

## In-depth review of the Protocol on POPs

*This note is the revision of Note IC4/09 (14 March 2009), which was circulated and discussed at the 23 meeting of the Committee. The present note includes the changes made in the light of that discussion, the e-mail discussion shortly after the meeting and officially reported emission data (from the 2009 reporting round), which are available since June 29th, from WebDab on the CEIP site. The new data set contains the 2007 emissions and re-calculated emissions from the reference year and the years 2003 – 2006. The new data resulted in particular in complete revision of Table 6 and changes in the sections VI and X and in the conclusions of section XII. As discussed in London two tables are prepared for that last section, to summarize the results of the IDR, for emission related obligations respectively technology and strategy related obligations.*

***Text which is new compared with Note IC4/09, is presented in italics (narrative part) or underlined (tables), except (to avoid illegibility) for the numbers in Table 6, where apart from the added 2007 emission data, almost 40% of the emission data for previous years has been changed.***

***When words or paragraphs, in the old or the new text of the narrative part, are placed between square brackets, they either***

- ***reflect preliminary data (e.g. enumeration of Parties),***
- ***are not meant to be included in the final report (e.g. reference to tables or clarifying remarks for information of the Committee), or***
- ***deal with issues that are not yet discussed by the Committee.***

### Introduction to the original note IC8/08

This note presents information to the Committee for the in-depth review of the Protocol on POPs, derived from the responses of the Parties to the 2008 Questionnaire on Strategies and Policies.

The in-depth review involves an assessment of the obligations, identified for priority review in Note IC4/08/rev.1.

The following tables are prepared for the Committee to evaluate compliance by the Parties. They will not be part of the reporting on the in-depth review to the Executive Body.

In the second column the responses to the selected questions are shown. In most cases the complete text of the answer is given, sometimes a summary is made. The column 'Comments' starts with reference to the [results of the first in-depth](#) review by the Committee of the Protocol on POPs in 2005, as presented in its 8<sup>th</sup> Report (EB.AIR/2005/6/Add.2), followed by comments on the 2008 reply. In the reference to the first IDR the letter *c.* is used for 'In compliance', *n.c.* for 'In non-compliance', *n.e.p.* for 'no evaluation possible' in case of unclear or missing answers (where relevant followed by '*no reply*') and '*no assessment*' to indicate that the Protocol came into force for a Party after the reporting deadline (31 March 2004) for the 2004 Questionnaire, which was used by the Committee to prepare the 2005 review, or to indicate that, at that time, a specific obligation was not yet compulsory for a Party. Finally, the indication '*voluntarily implemented*' is used if a Party already complies with an obligation that was not yet in force at the time of the review.

If a Party's response to the 2008 Questionnaire differs from the response given to the 2004 Questionnaire, [the 2004 answer is indicated](#) in the table only to highlight specific uncertainties or in a situation where it would have resulted in a more positive assessment for that Party. In that case, instead of a conclusion purely based on the 2008 comments, the information from the 2005 IDR is also taken into account.

Subsequently, the conclusion in the last column is presented between square brackets.

In general 'In compliance' (or 'In non-compliance') in that last column represents the situation both at the time the obligation came into force for that Party and at the time of the present review, unless indicated otherwise in the column 'Comments'.

## **IN-DEPTH REVIEW OF COMPLIANCE BY PARTIES WITH THEIR OBLIGATIONS UNDER THE PROTOCOL ON POPs**

1. As requested by the Executive Body in its 2008 workplan (ECE/EB.AIR/91/Add.2, Part Three, item 1.2) and its 2009 workplan (ECE/EB.AIR/96/Add.2), the Implementation Committee has started and completed its in-depth review of compliance by the Parties with the 1998 Protocol on POPs, including their national emission obligations. For this purpose, it used as a basis the emission data reported by Parties to EMEP in the 2009 reporting round, and the responses to the questionnaire for the 2008 Review on Strategies and Policies<sup>1</sup>. The Committee limited its review to the obligations it had identified for priority review (ECE/EB.AIR/2008/3, para. 88). The reporting obligations of Parties under article 9 are dealt with separately in chapter [] above.

2. Being confronted with inconsistencies and with incomplete, unclear or less relevant responses to the 2008 Questionnaire by a number of Parties, the Committee, after its 22nd meeting in 2008, requested the secretariat to ask Parties whose answers were not sufficient to make an assessment, to submit additional information. Requests for such information were sent prior to the 23<sup>rd</sup> meeting in 2009 to seventeen Parties. The Committee considered the information received at *that meeting*.

3. In conducting its work, the Committee was mindful of the fact that the purpose of its in-depth review was to assess the general “state of health” of the Protocol in question rather than to determine whether particular Parties were or were not in compliance with their obligations.

4. The Committee assessed the replies to the 2008 Questionnaire by the 29 Parties, for all of which the Protocol was in force as at 31<sup>st</sup> March 2009 (the date by which this questionnaire had to be completed). In its assessment the Committee also took account of its considerations and conclusions from the 2005 in-depth review of the Protocol (ECE/EB.AIR/2005/3/Add.2, Chap.III para.1-33).

This approach ensures that a Party’s responses to the 2005 questionnaire along with the previous considerations and conclusions of the Committee in respect of that Party’s compliance are taken into account in the context of the current questionnaire. As a result, it is possible that the Committee could reach a different conclusion, for example in respect of two Parties that provide the same or similar responses to the same question under 2008 questionnaire because one Party may have provided more detailed information in response to the 2005 questionnaire. This could be particularly relevant when distinguishing between instances of ‘in compliance’ and ‘no evaluation possible’.

5. Therefore the Committee could only assess the status of compliance of Parties as at 31<sup>st</sup> March 2008 (the date by which this questionnaire had to be completed). The Committee did not assess historical compliance as part of this review.

6. As a basis for its assessment of compliance the Implementation Committee in general used information on national legislation as reported by the Parties. During its 22<sup>nd</sup> session it

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<sup>1</sup> The Protocol was, at the date this questionnaire had to be completed, in force for all 29 Parties, for all obligations for priority review, except for the obligation to develop strategies, policies and programmes for Croatia, which came into force 5 June 2008.

discussed certain consequences for Parties being EU Member States, of the special character of one category of Community legal instruments, i.e. the Regulation. It recognized that a EU Regulation is directly applicable in all EU Member States, which means that it creates law which takes immediate effect in the Member States in the same way as a national instrument, without any further action on the part of the national authorities. As a consequence Parties, which are EU Member States, will not necessarily establish specific national legislation to comply with a specific obligation under the Protocol in those cases where such obligation is covered by a Regulation, which is in force at Community level.

7. The Committee is not aware of any exemption granted under an EC Regulation to an EU Member State that is a Party to the Protocol and that is relevant to this In-depth Review in the sense of paragraph 6 above. Therefore the Committee is of the opinion that when it concludes, purely on the basis of the description of an EC Regulation given by a Party that is an EU Member State, that this Party appears to comply with a specific obligation, such conclusion is equally valid in respect of the European Community and for all other Parties that are EU Member States, irrespective of the content of their individual reporting. The consequences of this line of reasoning are reflected in sections I – V below.

8. With regard to compliance with the reporting obligation under article 9.1(a) of the Protocol however, the considerations presented in the two previous paragraphs are not relevant. For all Parties assessment of compliance with this obligation depends entirely on the information provided by the Party itself. If a question in the Questionnaire is not answered then the Party concerned is considered, in that respect, not to have complied with its reporting obligation.

9. The Committee considered evaluation of an answer not possible due to lack of information if a Party, in reply to a question concerning (new) sources within a specific source category for which an obligation is in force under the Protocol, only referred to the absence in its country of any such (new) source. This is the approach taken in respect of the previous in-depth review, and was also in line with the Guidance for completing the 2008 Questionnaire (ECE/EB.AIR/2007/4) which was part of the Questionnaire as approved by the Executive Body at its 25<sup>th</sup> session (ECE/EB.AIR/91, paragraph 82) as being the uniform reporting framework referred to in article 9.2 of the Protocol.

10. the Committee was unable to review whether the European Community, Latvia, Liechtenstein, Luxembourg and the Republic of Moldova) had complied with their obligations because either they did not respond to the questions concerning the Protocol on POPs, or their responses were received too late to be taken into account.

#### **I. Compliance with article 3.1(a) [see Table 1]**

11. Article 3.1(a), of the Protocol requires Parties, except where specifically exempted in accordance with article 4, to eliminate the production and use of the substances listed in annex I in accordance with the implementation requirements specified therein.

12. The secretariat did not receive any information concerning an exemption as specified in article 4.3.

13. So far, no Party has made a statement upon signature, ratification, acceptance, approval or accession concerning further use or production as described in the column 'Conditions' of Annex I to the Protocol.

14. The Committee concluded from the responses to the 2008 questionnaire on strategies and policies, in particular the responses to question 19, as well as from additional written information received from the Parties *and after taking into account the considerations given in paragraphs 15 and 16 below*, that 27 of the 29 Parties: Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Hungary, Iceland, Italy, Latvia, Lithuania, Luxembourg, the Netherlands, Norway, Romania, Slovakia, Slovenia, Sweden, Switzerland, the United Kingdom and the European Community, appeared to be in compliance with this obligation.

15. Five of the Parties (Latvia, Liechtenstein, Luxembourg, the Republic of Moldova and the European Community) did not respond, and thus failed to comply with their reporting obligations under article 9.1(a). As a consequence, the Committee was unable to evaluate whether Liechtenstein and the Republic of Moldova had complied with their obligation under article 3.1(a), for the three other Parties however, the Committee could determine compliance by virtue of the reasoning presented in paragraph 7 above.

16. Two of the Parties (Bulgaria and France) submitted a reply, which was either incomplete or unclear. For these Parties however, the Committee was able to determine their compliance with the obligation under article 3.1(a), by virtue of the reasoning presented in paragraph 7 above.

## **II. Compliance with article 3.1(b)(i) [see Table 2]**

17. Article 3.1(b)(i) requires Parties to take effective measures to ensure that, when the substances listed in annex I are destroyed or disposed of, such destruction or disposal is undertaken in an environmentally sound manner, taking into account relevant international regimes governing the management of hazardous waste, and in particular the Basel Convention.

18. The Committee concluded from the responses to the 2008 questionnaire on strategies and policies, in particular the responses to question 20, as well as from additional written information received from the Parties *and after taking into account the considerations given in paragraphs 19 and 20 below*, that 26 of the 29 Parties appeared to be in compliance with this obligation: Austria, Belgium, Bulgaria, Canada, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Hungary, Iceland, Italy, Latvia, Lithuania, Luxembourg, the Netherlands, Norway, Romania, Slovakia, Slovenia, Sweden, Switzerland, the United Kingdom and the European Community.

One other Party (Croatia) appeared not to have complied with the obligation to take effective measures to ensure that, when the substances listed in annex I are destroyed or disposed of, such destruction or disposal is undertaken in an environmentally sound manner, taking into account relevant international regimes governing the management of hazardous waste, and in particular the Basel Convention.

19. Six of the Parties (Hungary, Latvia, Liechtenstein, Luxembourg, the Republic of Moldova and the European Community) did not respond, and thus failed to comply with their reporting obligations under article 9.1(a). As a consequence, the Committee was unable to evaluate whether Liechtenstein and the Republic of Moldova had complied with their obligation under article 3.1(b)(i), for the four other Parties however, the Committee could determine compliance by virtue of the reasoning presented in paragraph 7 above.

