

Decision IG.20/8.3

Regional Plan on the elimination in the framework of the implementation of Article 15 of the LBS Protocol, 1996 of Alpha hexachlorocyclohexane; Beta hexachlorocyclohexane; Hexabromobiphenyl; Chlordecone; Pentachlorobenzene; Tetrabromodiphenyl ether and Pentabromodiphenyl ether; Hexabromodiphenyl ether and Heptabromodiphenyl ether; Lindane; Endosulfan, Perfluorooctane sulfonic acid, its salts and perfluorooctane sulfonyl fluoride

The 17th Meeting of the Contracting Parties,

Recalling Article 8 of the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean as amended in Barcelona 1995, , concerning the obligations of the parties to prevent, abate, combat and to the fullest possible extent to eliminate pollution from land based sources,

Recalling also Article 5 the Protocol for the Protection of the Mediterranean Sea against Pollution from Land- based Sources and Activities, as amended in Syracuse in 1996, hereinafter referred to as the LBS Protocol, concerning the phasing out of inputs of the substances as presented in its Annex 1.C, and the priority given to substances that are toxic, persistent and liable to accumulate,

Having regard to Decision 17/8 of the 15th Meeting of the Contracting Parties (Almeria, Spain, January 2008) entitled "Implementation of National Action Plans and the preparation of legally binding measures and timetables required by Art.15 of the LBS Protocol",

Taking into account the pertinent provisions of the international environmental Conventions, especially the Stockholm Convention on Persistent Organic Pollutants, the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal,

Taking also into account of the National Implementation Plans in course of development or already developed by the Parties under the Stockholm Convention on Persistent Organic Pollutants,

Recognizing that the above mentioned chemicals are persistent organic pollutants that possess toxic properties, resist degradation, bio-accumulate and are transported widely, thus presenting health risks resulting from local exposure as well as pollution of the Mediterranean sea area due to its special hydrographical and ecological characteristics as a semi closed sea particularly vulnerable to pollution, including bio accumulation,

Acknowledging that the production and use of the above mentioned chemicals by the Contracting Parties is prohibited and/or limited in the framework of several international and regional agreements and organizations and that in spite of the actions already taken at regional and national level, the substances that are the object of this Regional Plan although in decreasing amount may still enter the marine environment due to an insufficient management of stockpiles and wastes

Conscious of the need of developing regional regulatory measures for hazardous substances in harmony, as appropriate, with other relevant international environmental agreements,

Fully aware of the obligation to comply with requirements of the Barcelona Convention and the LBS protocol as per Article 27 of the Convention and Decision IG 17/2 of the 15th Meeting of the Contracting Parties (Almeria, Spain, January 2008) on compliance procedures and mechanisms,

Having considered the report of MED POL Focal Points meeting held in Rhodes, Greece, in May 2011,

Decides to adopt in the framework of the implementation of Article 15 of the LBS Protocol, the Regional Plan on the elimination and/or reduction of production and use of Alpha hexachlorocyclohexane; Beta hexachlorocyclohexane; Hexabromobiphenyl; Chlordecone; Pentachlorobenzene; Tetrabromodiphenyl ether and Pentabromodiphenyl ether; Hexabromodiphenyl ether and Heptabromodiphenyl ether; Lindane; Endosulfan, Perfluorooctane sulfonic acid, its salts and perfluorooctane sulfonyl fluoride, together with its Annexes which are contained in Annex to this decision; hereinafter referred to as the Regional Plan.

Urges the Contracting Parties to take the necessary legal, administrative and other measures to ensure the implementation of this Regional Plan and to report on their progress to the Secretariat in accordance with its Article V.

Requests the Secretariat (MED POL and CP/RAC) to provide, upon request and subject to availability of funds, the necessary assistance to, and organize capacity building programmes for, the Contracting Parties for the implementation of the Regional Plan.

