with other Parties' reporting obligations on chemicals, as appropriate. The Contracting Parties should review the status of implementation of these measures in [2013].

ARTICLE V

Technical Assistance

For the purpose of facilitating the implementation of the measures, capacity building including transfer of know-how and technology will be provided by the countries and the Secretariat. Priority will be given to those Parties who have ratified the LBS Protocol.

ARTICLE VI

Identification of Stock Piles

The Parties should identify, to the extent practicable, stock piles consisting of or containing chemicals listed in Appendix A, and they should report to the Secretariat of the Barcelona Convention before [2013].

ARTICLE VII

Entry into Force

The Regional Plan shall enter into force and become binding on the 180th day following the day of notification by the Secretariat in accordance with Article 15, paragraphs 3 and 4, of the LBS Protocol.

APPENDIX A

Part I – List of Chemicals Subject to Elimination, and Specific Exemptions.

CHEMICAL	ACTIVITY	SPECIFIC EXEMPTIONS ^{a b}
<i>Alpha hexachlorocyclohexane has a CAS No:319-84-6</i>	Production	None
	Use	None
<i>Beta hexachlorocyclohexane has a CASNo:319-85-7</i>	Production	None
	Use	None
<i>Chlordecane has a CAS No:143-50-0</i>	Production	None
	Use	None
<i>Hexabromobiphenil has a CASNo:36355-01-8</i>	Production	None
	Use	None

<i>Pentachlorobenze</i> has a CAS No:608-93-5	Production	None
	Use	None

^a Exemption can be granted for quantities to be used for laboratory-scale research or as a reference standard.

^b Except quantities of a chemical occurring as unintentional trace contaminants in products and articles shall not be considered to be listed in this Appendix

APPENDIX B

BAT and BEP for Environmentally Sound Management of Alpha hexachlorocyclohexane, Beta hexachlorocyclohexane, Chlordecane, Hexabromobiphenil, Pentachlorobenzen

- A. Several BAT and BEP for the phasing out of Alpha hexachlorocyclohexane, Beta hexachlorocyclohexane, Chlordecane, Hexabromobiphenil, Pentachlorobenzen are hereby described:
1. Develop appropriate strategies to identify:
 - a) Stockpiles consisting of or containing chemicals listed in Annex A;
 - b) Products and articles in use and wastes consisting of or containing chemicals listed in Annex A;
 2. Minimize cross-contamination which may affect the choice of available destruction options. Managers of collection points and consolidation stores shall ensure segregation of the waste by trained personnel on the basis of:
 - a) label information where pesticides waste is in its original container with a definitive label;
 - b) or indicative analytical tests, where label information is not available.
 3. Waste holders shall be responsible for the sound management of that waste which is in their possession;
 4. Alpha hexachlorocyclohexane, Beta hexachlorocyclohexane, Chlordecane, Hexabromobiphenil, Pentachlorobenzen waste must be segregated from other categories of waste that may be collected in any collection program;
 5. Mixing or bulking of Alpha hexachlorocyclohexane, Beta hexachlorocyclohexane, Chlordecane, Hexabromobiphenil, Pentachlorobenzen waste shall not occur unless the waste has been positively identified by individual or composite sampling and analysis techniques;
 6. Managers of collection points and consolidation stores shall adopt and employ emergency containment and clean-up procedures for the accidental release of Alpha hexachlorocyclohexane, Beta hexachlorocyclohexane, Chlordecane, Hexabromobiphenil, Pentachlorobenzen waste into the environment, as approved by the national authority;
 7. Alpha hexachlorocyclohexane, Beta hexachlorocyclohexane, Chlordecane, Hexabromobiphenil, Pentachlorobenzen waste in consolidation stores shall be consigned, within one year of the starting date, for destruction by a licensed destruction facility, unless the national authority determines that viable destruction facilities are not available in the country;
- B. The BAT and BEP list mentioned above is not exhaustive; more extensive information is described in the Stockholm Convention technical guidelines
- The Parties shall add to and exchange information on, other strategies and/or practices helpful to the phase out of the pesticides concerned.