20. 10 of the Parties (Cyprus, Czech Republic, Denmark, France, Germany, Italy, Lithuania, Romania, Slovakia and the United Kingdom) submitted a reply which was either incomplete or unclear. For all these Parties however, the Committee was able to determine their compliance with the obligation under article 3.1(b)(i), by virtue of the reasoning presented in paragraph 7 above.

### **III. Compliance with article 3.1(b)(iii) [see Table 3]**

21. Article 3.1(b)(iii) requires Parties to take effective measures to ensure that the transboundary movement of the substances listed in annex I is conducted in an environmentally sound manner, taking into consideration applicable international regimes governing the management of hazardous waste, and in particular the Basel Convention.

22. The Committee concluded from the responses to the 2008 questionnaire on strategies and policies, in particular the responses to question 21 *and after taking into account the considerations given in paragraphs 23 and 24*, that 27 of the 29 Parties appeared to be in compliance with this obligation: Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Hungary, Iceland, Italy, Latvia, Lithuania, Luxembourg, the Netherlands, Norway, Romania, Slovakia, Slovenia, Sweden, Switzerland, the United Kingdom and the European Community.

23. Six of the Parties (Hungary, Latvia, Liechtenstein, Luxembourg, the Republic of Moldova and the European Community) did not respond and thus failed to comply with their reporting obligations under article 9.1(a). As a consequence, the Committee was unable to evaluate whether Liechtenstein and the Republic of Moldova had complied with their obligations under article 3.1(b)(iii), for the four other Parties however, the Committee could determine compliance by virtue of the reasoning presented in paragraph 7 above.

24. One of the Parties (Denmark) submitted a reply which was unclear. For this Party however, the Committee was able to determine compliance with the obligation under article 3.1(b)(iii) by virtue of the reasoning presented in paragraph 7 above.

### **IV. Compliance with article 3.1(c) [see Table 4]**

25. Article 3.1(c) requires Parties, *except where specifically exempted in accordance with article 4*, to take effective measures to restrict the substances listed in annex II to the uses described, in accordance with the implementation requirements specified therein.

26. The secretariat did not receive any information concerning an exemption as specified in article 4.3.

27. The Committee concluded from the responses to the 2008 questionnaire on strategies and policies, in particular the responses to question 22, as well as from additional written information received from Parties *and after taking into account the considerations given in paragraphs 28 and 29*, that 26 of the 29 Parties appeared to be in compliance with this obligation: Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Hungary, Italy, Latvia, Lithuania, Luxembourg, the Netherlands, Norway, Romania, Slovakia, Slovenia, Sweden, Switzerland, the United Kingdom and the European Community.

One other Party (Iceland) appeared not to have complied with the obligation to restrict use of the substances listed in annex II in accordance with the implementation requirements specified therein.

28. Five of the Parties (Latvia, Liechtenstein, Luxembourg, the Republic of Moldova and the European Community) did not respond and thus failed to comply with their reporting obligations under article 9.1(a). As a consequence, the Committee was unable to evaluate whether Liechtenstein and the Republic of Moldova had complied with their obligation under article 3.1(c), for the three other Parties however, the Committee could determine compliance by virtue of the reasoning presented in paragraph 7 above.

29. Seven of the Parties (France, Hungary, Italy, Lithuania, the Netherlands, Slovakia and Sweden) submitted a reply which was either incomplete or less relevant. For all these Parties however, the Committee was able to determine their compliance with the obligation under article 3.1(c), by virtue of the reasoning presented in paragraph 7 above.

#### V. Compliance with article 3.3 [see Table 5]

30. Article 3.3 requires Parties, for the substances listed in annexes I, II and III, to develop appropriate strategies for identifying articles still in use and wastes containing such substances, and to take appropriate measures to ensure that when such wastes and articles, upon becoming wastes, are destroyed or disposed of in an environmentally sound manner.

31. The Committee concluded from the responses to the 2008 questionnaire on strategies and policies, in particular the responses to question 25, as well as from additional written information received from Parties *and after taking into account the considerations given paragraphs 32 and 33 below*, that 26 of the 29 Parties appeared to be in compliance with this obligation: Austria, Belgium, Bulgaria, Canada, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Hungary, Iceland, Italy, Latvia, Lithuania, Luxembourg, the Netherlands, Norway, Romania, Slovakia, Slovenia, Sweden, Switzerland, the United Kingdom and the European Community.

32. Five of the Parties (Latvia, Liechtenstein, Luxembourg, the Republic of Moldova and the European Community) did not respond and thus failed to comply with their reporting obligations under article 9.1(a). As a consequence, the Committee was unable to evaluate whether Liechtenstein and the Republic of Moldova had complied with their obligation under article 3.3, for the three other Parties however, the Committee could determine compliance by virtue of the reasoning presented in paragraph 7 above.

33. Thirteen of the Parties (Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, France, Germany, Hungary, Italy, Lithuania, Slovakia and Slovenia) submitted a reply which was either incomplete unclear. As a consequence, the Committee was unable to determine whether Croatia had complied with its obligation under article 3.3, for the 12 other Parties however, the Committee could determine compliance by virtue of the reasoning presented in paragraph 7 above.

#### VI. Compliance with article 3.5(a) [see Table 6]

34. Article 3.5(a) requires Parties to reduce their annual emissions of the substances listed in annex III from the level of emissions in a reference year set in accordance with that annex by taking effective measures, appropriate in their particular circumstances.

35. The Committee concluded that officially submitted emission data showed that 12 of the 29 Parties to the 1998 Protocol on POP met their emission reduction obligations in 2007 for all three substances listed in annex III: Austria, Bulgaria, Canada, Croatia, France, Hungary, Lithuania, Netherlands, Slovakia, Slovenia, Switzerland and United Kingdom. [This can be seen from Table 6, which presents the emission data for the reference year for each Party and their reported emission data for 2003 to 2007.]

Further it is shown that one Party (Latvia) has an increase of emissions for all three substances and 9 other Parties (Belgium, *Cyprus*, Denmark, *Estonia*, Finland, Germany, Italy, Norway and Sweden) increased their emissions of at least one of the substances listed in annex III. Iceland's increase of PAH emissions, *insofar as reported*, is covered by the provisions of article 3.7 (EB Decision 2006/9). None of the other Parties provided explicit information on application of BAT in accordance with article 3.5(b), with the purpose to show that for them the exemption of article 3.7 does apply also. Therefore these Parties appeared to be not in compliance with their obligation under article 3.5(a). Details of reporting on each substance are described in paragraphs 37-39.

36. The following 8 Parties did not provide complete data for either the base year or *the latest reporting year* for one or more of the substances listed in Annex III or provided conflicting information, and the Committee was therefore not in a position to assess their compliance with the obligation under article 3.5(a), for at least one of the substances: Czech Republic, Iceland, Liechtenstein, Luxembourg, Norway, *Rep. of Moldova*, Romania and European Community. [*Two of these Parties, Luxembourg and European Community, when reporting emissions for the base year as well as the years 2003-2007, used the reporting key 'NR', indicating 'not relevant' and according to the explanation provided in annex I of the 2009 Emission Reporting Guidelines (ECE/EB.AIR/97) introduced in the guidelines '... to ease the reporting where emissions are not strictly required by the different protocols, ...'*] Details of reporting on each substance are described in paras. 37-39.

37. **Total polycyclic aromatic hydrocarbons (PAHs):** In addition to the 12 Parties listed in para. 35, 6 other Parties achieved their emission reduction obligation with regard to PAHs: *Belgium*, Czech Republic, *Estonia*, Finland, Germany and Norway. Apart from Latvia, mentioned in para. 35, 4 other Parties increased their PAHs emissions: *Cyprus*, Denmark, Italy and Sweden. Six other Parties failed to submit emission data for PAHs for (part of) the years 2003 – 2007 and/or for the reference year: *Iceland*, Liechtenstein, Luxembourg, *Rep. of Moldova*, Romania and European Community. [For one Party (Netherlands) base year emissions seem extremely high (see 'specific comments' to table 6).]

38. ***Dioxins/Furans.*** In addition to the 12 Parties mentioned in para. 35, 10 other Parties achieved their emission reduction obligation for dioxins/furans: Belgium, *Cyprus*, Czech Republic, Denmark, *Estonia*, Finland, Germany, Italy, *Norway* and Sweden. No Parties other than Latvia mentioned in para. 35, increased emissions of dioxins/furans. Six Parties failed to submit dioxin/furan data for (part of) the years 2003 – 2007 and/or for the reference year: *Iceland*, Liechtenstein, Luxembourg, *Rep. of Moldova*, Romania and European Community.

39. ***Hexachlorobenzene (HCB).*** Apart from the 12 Parties mentioned in para. 35, 3 other Parties achieved the emission reduction obligation for HCB: *Cyprus*, Italy and Sweden. In addition to Latvia, mentioned in para. 35, 5 other Parties increased their emissions of HCB: Belgium, *Denmark*, *Estonia*, Finland and Germany. Eight Parties failed to submit HCB data for (part of) the years 2003 – 2007 and/or for the reference year, or provided conflicting information: Czech Republic, *Iceland*, Liechtenstein, Luxembourg, *Norway*, *Rep. of Moldova*, Romania and European Community.

[Further it is noted that for a number of Parties (Czech Republic, France, *Rep. of Moldova* and Slovenia) the HCB emissions show rather erratic developments over the years (see ‘specific comments’ to table 6).]

#### VII. **Compliance with article 3.5(b)(i)** [see Table 7]

40. Article 3.5(b)(i) requires Parties, no later than the timescales specified in annex VI, to apply, taking into account annex V, BATs to each new stationary source within a major stationary source category for which annex V identifies BATs. The timescale specified in annex VI is two years after the date of entry into force of the Protocol (23 October 2003).

41. The Committee concluded from the responses to the 2008 questionnaire on strategies and policies, in particular the responses to question 26, as well as from additional written information received from Parties, that 18 of the 29 Parties appeared to be in compliance with this obligation: Austria, Bulgaria, Canada, *Cyprus*, Czech Republic, Denmark, *Estonia*, Finland, Germany, *Iceland*, Lithuania, the Netherlands, *Norway*, Romania, Slovenia, Sweden, Switzerland and the United Kingdom. The source category ‘wood preservation installations’ was only explicitly dealt with in the replies to Q26 by Austria, Canada, the Netherlands and Romania.

42. Five of the Parties (*Latvia*, Liechtenstein, Luxembourg, Republic of *Moldova* and the European Community) did not respond. Due to the failure of these Parties to comply with their reporting obligations under article 9.1(a), the Committee was unable to evaluate whether they had complied with their obligations under article 3.5(b)(i).

43. Six of the Parties submitted a reply which was either incomplete or unclear and therefore the Committee was unable to determine their compliance with the obligation under article 3.5(b)(i): Belgium, Croatia, France, Hungary, Italy and Slovakia.

#### VIII. **Compliance with article 3.5(b)(ii)** [see Table 8]

44. Article 3.5(b)(ii) requires Parties, no later than the timescales specified in annex VI, to apply, taking into account annex V, limit values at least as stringent as those specified in annex

IV to each new stationary source within a category mentioned in that annex. A Party may, as an alternative, apply different emission reduction strategies that achieve equivalent overall emission levels. The timescale specified in annex VI is two years after the date of entry into force of the Protocol.