ANNEX

Elimination of 10 Persistent Organic Pollutants (Alpha hexachlorocyclohexane; Beta hexachlorocyclohexane; Hexabromobiphenyl; Chlordecone; Pentachlorobenzene; Tetrabromodiphenyl ether and Pentabromodiphenyl ether; Hexabromodiphenyl ether and Heptabromodiphenyl ether; Lindane; Endosulfan, Perfluorooctane sulfonic acid, its salts and perfluorooctane sulfonyl fluoride)

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 and means other hexabromodiphenyl ethers present in commercial octabromodiphenyl ether. It is used as flame retardant in thermoplastic acrinotrill-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 and means other heptabromodiphenyl ethers present in commercial octabromodiphenyl ether. 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: 5436-43-1, and means other tetrabromodiphenyl ethers present in commercial pentabromodiphenyl ether,. 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 industryand
- (d) PENTABROMODIPHENYL ETHER" has a CAS No: 60348-60-9 and means other pentabromodiphenyl ethers present in commercial pentabromodiphenyl ether. 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.
- (e) "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.

- (f) "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.
- (g) "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.
- (h) "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.
- (i) "Best Environmental Practices (BEP)" means the application of the most appropriate combination of environmental control measures and strategies.

ARTICLE II

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

ARTICLE III

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 *PENTABROMODIPHEYL ETHER*, subject to the provisions of Appendix A; and
 - (b) the import and export of HEXABROMODIPHENYL ETHER, HEPTABROMODIPHENYL ETHER, *TETRABROMODIPHENYL ETHER* and *PENTABROMODIPHENIL ETHER*, subject to paragraph 2 of this Article.
2. The Parties shall ensure that any export or import of these chemicals for the purpose of their environmentally sound disposal, and for the use or purpose which is allowed under Appendix A, is done in accordance with the relevant international rules, standards and regulations.
3. The Parties shall take appropriate measures so that HEXABROMODIPHENYL ETHER, HEPTABROMODIPHENYL ETHER, *TETRABROMODIPHENYL ETHER* and *PENTABROMODIPHENYL 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 on the BEPs 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 IV

Timetables for Implementation

Each Party shall implement the measures provided for in Article 3 by the 18th Meeting of the Contracting Parties in 2013 at the latest.

ARTICLE V

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..

ARTICLE VI

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 to the Contracting Parties in need of assistance. Priority shall be given to Parties to the LBS Protocol.

ARTICLE VII

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 Secretariat¹ before 2013.

ARTICLE VIII

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.

¹ Coordinated reporting under Stockholm and Barcelona conventions where appropriate

APPENDIX A

a Article III shall not apply to quantities of the chemicals to be used for laboratory-scale research or as a reference standard.

b. Article III shall not apply to quantities of the chemicals occurring as unintentional trace contaminants in products and articles

List of allowable uses/exemptions

| | | |
|---|------------|---|
| <p><i>HEXABROMODIPHENYL ETHER, HEPTABROMODIPHENYL ETHER, TETRABROMODIPHENYL ETHER AND PENTABROMODIPHENYL ETHER</i></p> | <p>use</p> | <p>1. A Party may allow recycling of articles that contain or may contain hexabromodiphenyl ether, heptabromodiphenyl ether, tetrabromodiphenyl ether and pentabromodiphenyl ether and the use and final disposal of articles manufactured from recycled materials that contain or may contain these substances 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, tetrabromodiphenyl ether and pentabromodiphenyl ether for the purpose of their reuse. This specific exemption/use shall in any case expire in 2020</p> <p>(b) The Party shall prohibit exports of such articles that contain levels/concentration of any of the four substances exceeding those permitted for the sale, use, import or manufacture of those articles within territory of the Party;</p> |
|---|------------|---|

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 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 substances concerned, stock piles and waste.

2. *Regional Plan on the phasing out of LINDANE and ENDOSULFAN 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) "ENDOSULFAN" is technical endosulfan CAS 115-29-7 with its isomers CAS 959-98-8, and 33213-65-9; and Endosulfan sulphate CAS 1031-07-8. It is used to effectively control several pests on a very range of crops.
- (c) "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.
- (d) "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 II

Preservation of Rights

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

ARTICLE III

Measures

- 1. The Parties shall prohibit and/or take legal and administrative measures necessary to eliminate:

- (a) the production and use of LINDANE and ENDOSULFAN, subject to the provisions of Appendix A; and
 - (b) the import and export of LINDANE and ENDOSULFAN and its waste, subject to paragraph 2 of this Article.
2. The Parties shall ensure that any export or import of LINDANE and ENDOSULFAN for the purpose of their environmentally sound disposal, and for the use or purpose which is allowed under Appendix A, is done in accordance with the relevant international rules, standards and regulations.
 3. The Parties shall take appropriate measures so that LINDANE and ENDOSULFAN 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 and Endosulfan. 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 IV

Timetables for Implementation

Each Party shall implement the measures provided for in Article 3 by the 18th Meeting of the Contracting Parties in 2013 at the latest.

