

Office of Solid Waste



Environmental Fact Sheet

EPA Implements the OECD Decision On Transfrontier Movements of Recyclable Wastes

The OECD Decision ensures that the recovery of materials from wastes can continue in an international economy and that the shipments will be managed in an efficient and environmentally sound manner.

Background

The Organization for Economic Cooperation and Development (OECD) was chartered to assist member countries in achieving high economic growth, employment, and a rising standard of living, while ensuring that human health and the environment are protected. Presently there are 25 member countries of the OECD.

In 1981, the Waste Management Policy Group (WMPG) of the OECD began to prepare guidelines to control the transboundary movement of hazardous waste. Because some member countries had existing legislation controlling such movement, the primary mission of the guidelines was to work toward harmonization of controls among member countries.

Much of the OECD's early work was adopted by the United Nations Environment Programme (UNEP), including lists identifying wastes to be covered by an international agreement controlling transfrontier waste movements, and incorporated into the Basel Convention on the Control of Transboundary Movement of Hazardous Waste and their Disposal.

Following completion of the Basel Convention and a 1991 OECD Council Decision on wastes, the WMPG started work on streamlining notice and consent requirements for the transfrontier movement of wastes destined for recovery between member countries of the OECD. On March 30, 1992, the OECD adopted the WMPG's decision document on these requirements.

The United States, a member of OECD, supported the Decision; therefore the Decision is legally binding on the United States Government. This rule codifies the requirements of the OECD Decision as it will be implemented by the United States.

Action

The OECD Decision establishes a graduated control system for the transfrontier movements of wastes destined for recovery operations. The Decision identifies an extensive array of wastes which are subject to different procedural controls depending on their placement on one of three lists—green, amber or red. Green-list wastes require no more controls beyond those typically imposed on normal international commercial shipments. Amber-list wastes, which are considered hazardous, may be shipped for recovery under one of three arrangements: (1) movement pursuant to a shipment-by-shipment written notification to the OECD importing country and transit countries (if any) by the notifier or his government, and written or tacit consent from each of those countries; (2) movement pursuant to a general notification and written or tacit consent from all importing and transit countries (if any); or (3) movement to a facility pre-approved by the importing country's government to accept that waste type, which requires only prior written notification for each shipment to importing and transit countries. In all cases, the waste must be accompanied by a tracking document and shipped under a legally binding contract or chain of contracts (or equivalent arrangements if the notifier and the receiving facility are part of the same corporate or legal entity). Red-list wastes are handled in the same manner as amber-list wastes except that prior written consent from importing and transit countries is always required and no facilities are pre-approved to accept red-list wastes.

Exports and imports of hazardous wastes within the OECD for purposes other than recycling continue to be subject to the current RCRA export and import regulations. Additionally, all exports and imports of hazardous waste to and from Canada and Mexico (which are OECD countries) will remain subject to current U.S./Canadian and U.S./Mexican bilateral agreements and current RCRA export and import regulations.

For More Information

The *Federal Register* notice and this fact sheet are available in electronic format on the Internet System through the EPA Public Access Server. For additional information or to order paper copies of the *Federal Register* notice, call the RCRA Hotline. Callers within the Washington Metropolitan Area must dial 703-412-9810 or TDD 703-412-3323 (hearing impaired). Long-distance callers may call 1-800-424-9346 or TDD 1-800-553-7672. The RCRA Hotline is open Monday-Friday, 9:00 a.m. to 6:00 p.m., Eastern Standard Time. Write to the RCRA Information Center (5305W), US EPA, 401 M Street, SW, Washington, DC 20460.