45. The Committee concluded from the responses to the 2008 questionnaire on strategies and policies, in particular the responses to question 27, as well as from additional written information received from Parties, that 24 of the 29 Parties appeared to be in compliance with this obligation: Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Hungary, Iceland, Italy, Lithuania, the Netherlands, Norway, Romania, Slovakia, Slovenia, Sweden, Switzerland and the United Kingdom.

46. Five of the Parties (Latvia, Liechtenstein, Luxembourg, Republic of Moldova and the European Community) did not respond. Due to the failure of these Parties to comply with their reporting obligations under article 9.1(a), the Committee was unable to evaluate whether they had complied with their obligation under article 3.5(b)(ii).

#### **IX. Compliance with article 3.5(b)(v)** [see Table 9]

47. Article 3.5(b)(v) requires Parties, no later than the timescales specified in annex VI, to apply effective measures to control emissions from mobile sources, taking into consideration annex VII.

48. The Committee concluded in its Eighth Report (2005), with respect to the in-depth review of compliance by Parties with the Protocol on POPs (EB.AIR/2005/3/Add.2, Chap. III, para. 25) that, solely for the purpose of its current evaluation, it took the approach that subparagraph (v) of article 3.5(b) is effective upon the date of entry into force of the Protocol. The Committee adopted the same approach in respect of the current review.

49. The Committee concluded from the responses to the 2008 questionnaire on strategies and policies, in particular the responses to question 30, as well as from additional written information received from the Parties, that 22 of the 29 Parties appeared to be in compliance with this obligation: Austria, Belgium, Bulgaria, Canada, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Hungary, Italy, Lithuania, the Netherlands, Norway, Romania, Slovakia, Slovenia, Sweden, Switzerland and the United Kingdom. *While* doing so, the Committee was aware of the fact that the table, contained in question 30, placed emphasis on limit values.

50. Five of the Parties (Latvia, Liechtenstein, Luxembourg, Republic of Moldova and the European Community) did not respond. Due to their failure to comply with their reporting obligations under article 9.1(a), the Committee was unable to evaluate whether they had complied with their obligation under article 3.5(b)(v).

51. Two of the Parties submitted a reply that was either incomplete or unclear and therefore the Committee was unable to determine their compliance with the obligation under article 3.5(b)(v): Croatia and Iceland.

#### **X. Compliance with article 3.8** [see Tables 6 and 10]

52. Article 3.8 requires Parties to develop and maintain emission inventories for the substances listed in annex III, and to collect available information relating to the production and sales of the substances listed in annexes I and II, for those Parties within the geographical scope of EMEP, using, as a minimum, the methodology and the spatial and temporal resolution specified by the Steering Body of EMEP, and, for those Parties, outside the geographical scope of EMEP, using as guidance the methodologies developed through the work plan of the Executive Body. Parties are also required to report this information in accordance with the reporting requirements set out in article 9.

53. The Committee observed that question 31 of the 2008 questionnaire only relates to information pertaining to production and sales of substances listed in annexes I and II and not to emission inventories for substances listed in annex III. The obligation on maintaining emission inventories is linked to the reporting of data and the emission reduction obligation under article 3.5(a) (section VI above). The Committee concluded, from the officially submitted emission data in 2009 for the reference year and the years 2003 till 2007, that 20 of the 28 Parties within the geographic scope of EMEP had developed and maintain emission inventories for these three substances. Two other Parties, Iceland and Norway, indicated in their reports that HCB emissions were not estimated (NE). *In the case of 2 other Parties, Luxembourg and European Community, 'NR' (not relevant) is indicated in EMEP reporting for all three substances.* In addition, 4 other Parties (*Czech Republic, Liechtenstein, Rep. of Moldova and Romania*) did not provide emission data or reported incomplete time series. As a consequence the Committee was unable to conclude for those 8 Parties whether or not emission inventories have been developed and maintained. The Party outside the geographic scope of EMEP also provided emission data on the three substances listed in annex III.

54. The Committee concluded, from the responses to the 2008 questionnaire on strategies and policies, in particular the responses to question 31, and from additional written information received from the Parties, that 22 of the 29 Parties provided information relating to production and sales of annex I and annex II substances: Austria, *Belgium*, Bulgaria, Canada, Cyprus, Czech Republic, Denmark, Estonia, Finland, Germany, Hungary, Iceland, Italy, Lithuania, the Netherlands, Norway, Romania, Slovakia, Slovenia, Sweden, Switzerland and the United Kingdom. All but two replies state the absence of production and sale. Romania reported specific quantities produced and sold, but no date, Switzerland reported possible use, but had no sales indication available. The Committee is aware of a discrepancy between the text of question 31 in the two published versions of the Questionnaire. Unlike the 'Word version' the 'Internet version' does not indicate that the requested available information is about historical data, this discrepancy may have resulted in less complete answers being given.

55. Six of the Parties (France, Latvia, Liechtenstein, Luxembourg, Republic of Moldova and the European Community) did not respond. Due to the failure of these Parties to comply with their reporting obligations under article 9.1(a), the Committee was unable to evaluate whether they had complied with their obligations under article 3.8 for information pertaining to production and sales of substances listed in annexes I and II.

56. *One* of the Parties submitted a reply which was incomplete and therefore the Committee was unable to determine their compliance with the obligation under article 3.8 for information pertaining to production and sales of substances listed in annexes I and II: *Croatia*.

## **XI. Compliance with article 7.1** [see Table 11]

57. Article 7 para. 1 requires Parties, no later than six months after the entry into force of the Protocol, to develop strategies, policies and programmes to discharge its obligations under the Protocol.

58. The Committee concluded from the responses to the 2008 questionnaire on strategies and policies, and in particular the responses to question 18, that 23 of the 28 Parties to which the obligation applied, appeared to be in compliance with this obligation: Austria, Belgium, Bulgaria, Canada, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Hungary, Iceland, Italy, Lithuania, the Netherlands, Norway, Romania, Slovakia, Slovenia, Sweden, Switzerland and the United Kingdom. The obligation came into force for Croatia only on 5 June 2008.

59. Five Parties (Latvia, Liechtenstein, Luxembourg, Republic of Moldova and the European Community) did not respond to the questionnaire. Due to the failure of these Parties to comply with their reporting obligation under article 9.1(a), the Committee was unable to evaluate whether they had complied with their obligations under article 7.1.

## **XII. Conclusions**

60. On the basis of the information reviewed, the Committee concluded that *eight* Parties (Austria, Bulgaria, *Canada*, Lithuania, Netherlands, *Slovenia*, *Switzerland* and United Kingdom) appeared to be in compliance with all obligations reviewed with priority under article 3.1(a), 3.1(b)(i), 3.1(b)(iii), 3.1(c), 3.3, 3.5(a), 3.5(b)(i), 3.5(b)(ii) and (v), 3.8 and article 7.1 of the 1998 Protocol on POP, and *11* Parties (Belgium, Croatia, *Cyprus*, Denmark, *Estonia*, Finland, Germany, Iceland, Italy, Latvia and Sweden) appeared to be in non-compliance with one or, in a few cases, more of these obligations. *For one Party (Croatia) the obligation under article 7.1 came into force only on 5 June 2008.* For 15 Parties, partly identical with the 11 Parties mentioned above it was not possible for the Committee to assess the *full* extent of compliance because no information or only partial information had been submitted. (*see Tables A and B*)

61. Most of the apparent non-compliance (nine of the Parties) is connected with the emission reduction obligation of article 3.5(a). The obligation of article 3.5(b)(i), concerning application of BAT for new stationary sources, results in the largest number of cases (11) where evaluation is not possible due to lack of response to the questionnaire or incomplete or unclear answers. Often Parties only report application of BAT in industrial sources and not in other sources, or fail to indicate how the level of BAT, which is applied in its country relates to BAT as identified in annex III of the Protocol. In general, the Committee is conscious that assessment of compliance with this obligation is to a certain extent precarious, due to the complexity of the annex combined with the indicative character of its contents. The same goes for assessment of compliance with the obligation under article 3.5(b)(v) to apply effective control measures for mobile sources, taking into consideration annex VII.

62. When comparing the present assessment (covering 29 Parties) with the 2005 in-depth review (covering 19 Parties), significant improvements can be observed. The level of probable compliance with obligations related to production, use and waste treatment of annex I and

annex II substances, changed from 68-79% in 2005 to 86-93% in the current review. Reduction of emissions of all three annex III substances has been achieved by 41% of the Parties, by contrast with “only a few Parties” in the 2005 review. An increase in emissions, mostly for one of the substances, indicating possible non-compliance with the reduction obligation, was reported by 34% of the Parties in comparison with 42% in 2005. 62% of the Parties appeared to apply BAT satisfactorily, and 83% of the Parties appeared to apply limit values satisfactorily. In 2005 such application was still voluntary. For mobile sources the level of probable compliance is 76% compared with 79% (from only 19 Parties) in 2005. The score related to strategies, policies and programmes remained the same: approximately 80% of the Parties appeared to be in compliance.

**Table A: Compliance with emission related obligations**

Party	Emission reduction art. 3.5(a)									Inventories art. 3.8
	Total (1-4) PAHs <sup>1</sup> (in Mg/a)			Dioxins/furans (in g TE/a)			Hexachlorobenzene (HCB) (in kg/a)			
	Ref. yr. (1990) <sup>2</sup>	2007	Reduction	Ref. yr. (1990) <sup>2</sup>	2007	Reduction	Ref. yr. (1990) <sup>2</sup>	2007	Reduction	
<b>Austria</b>	26.2	9.8	Yes	188	48.0	Yes	107	46	Yes	C
<b>Belgium</b>	404	230	Yes	592	58.4	Yes	22	96	No	C
<b>Bulgaria</b>	677	19.0	Yes*	554	68.6	Yes*	544	23	Yes*	C
<b>Canada</b>	237	101	Yes	436	74.5	Yes	89	15	Yes	C
<b>Croatia</b>	14.0	7.4	Yes	160	79.0	Yes	NA	NA	Yes	C
<b>Cyprus</b>	0.4	0.5	No	7.56	3.35	Yes	0.16	0.10	Yes	C
<b>Czech Republic</b>	752	16.4	Yes*	1252	172	Yes*	-	3.9		?
<b>Denmark</b>	6.6	17.1	No	66.5	27.8	Yes	1.7	4.0	No	C
<b>Estonia</b>	14.5	13.2	Yes	5.66	4.79	Yes	0.12	0.13	No	C
<b>Finland</b>	17.4	13.3	Yes	41.4	11.8	Yes	40.7	44.4	No	C
<b>France<sup>#</sup></b>	42.4	21.9	Yes	1763	117	Yes	1199	13	Yes	C
<b>Germany</b>	183	132	Yes	114	82.9	Yes	1.6	2.0	No	C
<b>Hungary</b>	48.5	13.5	Yes*	172	85.3	Yes*	6.9	6.7	Yes*	C
<b>Iceland<sup>#</sup></b>	0.05	-	n.a.	11.3	-		NE	-		?
<b>Italy</b>	103	155	No	472	318	Yes	0.02	0.03	Yes	C
<b>Latvia</b>	26.9	32.5	No	7.1	13.3	No	0.27	0.44	No	C
<b>Liechtenstein</b>	-	-		-	-		-	-		?
<b>Lithuania</b>	18.1	14.8	Yes*	20.2	10.9	Yes*	NA	0	Yes*	C
<b>Luxembourg<sup>#</sup></b>	NR	NR		NR	NR		NR	NR		?
<b>Netherlands<sup>#</sup></b>	1546	384	Yes	742	24.8	Yes	0	0	Yes	C
<b>Norway</b>	14.7	13.6	Yes	129	23.5	Yes	NE	NE		?
<b>Rep. of Moldova</b>	16.7	-		13.6	-		1.0	-		?
<b>Romania<sup>#</sup></b>	NE	17.2		NE	216		NE	1.8		?
<b>Slovakia</b>	29.1	18.2	Yes	136	66.3	Yes	2.5	2.3	Yes	C
<b>Slovenia<sup>#</sup></b>	13.4	10.3	Yes	16.5	8.3	Yes	46.6	0.36	Yes	C
<b>Sweden</b>	16.8	19.5	No	59.8	36.5	Yes	0.02	0.01	Yes	C
<b>Switzerland</b>	1.6	0.6	Yes	175	15.4	Yes	0	0	Yes	C
<b>United Kingdom</b>	218	12.0	Yes	1143	190	Yes	3515	812	Yes	C
<b>EC<sup>#</sup></b>	NR	NR		NR	NR		NR	NR		?