ARTICLE V

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..

ARTICLE VI

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 to the Contracting Parties in need of assistance. Priority shall be given to Parties to the LBS Protocol.

ARTICLE VII

Identification of Stock Piles

The Parties should identify to the extent practicable stock piles consisting of or containing LINDANE and ENDOSULFAN and they should report to the Secretariat² before 2013.

ARTICLE VIII

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.

² Coordinated reporting under Stockholm and Barcelona conventions where appropriate

APPENDIX A

a Article III shall not apply to quantities of the chemicals to be used for laboratory-scale research or as a reference standard.

b. Article III shall not apply to quantities of the chemicals occurring as unintentional trace contaminants in products and articles

List of allowable uses/exemptions for LINDANE and ENDOSULFAN

| CHEMICAL | ACTIVITY | ALLOWABLE USES/exemptions |
|----------|------------|---------------------------|
| LINDANE | Production | None |
| | Use | None |

| Chemical | Activity | Allowable use/exemptions |
|------------|------------|-------------------------------------|
| Endosulfan | Production | None |
| | Use | Crop-pest complexes as listed below |

| Crop | Pest |
|-------------------------|--|
| Cotton | Cotton bollworms, pink bollworm, aphids, jassids, whiteflies, thrips, leafroller |
| Jute | Bihar hairy caterpillar, yellow mite |
| Coffee | Berry borer, stem borer |
| Tea | Aphids, caterpillars, tea mosquito bugs, mealybugs, scale insects, thrips, flushworm, smaller green leaf hopper, tea geometrid |
| Tobacco | Oriental tobacco bud worm, aphids |
| Cow peas, beans, tomato | Whiteflies, aphids, leaf miner |
| Okra, tomato, eggplant | Fruit and shoot borer, diamondback moth, aphids, jassids |
| Onion, potato, chillies | Aphids, jassids |
| Apple | Yellow aphids |
| Mango | Hopper, fruit fly |
| Gram, arhar | Aphids, caterpillar, pod borer, pea semilooper |
| Maize | Aphids, stem borer, pink borer |
| Paddy/rice | White jassids, stem borer, gall midge, rice hispa |
| Wheat | Aphids, termites, pink borer |
| Groundnuts | Aphids |
| Mustard | Aphids, gall midge |

APPENDIX B

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

- A. Several BEPs for the phasing out of LINDANE and ENDOSULFAN are hereby described:
1. Develop appropriate strategies to identify:
 - i Stockpiles consisting of or containing LINDANE and ENDOSULFAN and its derivatives;
 - ii Products in use and wastes consisting of or containing LINDANE and ENDOSULFAN;
 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 and ENDOSULFAN waste is in its original container with a definitive label;
 - ii or indicative analytical tests, where label information is not available.
 3. Waste holders, including farmers and householders, shall be responsible for the sound management of that waste which is in their possession.
 4. LINDANE and ENDOSULFAN waste must be segregated from other categories of waste that may be collected in any collection programme.
 5. Mixing or bulking of LINDANE and ENDOSULFAN 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 and ENDOSULFAN waste into the environment, as approved by the national authority.
 7. Endeavour to develop appropriate strategies to identify sites contaminated by LINDANE and ENDOSULFAN and its derivatives. Remediation should be undertaken in an environmentally sound manner.
 8. LINDANE and ENDOSULFAN 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 and or ENDOSULFAN.

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

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 (CAS No:1763-23-1), its SALTS and PERFLUOROOCTANE SULFONYL FLUORIDE (CAS No:307-35-7) are 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 II

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 III

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, subject to paragraph 2 of this Article
2. The Parties shall ensure that any export or import of this chemical for the purpose of their environmentally sound disposal and for a use or purpose which is allowed under Appendix A, is in done in accordance with the relevant international rules, standards and regulations.
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. The Parties also decide 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

- (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.
- (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 Contracting Parties shall encourage:
- (i) Each Party using these chemicals to take action to phase out uses when suitable alternatives 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;
 - (iii) Synergy with the work carried out under the Stockholm convention on the evaluation of 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
- (e) 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. Contracting Parties which become aware of other uses are encouraged to inform the Secretariat as soon as possible;

ARTICLE IV

Timetables for Implementation

Each Party shall implement the measures provided for in Article 3 by the 18th Meeting of the Contracting Parties in 2013 and the chemical waste and stock piles by 2013 at the latest.

