



# Environmental Fact Sheet

## Principles for Basel Convention Aim To Prevent Pollution, Reduce Risk, And Promote Recycling

*As part of U.S. efforts to address global issues on exporting and importing hazardous waste, the Environmental Protection Agency (EPA) is asking Congress to ban the export of nearly all such wastes beyond North American borders. Along with key departments of the Administration, the Agency has issued recommendations for implementing the "Basel Convention." By emphasizing the principles of waste minimization, the Administration's standards aim to make the U.S. even more self-sufficient in the management and disposal of its wastes.*

### Background

The Basel Convention is the first major international agreement on exports and imports of hazardous wastes, municipal wastes, and municipal incinerator ash (known as *covered wastes*). The Convention's goals are to reduce the generation and the transboundary movements of covered wastes, and to establish environmentally sound management techniques for any transboundary movements that may occur.

The Basel Convention becomes effective in a country (known in the Convention as *party*) when it is ratified by the country. Currently, over 60 countries are parties to the Convention, including all of the U.S.' major trading partners (a list of participating countries is attached). Before the U.S. can ratify the Convention and become a party, Congressional committees must agree on legislation that gives EPA additional authority to implement the Convention's terms; Congress must pass the legislation; and the President must sign it. The Administration, particularly EPA, aims to work closely with Congress to obtain legislation that controls the shipment of U.S. hazardous wastes to other countries.

### Action

The Administration transmitted to key Congressional committees, its principles for implementing the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal. With exceptions in very limited circumstances, the Agency proposes to

ban the export of covered wastes outside of North America. A five-year grace period will be provided to members of the Organization for Economic Cooperation and Development (OECD) that receive waste for recycling. Major Administration principles for Basel legislation include:

- A ban on exports of hazardous waste, municipal waste, and municipal incinerator ash beyond North America, with exceptions in very limited circumstances.
- A ban on exports of covered wastes to any country prohibiting their importation.
- A ban on imports and exports of covered wastes to facilities where the U.S. government has reason to believe they will not be managed in an environmentally sound manner.
- Strong enforcement authorities that allow:
  - the return of any covered waste to the U.S., which might have been illegally exported or mismanaged;
  - the prosecution of those who may have violated U.S. waste export/import law; and
  - the recovery of any costs associated with these enforcement actions.

In addition, the legislative principles aim to foster appropriate recycling of low hazard materials that trade like commodities, and are needed as raw materials. Many U.S. recycling programs depend on export markets to provide capacity for materials such as scrap paper, glass, textiles, and scrap metals. Transboundary movements of these materials are not limited under this proposal.

### **Existing International Agreements**

The U.S. has two bilateral agreements for transboundary movements of hazardous wastes: one with Mexico and one with Canada, which are both parties to the Basel Convention. Because of the U.S. knowledge of their programs and due to their proximity, the U.S. recognizes that exports to Canada for treatment, disposal, and recycling, and exports to Mexico for recycling, are environmentally sound.

In addition, the U.S. also has a multilateral agreement with OECD members on movements for recycling within the OECD. The Administration's principles summarized above would allow for continued trade of covered wastes under the Canadian and Mexican agreements. Trade of covered wastes could continue under the OECD agreement for five years after legislation is passed.

### **Conclusion**

These principles represent another step toward stronger U.S. management of its hazardous and solid wastes. They assure that U.S. environmental problems will not be transferred to other countries by

providing EPA with the future authority to halt the export of U.S. toxic waste to developing countries. In 1992, 5,500 tons of such waste was exported from the United States to 29 developing nations.

### **For More Information**

For additional information or to order a copy of the *Federal Register* notice, contact the RCRA Hotline, Monday-Friday, 8:30 a.m. to 7:30 p.m. EST. The national, toll-free number is (800) 424-9346; TDD (800) 553-7672 (hearing impaired); in Washington, D.C., the number is (703) 920-9810, TDD (703) 486-3323.

Copies of documents relevant to this action may be obtained by writing: RCRA Information Center (RIC), U.S. Environmental Protection Agency, Office of Solid Waste (OS-305), 401 M Street SW, Washington, D.C. 20460.

**Parties to the Basel Convention**  
**As of 2/22/94**

Antigua & Barbuda	Latvia
Argentina	Liechtenstein
Australia	Luxembourg
Austria	Malaysia
Bahamas	Maldives
Bahrain	Mauritius
Bangladesh	Mexico
Brazil	Monaco
Canada	Netherlands
Chile	Nigeria
China	Norway
Cyprus	Panama
Czech Republic	Philippines
Denmark	Poland
Egypt	Portugal
El Salvador	Romania
Ecuador	Suadi Arabia
Estonia	Senegal
European Union	Seychelles
Finland	Slovakia
France	Slovenia
Hungary	Spain
India	Sri Lanka
Indonesia	Sweden
Iran	Switzerland
Ireland	Syria
Italy	Tanzania
Japan	United Arab Emirates
Jordan	United Kingdom
Kuwait	Uruguay