**Notes:** <sup>1</sup>PAHs: For the purpose of emission inventories, the following four indicator compounds shall be used: benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene and indeno(1,2,3-cd)pyrene.

<sup>2</sup> The reference year for Austria is 1987, for Estonia 1990 for dioxins and 1995 for PAHs and HCB, for Finland 1994, and for Romania 1989.

\* Where a conclusion is marked with \*, the Emission Reporting Guidelines followed when calculating or re-calculating the base year data differ from those according to which the 2007 data are calculated.

“-”: No data reported; “C”: Appeared to be ‘In compliance’; “?”: No evaluation possible due to insufficient or less relevant information.

NA: “Not Applicable” (notation key from the Emission Reporting Guidelines signifying that emissions are considered by the Party to never occur).

NE: “Not Estimated” (notation key from the Emission Reporting Guidelines signifying that emissions may occur, but have not been estimated in the submission. Parties are requested to give the reason emissions have not been estimated).

NR: “Not relevant” (notation key from the Emission Reporting Guidelines, introduced in the 2009 Guidelines ‘...to ease the reporting where emissions are not strictly required by the different protocols, e.g. for some Parties emissions of NMVOCs prior to 1988.’).

<sup>#</sup>**Specific remarks:** **France:** extremely high HCB emissions in base year; **Iceland:** n.a: in its Decision 2006/9 the EB “notes [...] in particular the Committee’s conclusion that Iceland is in compliance with article 3.5. (a), based on art. 3.7.”; 2007 date are not reported, notwithstanding the emphasis put on Iceland in the 9th IC Report, para. 34, to fulfil its reporting obligation for POP emissions in time; **Luxembourg** and **EC:** the notation key ‘NR’ does not seem to be used properly; **Netherlands:** extremely high PAH emissions in base year; **Romania:** WebDab shows for 1989 (the base year as chosen) ‘NE’ for PAHs, Dioxins/furans and HCB emissions, however, in 2009 Romania reported emission data for 1990: 274 Mg PAHs, 3073 g Dioxins and 99 kg HCB; **Slovenia:** base year emissions for HCB are more than 100 times those of 2003-2007.]

**Table B. Compliance with technology and strategy related obligations identified for priority review.**

Party	Ban on Prod. & use annex I	Destr. & disposal annex I	Transb. movement annex I	Restricted uses annex II	Destr. & disposal wastes	BAT new stationary sources	ELVs new stationary sources	Emission control mobile sources	Information Prod. & Sales	Strategies & Policies
	art. 3.1 (a)	art. 3.1 (b)(i)	art. 3.1 (b)(iii)	art. 3.1 (c)	art. 3.3	art. 3.5 (b)(i)	art. 3.5 (b)(ii)	art. 3.5 (b)(v)	art. 3.8	art. 7.1
Austria	C	C	C	C	C	C	C	C	C	C
Belgium	C	C	C	C	C	?	C	C	C	C
Bulgaria	C	C	C	C	C	C	C	C	C	C
Canada	C	C	C	C	C	C	C	C	C	C
Croatia	C	NC	C	C	?	?	C	?	?	N/a
Cyprus	C	C	C	C	C	C	C	C	C	C
Czech Rep.	C	C	C	C	C	C	C	C	C	C
Denmark	C	C	C	C	C	C	C	C	C	C
Estonia	C	C	C	C	C	C	C	C	C	C
Finland	C	C	C	C	C	C	C	C	C	C
France	C	C	C	C	C	?	C	C	-	C
Germany	C	C	C	C	C	C	C	C	C	C
Hungary	C	C	C	C	C	?	C	C	C	C
Iceland	C	C	C	NC	C	C	C	?	C	C
Italy	C	C	C	C	C	?	C	C	C	C
Latvia	C	C	C	C	C	-	-	-	-	-
Liechtenstein	-	-	-	-	-	-	-	-	-	-
Lithuania	C	C	C	C	C	C	C	C	C	C
Luxembourg	C	C	C	C	C	-	-	-	-	-
Netherlands	C	C	C	C	C	C	C	C	C	C
Norway	C	C	C	C	C	C	C	C	C	C
Rep. Moldova	-	-	-	-	-	-	-	-	-	-
Romania	C	C	C	C	C	C	C	C	C	C
Slovakia	C	C	C	C	C	?	C	C	C	C
Slovenia	C	C	C	C	C	C	C	C	C	C
Sweden	C	C	C	C	C	C	C	C	C	C
Switzerland	C	C	C	C	C	C	C	C	C	C
United Kingdom	C	C	C	C	C	C	C	C	C	C
EC	C	C	C	C	C	-	-	-	-	-
No. of Parties in compliance	27	26	27	26	26	18	24	22	22	23
Share Parties in compliance	93%	90%	93%	90%	90%	62%	83%	76%	76%	82%

**Notes:** “C”: Appeared to be ‘In compliance’ (where relevant, implementation through directly applicable EU Regulations, which however do not relieve of the reporting obligation under art. 9.1(a), is included); “NC”: Appeared to be ‘In non-compliance’.

“-”: No evaluation possible (no response to the question concerned); “?”: No evaluation possible due to insufficient information (incomplete, unclear or less relevant reply to the question concerned); “N/a”: Not applicable.

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**Table 1: Compliance with article 3.1. (a)**, (associated provisions: art. 3.4, 4.1, 4.2)

“Each Party shall take effective measures to eliminate the production and use of substances listed in annex I in accordance with the implementation requirements specified therein

Substance	Elimination of	Implementation requirements / conditions still relevant on 31-12-07
Aldrin	Production	None
	Use	None
Chlordane	Production	None
	Use	None
Chlordecone	Production	None
	Use	None
DDT	Production	Within one year of consensus by the Parties that suitable alternatives are available
	Use	Except for uses identified in Annex II (public health protection from diseases as malaria encephalitis as component of an integrated pest management strategy or as chemical intermediate to produce Dicofol)
Dieldrin	Production	None
	Use	None
Endrin	Production	None
	Use	None

Substance	Elimination of	Implementation requirements / conditions still relevant on 31-12-07
Heptachlor	Production	None
	Use	Except for use by certified personnel for the control of fire ants in closed industrial electric junction boxes
Hexabromobiphenyl	Production	None
	Use	None
Hexachlorobenzene*	Production	None
	Use	None
Mirex	Production	None
	Use	None
PCBs	Production	None
	Use	Except for uses identified in Annex II (conditional use of PCBs already in use as of 23-10-2003 or produced up to 31-12-2005)
Toxaphene	Production	None
	Use	None

\*Note: hexachlorobenzene unintentionally produced in thermal processes is dealt with under art. 3.5(a).

Question 19: With reference to article 3, paragraph 1 (a), please provide details of the measures taken by your country to eliminate the production and use of substances listed in annex I to the Protocol. Please complete the table [...].

Party	Response to Q. 19	Comments	Conclusion
<b>Austria</b>	<p>“Production and use of most substances as plant protection agents have been prohibited by national law since the early 1990ies. Regulation (EC) 850/2004 stipulates ban of production, placing on the market and use for all relevant substances.”.</p> <p>Production and use of substances #1 – 12 are banned according to Regulation 2004/850/EC, with an exception for #11 where products which are already in use may be used further.</p>	<p><i>2005 IDR: c. (Based on information indicating that production and all uses of all annex I substances was prohibited).</i></p> <p><i>Reference is made to some aspects of use and production before 2004 and to the relevant EC Regulation, which is binding in its entirety and directly applicable in all member states and covers production and use of all annex I substances.</i></p>	In compliance
<b>Belgium</b>	<p>“The obligations on elimination of production and use referred to in article 1(a) and annex I of the protocol are (mainly) regulated on federal level in Belgium. Table below shows which regulations (Royal decrees) have been adopted by the Federal Government to prohibit the use of the substances listed in annex I. Bans on the production of the substances listed in annex I however have</p>	<p><i>It is stated that production of annex I substances is ‘de facto’ banned, as they can not be used in Belgium and export is subject to a license, which will not be granted. Use of the substances is either prohibited, finished or did never occur.</i></p>	In compliance

Party	Response to Q. 19	Comments	Conclusion
	<p>not been specifically imposed in Belgium. Due to the fact that these substances can not be used on the domestic market (see table below) and due to the fact that export of these substances need to be applied for and approved by the Federal Government and that such export licences are not granted, it can be concluded that it is in fact prohibited to produce the substances listed in annex I in Belgium.”. The table provides an overview of measures with regard to use of annex I substances. Reference is made to the relevant federal legislation. Substances #1, 2, 4, 5 and 11 are banned , both for agricultural and non-agricultural use (since 1976, 1981/1988, 1974 /1976 or 1986). Substance #3 was never on the market for agricultural use and banned for other use (1997). Substances #6, 7, 9 and 12 were either never acknowledged or banned (1976 or 1974) for agricultural use and never on the market for other use. Substance #8 is no longer produced or sold (2004) and #10 is never brought on the market for agricultural or non-agricultural use.</p>	<p><i>Although theoretical substances for which use is not explicitly banned, could be taken into production for domestic use, the ‘de facto’ prohibition to manufacture annex I substances, seems all right.</i></p>	
<p><b>Bulgaria</b></p>	<p>For production of substances #1-7, 9, 10 and 12 is stated: “has never been produced”; for #11 is stated: “no production”. The use of substances #1, 4 – 8, 11 and 12 is banned (between 1969 and 2002). Use of substances #2, 9 and 10 is covered by “no import” in addition to the statement about the production. With respect to production of #8 and use of #3 and 8, is stated: “gathering information”.</p>	<p><i>2005 IDR: c. (Based on the reply to the 2004 Questionnaire that ‘both use and production of annex I substances is banned in Bulgaria since end 1989’) Information is provided that both production and use of the annex I substances is banned, except for use and production of #8 and use of #3, which are investigated. As for all EU Member States Regulation EC 850/2004 is directly applicable (e.g. see Austria), compliance can be concluded</i></p>	<p>In compliance</p>
<p><b>Canada</b></p>	<p>For substances #1 – 10 and 12 it is stated with respect to both production and use: “under the Pest Control Products Act there are no registered uses for this pesticide in Canada”. For #11 is stated: “In Canada, PCB production was banned on July 1, 1980 under the Environmental Contaminants Act (ECA)” and “the use of PCBs already in use was restricted to specified equipment on September 1, 1977 and new uses of PCBs were restricted on July 1, 1980, by prohibiting their import or manufacture. These restrictions were made under the ECA. The manufacturing, processing, offering for sale and importing of PCBs was prohibited in 1992, under the Canadian Environmental Protection Act. Existing uses comply with the requirements of the Protocol.”.  <b>Additional information:</b> “The substances listed in Annex I are not registered for use as pesticide (...) and there are no other uses in Canada.”.</p>	<p><i>2005 IDR: c. (Based on additional information requested as the description of the uses as industrial chemicals of #8, 9 and 10 was considered unclear. Some doubt remained, which is expressed in the comment on the addendum: “Suggests compliance”.) Production and use as pesticides of all annex I substances is banned. Except for PCBs no information is provided with respect to other use than as pesticide, or of uses in compliance with the Protocol. There are no other uses</i></p>	<p>In compliance</p>