ARTICLE V

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.

ARTICLE VI

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 to the Contracting parties in need of assistance. Priority shall be given to the Parties to the LBS Protocol.

ARTICLE VII

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 Secretariat³ before 2013.

ARTICLE VIII

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.

³ Coordinated reporting under the Stockholm and Barcelona Conventions

APPENDIX A

- a Article III shall not apply to quantities of the chemicals to be used for laboratory-scale research or as a reference standard.
b. Article III shall not apply to quantities of the chemicals occurring as unintentional trace contaminants in products and articles

List of Accepted production purposes and allowable uses/exemptions for PERFLUOROOCTANE SULFONIC ACID, its SALTS and PERFLUOROOCTANE SULFONYL FLUORIDE.

| CHEMICAL | Acceptable Production Purposes | Allowable Uses/exemptions |
|---|--|--|
| <p>PERFLUOROOCTANE SULFONIC ACID,ITS SALTS ANDPERFLUOROOCTANE SULFONYL FLUORIDE</p> | <p>Production of other chemicals to be used solely for the allowable uses. Production for allowable uses</p> | <p>The following allowable uses, or as an intermediate in the production of chemicals with the following allowable uses: Photo-imaging Photo-resins 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 Atta spp. and Acromyrmex spp. 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 colour printers and colour 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> |

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 substances concerned, stock piles and waste.

4. Regional Plan on the elimination of Alpha hexachlorocyclohexane, Beta hexachlorocyclohexane, Chlordane, Hexabromobiphenyl, Pentachlorobenzene 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

Chlordane 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.

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

Pentachlorobenzene 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 II

Preservation of Rights

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

- *Alpha hexachlorocyclohexane*
- *Beta hexachlorocyclohexane*
- *Chlordane*
- *Hexabromobiphenyl*
- *Pentachlorobenzene*

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

ARTICLE III

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, Chlordecone, Hexabromobiphenil, Pentachlorobenzen, subject to the provisions of Appendix A; and
 - (b) the import and export of Alpha hexachlorocyclohexane, Beta hexachlorocyclohexane, Chlordocane, Hexabromobiphenil, Pentachlorobenzen and their wastes, subject to paragraph 2 of this Article.
2. The Parties shall ensure that any export or import of Alpha hexachlorocyclohexane, Beta hexachlorocyclohexane, Chlordecone, Hexabromobiphenyl, Pentachlorobenzene for the purpose of their environmentally sound disposal and for a use or purpose which is allowed under Appendix A, is done in accordance with the relevant international rules, standards and regulations.
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, Chlordecone, Hexabromobiphenyl, Pentachlorobenzene. 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 Pentachlorobenzene, 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 IV

Timetables for implementation

Each Party shall implement the measures provided for in Article 3 by the 18th Meeting of the Contracting Parties in 2013 at the latest.

ARTICLE V

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.

ARTICLE VI

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 to the Contracting parties in need of assistance. Priority shall be given to the Parties to the LBS Protocol.

ARTICLE VII

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 Secretariat⁴ before 2013.

ARTICLE VIII

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

^a Article III shall not apply to quantities to be used for laboratory-scale research or as a reference standard.

^b Article III shall not apply to quantities of a chemical occurring as unintentional trace contaminants in products and articles.

⁴ Coordinated reporting under Stockholm and Barcelona Conventions

APPENDIX B

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

- A. Several BAT and BEP for the phasing out of Alpha hexachlorocyclohexane, Beta hexachlorocyclohexane, Chlordecone, Hexabromobiphenyl, Pentachlorobenzene 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, Chlordecone, Hexabromobiphenyl, Pentachlorobenzene 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, Chlordecone, Hexabromobiphenyl, Pentachlorobenzene 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, Chlordecone, Hexabromobiphenyl, Pentachlorobenzene waste into the environment, as approved by the national authority;
 7. Alpha hexachlorocyclohexane, Beta hexachlorocyclohexane, Chlordecone, Hexabromobiphenyl, Pentachlorobenzene 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, waste and stock piles.