Party	Response to Q. 19	Comments	Conclusion
<b>Croatia</b>	It is stated (table) that production and use of substances #1 and 2, 4-8 and 12 is banned (year of the ban on use mentioned), production and use of #9 is prohibited, production and use of #10 is not allowed for plant protection in Croatia and that production of #11 is banned and its use restricted to existing closed systems. Use of #3 is banned. No information on production of #3. <b>Additional information:</b> "Chlordecone – we don't have information about producing and using chlordecone. In Croatia we don't produce and/or use POPs pesticides."	<i>Production and use of the annex I substances is either banned, prohibited or not allowed for plant protection, with the exception of PCBs, for which production is banned and use is restricted to closed systems, and of chlordecone, for which use is banned but information is missing in the table (blank cell) for production. In the additional information it is stated with respect to chlordecone that no POPs pesticides are produced.</i>	In compliance
<b>Cyprus</b>	"There is no production of any of the substances listed in Annex I in Cyprus. Their import and use has been prohibited. DDT for example has been prohibited as early as 1976."	<i>2005 IDR: c. (no assessment) Like in 2004 it states that there is no production and that use is prohibited.</i>	In compliance
<b>Czech Republic</b>	States that: •the substances #1 and 12 were never produced and that use was prohibited since 1980, respectively 1986; • the substances #2, 3, 5 and 10 were never produced or registered for use; •of substance #4 production was prohibited in 1974 and it was "used to a limited degree in 1983 in some preparations"; •the substances #6 and 7 are not produced and used, use is prohibited since 1984, respectively 1989; • substance #8 was never produced and is not used; •of substance #9 production was terminated in 1968 and use prohibited in 1977; •substance #11 was produced till 1984 and "still contained in transformers and condensers.	<i>2005 IDR: c. None of the annex I substances is being produced. With the exception of PCBs they are not used either. States for substances that were produced and/or used in the past, in what year this was terminated.</i>	In compliance
<b>Denmark</b>	"no production ever" of substances #1 - #12; use of #1, 2, 4 -7, 9 and 12 banned by Statutory Order no 208 of 26-03-1992; use of #3 never allowed; use of #8 banned by Order no 1042 of 17-12-1997; use of #10 not approved and therefore banned; use of #11 banned by Order no 818 of 29-09-2003.	<i>2005 IDR: c. States that there was no production ever of the substances listed in annex I. All uses are banned.</i>	In compliance
<b>Estonia</b>	Refers for both production and use of substances # 1- 12 to EC Regulation 850/2004	<i>For both production and use, reference is made to the relevant EC Regulation (which is binding in its entirety and directly applicable in all member states).</i>	In compliance
<b>Finland</b>	"The provisions of the <i>Convention</i> ? have been included in the EC Regulation 850/2004. Manufacture of the substances listed in annex I to the Protocol on Persistent Organic Pollutants was banned in 2002, except for PCBs in 1990. The actual removal of a substance from the market may be earlier than the date indicated by the current legislation. For references to legislation and restrictions that were in force before the EU Regulation 850/2004, please refer to the Finnish NIP (available at www.ymparisto.fi/pop) and its background report (Suomi-POP, in Finnish)."	<i>2005 IDR: c. For both production and use reference is made to the relevant EC Regulation (which is binding in its entirety and directly applicable in all member states and in force since 20-05-2004), manufacture of substances #1 – 10 and 12 was already banned in 2002 and of #11 in 1990. At what date use was banned for each substance has not been checked with the Finnish NIP; use was banned anyway at the time of the present review.</i>	In compliance
<b>France</b>	It is indicated in the table and the comments added, that for substances #1, 5 and 6 there is world wide no noticeable production since 1996; substance #3 was	<i>2005 IDR: c. (Based on the statement that the substances in annex I are no longer produced or used</i>	In compliance

Party	Response to Q. 19	Comments	Conclusion
	<p>never produced; production of #4, 9 and 11 has been finished since 1980/1988. No information is given on production of #2, 7, 8, 10 and 12. Use of annex I substances is completely banned since 1994 for #1, 2, 4 - 7 and 9, by Decree No 92-1074, abrogated by Decree No 2007-1467. In addition it is mentioned that for Mayotte (French territory in the Indian Ocean) till 1.7.2009 some use is allowed of #1 and 5. Use of #3 ended in 1993. Use of #11 is dealt with under Decree No 87-59, as amended by Decree No 92-1074 and abrogated by Decree No 2007-1467; in 1979 the use for open applications (inks, adhesives) has been prohibited, as was in 1987 marketing of apparatus containing PCBs. Further legislation with respect to decontamination and elimination of PCBs and equipment containing PCBs is given. Use of #12 has been prohibited since 1982. No information is given with respect to the use of #8 and 10.</p>	<p><i>in France).</i>  <i>With respect to production of most of the annex I substances a ban is reported or it is indicated that either a substance was never produced or that production was finished at a certain date. Reference is made to national legislation. No information is provided with respect to production of chlordane, heptachlor, hexabromobiphenyl, mirex or toxaphene. Reference is made to national legislation prohibiting use of most annex I substances. Use of chlordane ended in 1993. No information is provided with respect to use of hexabromobiphenyl or mirex.</i>  <i>As for all EU Member States Regulation EC 850/2004 is directly applicable (e.g. see Austria), compliance can be concluded.</i></p>	
<p><b>Germany</b></p>	<p>It is indicated in the table that production of substances #1 – 7, 9, 10 and 12 is prohibited according to art. 3 of EC Regulation 850/2004, that production of #8 is restricted “without exempted uses” according to the same article and production of #11 is prohibited on a national level (Ordinance on Hazardous substances). According to the table the use of substances #1 – 3, 5 –7 and 12 is prohibited based on the Ordinance on Use Prohibitions for Plant Protection Products, and use of #4 and 11 on the basis of the Ordinance on Hazardous substances. For #8 it is stated that no uses are allowed and use of #9 is prohibited according to art. 3 of EC Regulation 850/2004. For #10 it is stated that use is not permitted as ingredient for pesticides.                      The following explanation is given. “Directive 79/117/EEC of the Council obliged Member States to prohibit the marketing and use of plant protection products containing certain active ingredients. The substances affected by this ban included the active ingredients with the exception of mirex and the addition of DDT. With the exception of mirex, the use of these active ingredients has therefore been banned for many years in the Federal Republic of Germany under the Ordinance on Use Prohibitions for Plant Protection Products (1992), last amended by the Ordinance (2003). The reason that mirex is an exception is the fact that an application for authorisation of a plant protection product with this active ingredient has never been filed. Marketing of PCB and preparations of products which contain PCB is prohibited pursuant to the Chemicals Prohibition Ordinance [...] while production and use of PCBs is prohibited according to Ordinance on Hazardous Substances [...]”.</p>	<p><i>2005 IDR: c.</i>  <i>With respect to all substances listed in annex I it is indicated that production is prohibited under EC Regulation 850/2004 (which is binding in its entirety and directly applicable in all member states and in force since 20-05-2004), except for #11 where reference is made to national legislation (Ordinance of December 2004). For use reference is made to national legislation (two Ordinances of November 1992 and December 2004), which bans the use of substances #1–7 and 11 and 12. For #8 it is only stated that no uses are allowed. Use of #9 is prohibited according to EC Regulation 850/2004. Further it is stated that use of #10 is not permitted as insecticide.</i>  <i>How production for each substance was dealt with before 2004 remains unclear; production and use were banned anyway at the time of the present review.</i></p>	<p>In compliance</p>

Party	Response to Q. 19	Comments	Conclusion
<b>Hungary</b>	<p>“Substances listed in Annex I of the Protocol have been prohibited for production, distribution and consumption, e.g. DDT was banned in 1996. The Stockholm POP Convention was also ratified by Hungary. The Regulation of the European Parliament and Council 850/2004/EC contains basic obligations covering the requirements of both international instruments. The relevant EU Regulation relating POPs was transposed to the Hungarian legal system as follows: - Joint Ministerial Decree 41/2000.(XII.20.) EüM-KöM on restrictions on the marketing and use of certain dangerous substances and preparations, - Ministerial Decree 5/2001.(II.23.) KöM on the disposal of polychlorinated biphenyls and polychlorinated terphenyls, - Ministerial Decree 89/2004.(V.15.) FVM on licensing procedure of distributing and using of plant protection product and the rules of packaging, labeling, storing and transporting of plant protection products.”.</p>	<p><i>2005 IDR: c. (no assessment)</i>  <i>States that the production and use of the substances listed in annex I is prohibited. Reference is made to EC Regulation 850/2004 and to national legislation prepared to transpose the Regulation to the Hungarian legal system. The EC Regulation came into force on 20-05-2004. Although it is in force at the time of the present review, it was not at the time the obligation took effect for Hungary (06-04-2004). Production and use are banned anyway at the time of the present review.</i></p>	In compliance
<b>Iceland</b>	<p>Substances #1 - #12 never produced; use of #1, 2, 4 -7, 9 and 12 never registered and banned in 1996; use of #3 would require registration and a special permit, never registered; use of #8 banned in 2006 for use in electric/electronic goods, use in textiles <b>limited</b> in 2003 “<b>The extent of use in products is unknown</b>”; use of #10 never registered and banned in 1998; use of #11 and equipment containing it is prohibited by national legislation (Regulation no 323/1998) “Disposal of PCBs and cleaning of PCB containing equipment shall be completed before the end of 2010.”.  <b>Additional information:</b> #8: never produced; “Import of textiles treated with hexabromobiphenyl was banned in 1996. Iceland has received no notification and issued no consent of import of this chemical.”.</p>	<p><i>2005 IDR: n.e.p. (no reply)</i>  <i>States that the substances of annex I were never produced. Uses are either banned and/or (#3) never permitted. However, use of #8 for textiles still seems possible to some extent.</i>  <i>Import of textiles treated with #8 was banned in 1996 and there is no import of the chemical, so use for textiles seems not to be possible.</i></p>	In compliance
<b>Italy</b>	<p>“The Legislative Decree n.194 of 17 March 1995, transposing Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market, prescribes that plant protection products may not be placed on the market and used in Italian territory unless they have authorized. All the authorisations of the plant protection products listed in table below have been repealed, as specified in the table. The mentioned Decree establish an authorisation procedure for the production intended to be exported. None requests has been forwarded to the national competent authority for the substances listed in Annex I to the Protocol . National legislation, transposing the Council Directive 76/769/EEC of 27 July 1976, relating to restrictions on the marketing and use of certain dangerous substances and preparations, and the following amendments to it, prescribes that the dangerous substances and preparations may only be placed on the market or used subject to the conditions specified in the legislation.”.                      For substances #1, 2, 4 - 7, 9 and 10 authorisation as plant protection product has been withdrawn between 1973 and 2003. Use of #3 and 12 has never been authorised. Use of #8 is dealt with in Decree n. 904 of 10-09-1982 and use of #11</p>	<p><i>Refers to legislation and withdrawal of authorizations (between 1973 and 2003) for marketing and use of plant protection products. Use of substances #1-7, 9, 10 and 12 is thus banned or never authorised. As production for export of these substances requires authorisation and such authorisations were never requested, the conclusion seems justified that these substances are not produced.</i>  <i>There is no information on production of #8 and 11 and no details are provided on the legislation concerning their use.</i>  <i>However, in the answer to Q.18 it is stated that EC Regulation 850/2004 has been implemented. Thus production and use of the annex I substances are prohibited.</i></p>	In compliance

Party	Response to Q. 19	Comments	Conclusion
	in Decree n. 216 of 24-05-1988, both transposing EC Directives in national legislation.		
<b>Latvia</b>	No answer	<i>2005 IDR: no assessment</i> <i>As for all EU Member States Regulation EC 850/2004 is directly applicable (e.g. see Austria), compliance can be concluded</i>	In compliance
<b>Liechtenstein</b>	No answer	<i>2005 IDR: n.e.p. (no reply)</i>	No evaluation possible
<b>Lithuania</b>	Production and use of #1 – 12, are banned according to Hygiene norm 63:2004 (06-12-2004 Order No. V-860 of the Minister of Health), as active substances in biocides, and according to EC Regulation 850/2004; in addition production and use of #9 and 11, are dealt with in Hygiene norm 36:2004 ‘Banned and restricted substances’ (06-12-2004 Order No. V-864 and 27-05-2004 Order No. 239 of the Minister of Health)	<i>Refers to national legislation (2004) and to EC Regulation 850/2004 (binding in its entirety and directly applicable in all member states), showing that production and use of the annex I substances are prohibited.</i>	In compliance
<b>Luxembourg</b>	No answer	<i>2005 IDR: n.e.p. (no reply)</i> <i>As for all EU Member States Regulation EC 850/2004 is directly applicable (e.g. see Austria), compliance can be concluded</i>	In compliance
<b>Netherlands</b>	“With regard to pesticides the Board for the Authorisation of Plant Protection Products and Biocides (Ctgb) is the competent authority. This is laid down in the Wet gewasbeschermingsmiddelen en biociden 2007, which replaced the Dutch Act on Pesticides (1962). Products may not be placed on the market before the Ctgb has decided that the possible risks of pesticides are acceptable. The substances listed in table q19 are not permitted by the Ctgb. PCBs are prohibited under the Hazardous Substances Act (see also the answer to q. 18).”. In addition it is stated that production and use of #1 –12 is forbidden.	<i>2005 IDR: c.</i> <i>States that production and use of all substances listed in annex I has been forbidden. Refers to national legislation on plant protection products and biocides (1962 and 2007), and on PCBs (1985) No specific information on legislation for other non-pesticides, but production and use are banned anyway at the time of the present review.</i>	In compliance
<b>Norway</b>	Substances #1, 2, 4 and 6 were banned as pesticide between 1966 and 1970; #3, 5, 7 –10 and 12 were never approved as pesticide. For all substances except #11 a total ban in 2002 is mentioned. <b>Additional information:</b> “The pesticides listed in Annex I are banned or never approved for use in Norway. The substances have never been produced in Norway. To avoid other possible uses than pesticidal use a total ban on these substances was laid down in 2002. This implies that production, import, export trade and all uses of the substances or mixtures containing such substances are banned. As regards PCB it has for unknown reasons fallen out of table in our previous answer. Production, import, export, trade and use of PCB or mixtures containing PCB are banned.”.	<i>2005 IDR: c. (based on the statement that there is no production and use of the substances listed in annex I, banned through regulation 1823 of 20-12-2002 on marketing and use).</i> <i>From the answer (table) given at present it is unclear whether the ban concerns both production and use and how #11 (PCBs) is dealt with.</i> <i>Additional information clarifies the character of the ban on Annex I substances, including PCBs.</i>	In compliance
<b>Republic of</b>	No answer	<i>2005 IDR: c.</i>	No evaluation

Party	Response to Q. 19	Comments	Conclusion
<b>Moldova</b>			possible
<b>Romania</b>	Information is given about elimination of production and use. For elimination of production reference is made to both national legislation and to EC Regulation 850/2004 (for all substances but #3 and 8) and it is stated that #7 has not been produced since 1995. For elimination of use reference is also made to both national legislation and to EC Regulation 850/2004 (for all substances but #3 and 8) and it is stated that #4 has not been used since 1985 and #9 not since 1995, that #10 was never used, that use of #11 is eliminated compulsory since 2000 and that #12 was not used since 1995.	<i>2005 IDR: n.e.p. (no reply)</i> <i>Refers to both national legislation and EC Regulation 850/2004 (binding in its entirety and directly applicable in all member states). For part of the national legislation the content and date are unclear, but the information suggests that production and use are banned at the time of the present review.</i>	In compliance
<b>Slovakia</b>	“Slovakia is not the producer of any of the substances listed in annex I to the Protocol, not any of the substances are registered for use as the active substance. Import is prohibited according to the Ministerial Decree No. 33/1999 of Ministry of the Agriculture. The Act No. 163/2001 on chemical substances, as amended, is the basic regulation for import and export of chemicals, including substances in annex I to the POPs Protocol. Slovakia accepted as well the Stockholm Convention on POPs. The Regulation of the European Parliament and Council No. 850/2004/EC contains basic obligations covering the requirements of both international instruments (POPs Protocol and Stockholm Convention). This Regulation was transposed to the Slovak legislation by the Act No. 127/2006 on persistent organic pollutants. The Act on POPs entered into force since 1 April 2006.”. Indicates that production of #11 was terminated in 1983 and that its use is restricted. The other substances were never produced. Gives dates (well before 2003) for prohibition of use of #1, 4, 5, 6, 7, 9 and 12. The substances #2, 3, 8 and 10 were never used.	<i>2005 IDR: c.</i> <i>States, like in 2004, that Slovakia does not produce or register for use any of the substances of annex I. Refers to national legislation prohibiting import and to EU Regulation 850/2004 as well as an Act on POPs (in force since April 2006) transposing this Regulation. Production of all substances was eliminated at the time the obligation took effect for Slovakia, as is their use (except restricted uses of PCBs). What PCB use is still allowed is not specified but from the reported transposition of the EC Regulation this can be expected to be the use allowed under the protocol.</i>	In compliance
<b>Slovenia</b>	“In Slovenia production and use of substances listed in Annex I to the Protocol are prohibited according to Regulation (EC) No. 850/2004 on persistent organic pollutants and amending Directive 79/117/EEC and Decree on Implementing European Parliament and Council Regulation (EC) on Persistent Organic Pollutants (OJ RS, No. 4/2005). The provisions of stated legislation are fully implemented. Production of electrical equipment containing PCB terminated in Slovenia in January 1985. The necessary measures are taken to ensure that all PCB/PCT containing material in the environment at the territory of Slovenia will be disposed until 2010.”.	<i>Production and use of substances listed in annex I is prohibited. Refers to EU Regulation 850/2004 as well as a Decree on implementing the Regulation.</i>	In compliance
<b>Sweden</b>	“Concerning the pesticides addressed under the Protocol, Sweden was early to take action. All the substances in question were banned in the 1960s and 1970s. The production, use, export and import of all the pesticides are prohibited under the EU-POPs Regulation Regulation 850/2004 (OJ L 204, 4.8.2007, p. 28). A ban has long been in place in Sweden on the manufacture and use of PCBs and on their presence in equipment. In 1966 Stockholm University was the first to identify PCBs in a biological sample. This prompted the Swedish Government to	<i>2005 IDR: c. (based on the statement that production and use of substances listed in annex I are banned and not allowed).</i> <i>Production and uses as pesticides are banned and production and use of PCBs. No information is given on production and use for other applications.</i>	In compliance

Party	Response to Q. 19	Comments	Conclusion
	<p>take actions to prevent the use of these chemicals as early as 1969. Sweden's regulation of PCBs is ahead of the requirements of the Protocol. Inventories and remediation of the remaining known PCBs in sealants in buildings from the 1960s and early 1970s must be made in accordance with the new PCB Ordinance 2007:19. Inventories must be reported by the latest on June 30, 2008." Refers for elimination of production and use of the substances #1 – 10 and 12 to the Chemical products and Biotechnical Organisms Regulations (1998), with the addition "Banned as active ingredient in pesticides". For #10 it is stated: "Mirex has never been used as pesticide in Sweden. No date for prohibition can be given.". For #11 reference is made to the Government Ordinance on PCB (1985), with the addition "Ban on production and use."</p>	<p><i>However, EC Regulation 850/2004, which is referred to (binding in its entirety and directly applicable in all member states), is applicable to all annex I substances, pesticides and non-pesticides.</i></p>	
<b>Switzerland</b>	<p>"The manufacture, supply, import and use of substances listed in Annex I of the protocol are prohibited according to the 1986 Swiss Ordinance relating to Environmentally Hazardous Substances (Annex 3.1) replaced in 2005 by ORRChim.". Use of PCB in existing installations whose total weight is lower than 1 kg. is allowed.</p>	<p><i>2005 IDR: c.                  Manufacturing and use of the substances listed in annex I is prohibited. Refers to national legislation.</i></p>	In compliance
<b>United Kingdom</b>	<p>The UK Government banned the use of #1, 2, 4 - 7 and 9 in 1991 using Directive 79/117/EEC. In 2004 Regulation (EC) 850/2004 additionally banned the production, use, import and export of the listed pesticides including #1, 2, 4 – 7 and 9. No UK production and use of #3, no UK production of #8. The substances #10 and 12 were never approved for use in the UK. Directive 96/59/EC on disposal of Polychlorinated Biphenyls and polychlorinated terphenyls requires the phasing out of remaining identifiable PCBs no later than 2010.</p>	<p><i>Production and use of #1, 2, 4 – 7 and 9 is banned. Reference is made to UK measures taken in 1991 and to EC Regulation 850/2004. It is stated that there was no production and/or use of #3 and 8 and that use of 10 and 12 was never approved. For #11 reference is made to an EC Directive on the phasing out of remaining PCBs not to any legislation on production and use. Specific information is missing on the use of #8 and production of #10 and 12 (for which reference to Regulation 850/2004 is explicitly left out). However, the general reference to that Regulation (binding in its entirety and directly applicable in all member states) seems to indicate that production and use of all annex I substances is prohibited.</i></p>	In compliance
<b>EC</b>	No answer	<p><i>2005 IDR: c.                  For all EU Member States Regulation EC 850/2004 is directly applicable (e.g. see Austria). Consequently the EC is in compliance.</i></p>	In compliance

**Table 2: Compliance with article 3.1. (b) (i),** (associated provisions: art. 3.2, 3.4, 4.1)

**“Each Party shall take effective measures to ensure that, when the substances listed in annex I are destroyed or disposed of, such destruction or disposal is undertaken in an environmentally sound manner, taking into account relevant subregional, regional and global regimes governing the management of hazardous wastes and their disposal, and in particular the Basel Convention.”**

*Question 20: With reference to article 3, paragraph 1 (b) (i), please provide details of the measures your country has taken to ensure that the destruction or disposal of substances listed in annex I is undertaken in an environmentally sound manner, taking into account relevant international regimes, in particular the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal.*

Party	Response to Q. 20	Comments	Conclusion
Austria	<p>“Destruction of annex I substances is only authorized in incineration plants for hazardous waste. These plants must be constructed and operated according to best available technology; strict emission limit values are applied [18] (Ordinances 2002/2007). Residues of these plants (e.g. fly ash, bed ash) must be exported for disposal according to the Basel Convention and Regulation on the supervision and control of shipments of waste within, into and out of the European Community.</p> <p>Austria has strict regulations on the handling and transport of hazardous waste (including all substances of annex I) including obligations for bookkeeping and reporting to the authorities [21. 22](Waste Act 2002/2007 and Ordinance 2003). Austria has stipulated regulations for import and export of hazardous waste according to the Basel Convention and the Council Regulation on the supervision and control of shipments of waste within, into and out of the European Community. Regulation (EC) 850/2004, which is directly applicable in all EU member states, also provides for the environmentally sound destruction of these substances.”</p>	<p><i>2005 IDR: c.</i>  <i>Update of the additional answer given in 2005. Refers to legislation and procedures for destruction (incineration) of annex I substances and export for disposal of incineration residues in accordance with the Basel Convention. Further reference is made to regulations on handling and transport of hazardous waste (including annex I substances) and on import and export of hazardous waste according to the Basel Convention. Finally the EC Regulation 850/2004 is mentioned, which is directly applicable in all EU member states.</i></p>	In compliance
Belgium	<p>“As indicated in the answer to question 19 all the annex I substances have been banned for production and for use for a considerable amount of years now or were never brought on the market in Belgium. For the existing PCB containing equipment regional removal and decontamination plans have been adopted (see further details in answer to Q.22).</p> <p>In case of old stocks (overdue stocks and leftovers in small quantities) and forbidden products and their packages, the annex I substances (destined for destruction / disposal) are considered as dangerous wastes in Belgium. They are treated as such in the application of the European Directives on dangerous wastes and the Belgian regional legislations. Collected old stocks and forbidden products are incinerated in specially adapted and permitted incineration facilities (in compliance with IPPC requirements: use of BAT). The transboundary movement of substances listed in annex I for removal or destruction as waste is regulated by the European Regulation 1013/2006 of 14 June 2006 on shipments of waste (see further details in answer to Q.21 below).”</p>	<p><i>Stocks of annex I substances are considered hazardous wastes, which have to be incinerated in special incineration facilities which use BAT.</i></p>	In compliance

Party	Response to Q. 20	Comments	Conclusion
<b>Bulgaria</b>	<p>“The destruction and the disposal of substances mentioned in Appendix I are done in full compliance with the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal. The measures are settled in the following normative documents: • Waste Management Act (SG 86/2003); • Regulation No. 12/1998 on the requirements which must be met by the waste treatment facility sites (SG 152/1998); • Regulation on the requirements for treatment and transportation of industrial and hazardous waste, adopted with Decree of the Council of Ministers No.53/1999 (SG 29/1999). Bulgaria has ratified the Stockholm convention on POPs in 2004. A National Implementation Plan on POPs management has been developed in 2006 in accordance with article 7 of the convention. This plan includes different measures including specific measures concerning environmentally sound handling, collection, transportation, storage and disposal of the stockpiles and waste consisting of or containing POPs.”.</p>	<p><i>2005 IDR: c.                  Refers to legal measures introduced, giving an update of the answer to the 2004 questionnaire. States that destruction and disposal are done in full compliance with the Basel Convention.</i></p>	<p>In compliance</p>
<b>Canada</b>	<p>“In Canada, the management of hazardous waste is a shared responsibility between the federal and provincial/territorial governments. The federal government has the authority to set requirements for transboundary movements of hazardous waste, including hazardous recyclable material, and for hazardous waste management on federal land. The provincial/territorial governments establish requirements and authorize waste management facilities within their jurisdictions. Facilities that dispose of either domestic or imported hazardous wastes receive operating permits, which set out their operating controls and specify emission standards for various media, including but not limited to air, surface and groundwater, wastewater, solids, landfills, and soils. There are national-level guidelines on decontamination of PCB transformers, use of PCB fuels in cement kilns, and PCB incineration. These standards and guidelines are implemented through regulated requirements or policies by the relevant level of government (either federal or provincial). CEPA 1999 contains the authority to establish criteria for environmentally sound management (ESM). These criteria are set out in the Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations which came into force on November 1, 2005. Canada’s domestic rules for the disposal of POPs waste are consistent with the recommendations found within the general technical guidelines for the environmentally sound management of wastes consisting of, containing or contaminated with persistent organic pollutants (POPs), which were adopted by the 7th Conference of the Parties (COP) to the Basel Convention held in October 2004 and welcomed at the 1st COP to the Stockholm Convention in May 2005. The Basel General technical guidelines were updated and adopted at the COP8 meeting in November 2007 and welcomed at the 3rd COP to the Stockholm Convention in May 2007.”.</p>	<p><i>2005 IDR: c.                  States like in 2004 that measures are taken for control and authorization of waste disposal facilities. In addition, it refers to criteria for environmentally sound management, which are set out in legal regulations in force since November 2005. There are national-level guidelines on use of PCB fuels in cement kilns and on PCB incineration. Canada’s domestic rules for disposal of waste are consistent with the general technical guidelines under the Basel Convention (latest update November 2007)</i></p>	<p>In compliance</p>

Party	Response to Q. 20	Comments	Conclusion
<b>Croatia</b>	<p>“The only substance in Croatia that is subject of the destruction or disposal is PCBs contained in existing equipments. The draft National Implementation Plan (NIP) lists the activities and measures necessary for development of the national action plan for identification of possible POPs contaminated sites, their scope and potential environmental sound remediation. In that light some of the proposed measures in this draft document are: •Gradual phasing out of POPs-contaminated substances and products or those which may generate POPs chemicals, treatment and ultimate disposal of POPs contaminated waste and recovery of locations contaminated with POPs chemicals. Inventory has determined only PCBs stockpiles and waste. Namely, some PCB equipment which is kept as back up, some stockpiles of liquid PCBs, PCB equipment which is out of function and some liquid and solid PCBs waste. This identified stockpiles and waste are within the owner’s facilities and are controlled by the state authorities. •Needed activities to prevent and reduce releases from some in the future identified stockpiles and waste. •Identification of contaminated sites and remediation in an environmentally sound manner.</p> <p>Given the fact that the inventory has not unambiguously identified the sites contaminated with POPs compounds, but has rather preliminary identified potentially contaminated ones, this document will state the activities and measures necessary for development of the national programme for unambiguous identification of POPs-contaminated sites, contamination scope and potential environmentally sound remediation. It will, further, indicate which part of legislation needs reconciliation or where new regulations are necessary, so as to ensure promulgation and implementation of the national strategy and technical measures for timely implementation, as well as costs assessment for implementation of this document”.</p>	<p><i>Only a draft national implementation plan is mentioned. The only substances identified being subject of destruction or disposal are PCBs. The inventory of stockpiles, wastes and sites contaminated with POPs is only preliminary and legislation has still (partly) to be developed.</i></p>	<p>In non-compliance</p>
<b>Cyprus</b>	<p>“There are no stocks of any of the substances listed in Annex I in Cyprus, except PCBs. Articles containing PCBs have been identified, are stored under controlled conditions and they will be disposed of in an environmentally sound manner.”.</p>	<p><i>2005 IDR: c. (no assessment) (Based on the reply to the equivalent question in the 2004 Questionnaire combined with an additional reply -to the question about implementation of article 3.1. (b) (ii)- mentioning a central waste management center which will be completed by 2007)</i></p> <p><i>Has identified articles containing PCBs, states that they will be disposed of in an environmental sound manner. No update of information is given. As for all EU Member States Regulation EC 850/2004 is directly applicable (e.g. see Finland), compliance can be concluded.</i></p>	<p>In compliance</p>
<b>Czech</b>	<p>“Treatment of selected substances, and especially their disposal, is carried out in</p>	<p><i>2005 IDR: c. (Based on additional information</i></p>	<p>In compliance</p>

Party	Response to Q. 20	Comments	Conclusion
<b>Republic</b>	accordance with Act No. 185/2001 Coll. on waste, as amended, which covers all the so far issued waste management EC legislation. Destruction is possible only in those facilities that had obtained authorisation from the competent office (regional offices of the respective regions of the Czech Republic).”.	<p><i>including a reference to Act No. 185/2001 Coll., as amended and regulations which ‘transpose in full the Basel Convention, including environmentally sound management of hazardous wastes’)</i></p> <p><i>Reference is made to the Act No. 185/2001, which covers all waste management and EC legislation. Further, it is stated that destruction facilities require authorization from the competent office. No details are given about the character of this waste management or about criteria for authorization.</i></p> <p><i>As for all EU Member States Regulation EC 850/2004 is directly applicable (e.g. see Finland), compliance can be concluded</i></p>	
<b>Denmark</b>	“Se answer to question 18 and 19”.	<p><i>2005 IDR: c. (Based on the additional statement that, as the substances of annex I do not exist in Denmark, no special measures for destruction or disposal have been taken)</i></p> <p><i>In the reply to Q. 18 it is stated that use of annex I substances is banned. Further, reference is made to measures controlling emissions from incineration plants, esp. dioxins and furans, and to guidelines containing ‘specific prohibitions relating to PCBs’, without relevant details. The reply to Q.19 does not contain any relevant information.</i></p> <p><i>As for all EU Member States Regulation EC 850/2004 is directly applicable (e.g. see Finland), compliance can be concluded.</i></p>	In compliance
<b>Estonia</b>	“According to the Waste Act for recovery and for disposal of hazardous wastes a hazardous waste handling licence is obligatory. ‘Hazardous waste handling licence’ means an activity licence in proof of the relevant competence of and suitability of the technology used by a person which gives the person the right to handle, in the business or professional activities thereof, hazardous waste generated and delivered by other persons. A hazardous waste handling licence is issued by the Minister of the Environment for term up to five years. A hazardous waste handling licence may be issued if: - the waste management facility, technology or installations conform to the environmental requirements, including the requirements of the best available techniques; - the person responsible for handling of waste conforms to the requirements for training and competence	<p><i>For disposal of hazardous wastes a licence is obligatory under the Waste Act. Provides information about the character of that licence (competence, suitability of facilities, technology, etc.) and the licensing procedure including the relation with the Environmental Impact Assessment and Environmental Management system Act. It is not indicated when this legislation came into force, but anyway, destruction and disposal is done in an environmental sound manner at the time of the present review.</i></p>	In compliance

Party	Response to Q. 20	Comments	Conclusion
	<p>specified in a regulation of the Minister of the Environment; - a valid insurance contract exists which guarantees compensation of the costs of elimination of the environmental pollution created as a result of accidents; - the duties, competence and responsibility of the employees involved in the handling of hazardous waste, as specified in the documents dealing with the organization of work of the applicant for the hazardous waste handling licence; If, upon setting the conditions for the issue of a hazardous waste handling licence and the requirements established by the licence, it becomes evident that the planned activity is likely to result in a significant environmental impact, and an integrated environmental permit is needed for the activity, then the environmental impact shall be assessed in the course of the proceeding for the issue or amendment of the integrated environmental permit. In such case, the issuer of the integrated environmental permit is the authority to decide on the matter and supervise the assessment of the environmental impact pursuant to the Environmental Impact Assessment and Environmental Management System Act. A committee appointed by the Minister of the Environment will examine applications for hazardous waste handling licence.”.</p>		
<b>Finland</b>	<p>“According to the Article 7 of the EU Regulation 850/2004, “waste consisting of, containing or contaminated by any substance listed in Annex IV [covers all substances listed in annex I] shall be disposed of or recovered, without undue delay ... in such a way as to ensure that the persistent organic pollutant content is destroyed or irreversibly transformed so that the remaining waste and releases do not exhibit the characteristics of persistent organic pollutants.” According to the Finnish waste legislation (based on the relevant EU legislation), wastes containing substances listed in annex I of the POP Protocol are classified as hazardous wastes. Hence, all the obligations of the Waste Act (1071/1993) concerning hazardous waste shall be fulfilled by the holder of waste, including provisions on identification, labelling, packaging, collection, transport and safe management of hazardous wastes. In Finland high temperature incineration is used for the destruction of hazardous waste consisting of, containing or contaminated with persistent organic pollutants. Furthermore, according to the Finnish waste legislation, municipalities shall organize the recovery or disposal of hazardous waste from households, as well as from agriculture and forestry unless the quantity of such waste is excessive. This has made it fairly easy for households and e.g. farmers to deliver their hazardous wastes for appropriate disposal and has thus effectively prevented stockpiles.”.</p>	<p><i>2005 IDR: c.                  Refers to national legislation (based on the relevant EU legislation), which classifies waste, containing annex I substances, as hazardous wastes for which the 1993 Waste Act applies. Indicates the method (high temperature incineration) used for destruction of such wastes. Further a description is given of the obligation under EC Regulation 850/2004, relevant for disposal and destruction of annex I substances in compliance with the protocol.</i></p>	<p>In compliance</p>
<b>France</b>	<p>A description is given of a ‘Plan National de décontamination et d’élimination des appareils contenant des PCB et PCT’ is given, consisting of an inventory and a step by step approach for decontamination and elimination of PCBs and PCB containing apparatus. No details are given of the requirements for such decontamination or elimination. In addition a ‘Plan National d’actions sur les</p>	<p><i>2005 IDR: c. (Based on reference to a legal decree that, although not specified, could include measures for destruction and disposal of PCBs)                  Gives a description of the procedure followed for</i></p>	<p>In compliance</p>

Party	Response to Q. 20	Comments	Conclusion
	PCB' is mentioned, dealing largely with water pollution. No information on destruction or disposal of other annex I substances.	<i>decontamination and elimination of PCB equipment. No information whether this is done in an environmentally sound manner or taking into account the Basel Convention. No information how other annex I substances than PCB are destructed or disposed of. As for all EU Member States Regulation EC 850/2004 is directly applicable (e.g. see Finland), compliance can be concluded.</i>	
<b>Germany</b>	"Apart from small scale uses (scientific research) there is no indication about any existing stockpiles of aldrin, chlordane, chlordecone, DDT, dieldrin, endrin, heptachlor, hexachlorobenzene, mirex and toxaphene in Germany. The destruction of POPs or their environmentally sound disposal are regulated by the Act on Closed Substance Cycle Management and Waste Disposal [...] and the Federal Immission Control Act [...] as well as by the respective sets of implementing regulations, notably the Technical Instructions on the Management of Hazardous Wastes [....]"	<i>2005 IDR: c. (Based on elements of an additional response concerning classification of wastes and application of the Basel Convention) Same answer as originally given to the 2004 questionnaire with reference to a legal act regulating the environmentally sound destruction or disposal of POPs, without indicating which POPs. The additional information that was given in 2005, is missing. As for all EU Member States Regulation EC 850/2004 is directly applicable (e.g. see Finland), compliance can be concluded</i>	In compliance
<b>Hungary</b>	"Not relevant for Hungary."	<i>2005 IDR: c. (no assessment) (Based on the statement that Hungary harmonized its legislation with the relevant EU Directives). No information provided. As for all EU Member States Regulation EC 850/2004 is directly applicable (e.g. see Finland), compliance can be concluded.</i>	In compliance
<b>Iceland</b>	"Regulation No 806/1999 on hazardous wastes contains provisions regarding sound management and transport of hazardous wastes and requires operating permits for facilities managing hazardous wastes and for transport of hazardous wastes. Transboundary movement of wastes are subject to provisions of the Basel Convention. Provisions of the Basel Convention were brought into force in Iceland by implementing Council Regulation (EEC) No 259/93 on the supervision and control of shipments of waste within, into and out of the European Community with Regulation No 377/1994, on environmental issues in the European Economic Area. Regulation 377/1994 was repealed by Regulation No 224/2005 on entry into force of EU legislation on the supervision and control of shipments of waste within, into and out of the European Community. Regulations 806/1999 and 224/2005 are based the Hygiene and Pollution	<i>2005 IDR: n.e.p. (no reply) Refers to a regulation (1999), which contains provisions regarding sound management of hazardous wastes. Provisions of the Basel Convention were brought into force in Iceland in 1994 by implementing EU legislation, followed in 2005 by a more specific regulation.</i>	In compliance

Party	Response to Q. 20	Comments	Conclusion
	Prevention Act of 1998”.		
<b>Italy</b>	<p>“In Italy there are some provisions in national environmental regulations in order to ensuring an environmentally sound manner of the destruction or disposal of particular substances or a class of substances that include the substances listed in annex I of the POP protocol. In particular: Legislative Decree n. 209 of 22 may 1999 establish commitment for the correct way to conduct the end of life of PCB; Ministerial Decree of 13 march 2003 establish the rules about criteria for the admission of waste in landfilling and it give indication about the management of PCB wastes; Ministerial Decree n. 124 of 25 February 2000, establish rules about incineration of hazardous waste. This decree establishes provisions about how to manage the condition of incineration for every halogenated substances and about how to deliver and receive hazardous wastes for this kind of plant. In addition every plant for destruction and disposal of waste must comply with the prescription of the authorisation emitted by the competent authorities (Regions). Competent authorities define specific prescriptions on the bases of the kind of waste the plant can manage. The regional agency for the environmental protection are put in charge of control the compliance of plants to the specific prescriptions. “.</p>	<p><i>States there are some provisions in national regulations to ensure an environmentally sound manner of destruction and disposal of substances, including the substances listed in annex I. Provides in particular information about legislation (established between 1999 and 2003) concerning PCB wastes and incineration of hazardous wastes. Destruction or disposal of wastes requires a waste specific permit. No information is given on the provisions in such permits, e.g. whether the Basel Convention is taken into account. As for all EU Member States Regulation EC 850/2004 is directly applicable (e.g. see Finland), compliance can be concluded.</i></p>	In compliance
<b>Latvia</b>	No answer	<p><i>2005 IDR: (no assessment) As for all EU Member States Regulation EC 850/2004 is directly applicable (e.g. see Finland), compliance can be concluded.</i></p>	In compliance
<b>Liechtenstein</b>	No answer	<p><i>2005 IDR: n.e.p. (no reply)</i></p>	No evaluation possible
<b>Lithuania</b>	<p>“Measures taken: 1) The Basel Convention on the Control of Transboundary Movements of Hazardous Waste and Their Disposal has been ratified by the Law No VIII-1002 on the Ratification of the 1989 Basel Convention of Transboundary Movements of Hazardous Waste and Their Disposal adopted by Seimas of the Republic of Lithuania on the 22 December 1998. 2)The Law No. IX-1739 On the Ratification of Decision III/1 ( Amendment to the Basel Convention) of the Conference of the Parties to the 1989 Basel Convention on the Control of Transboundary Movements of Hazardous Waste and their Disposal adopted on 18 September 2003. According to this Decision III/1, hazardous waste exports for final disposal and recycling from the countries listed in Annex VII of the Convention (Parties and other states, which are members of OECD, the EU and Liechtenstein) to the countries not listed in Annex VII are prohibited. 3) Also, the European Council Decision 97/640/EC of 22 December 1997 on the approval, on behalf of the Community, of the amendment to the Convention on Control of Transboundary Movements of Hazardous Waste and their Disposal (Basel Convention), as laid down in Decision III/1 of the Conference of the Parties is</p>	<p><i>Refers to Laws on ratification of the Basel Convention and the 2003 amendment to that convention as well as to the ratification on behalf of the EC, however no information is given about implementation of the requirements or how hazardous wastes, including annex I substances, are actually treated. In the answer to Q.22 it is stated that PCB containing equipment must be decontaminated and/or disposed by the end of 2010. As for all EU Member States Regulation EC 850/2004 is directly applicable (e.g. see Finland), compliance can be concluded</i></p>	In compliance

Party	Response to Q. 20	Comments	Conclusion
	directly applied in Lithuania.”.		
<b>Luxembourg</b>	No answer	<p><i>2005 IDR: n.e.p. (no reply)</i>  <i>As for all EU Member States Regulation EC 850/2004 is directly applicable (e.g. see Finland), compliance can be concluded.</i></p>	In compliance
<b>Netherlands</b>	<p>“The Netherlands has ratified (1994) and implemented the Basel Convention. The Netherlands also ratified and implemented the Rotterdam Convention (PIC, prior informed consent). The disposal of substances in Annex 1 complies with EC rules, e.g. the regulation on waste transport (until 12-07-2007 Regulation (EEC) 259/93 and from 12-07-2007 Regulation (EC) 1013/2006). Additional measures apply under the Environmental Management Act. An amendment of this Act (2002) enabled a more central coordination, control and planning of waste management (and disposal) and a new national waste management plan (LAP) that entered into force in 2003 and which is last amended March 2007. Every transport of waste must be registered with the National Registry Office (LMA) and every transboundary waste transport for the waste in question is registered as well and a permit is needed, conform the Regulation (EC) 1013/2006. Export and import permits, both granted and refused, are published on the internet. Domestic disposal of PCB from transformers is completed. The Decree on Report on industrial waste and hazardous waste, 26 October 2004, regulates the deliverance, receipt and transport of industrial and hazardous waste. The Decree on Collection of Waste Materials, 31 March 2004 and the Regulation on transporters, collectors, traders and intermediaries of waste, 23 April 2004 regulates that a permit is needed for the collection of waste oil, small hazardous waste and shipping waste.” Handling of industrial or hazardous wastes requires registration on a special list. “For registration companies need to comply with criteria on reliability, creditworthiness and competence.”.</p>	<p><i>2005 IDR: c.</i>  <i>States that it has ratified and implemented the Basel Convention. The disposal of substances listed in annex I complies with EU rules, e.g. EC Regulation 259/93 and EC Regulation 1013/2006 (both binding in their entirety and directly applicable in all member states). A description is given of a centralized management system. A waste management plan is in force. States that domestic disposal of PCBs from transformers is completed.</i></p>	In compliance
<b>Norway</b>	<p>“None of the substances in annex I are used in Norway. Some of them have been used in the past, but further use was prohibited long before the adoption of the POPs Protocol. See answer to question 19. PCB in existing products taken out of use is waste and had to be treated as hazardous waste according to the waste regulation, in which also the requirements in the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal are implemented. Hence, PCB-containing articles and materials have to be treated as hazardous waste and incinerated to destroy PCB. Wastes with PCBs mainly arise from reconstruction and demolition of buildings. The waste regulation was amended in 2007 and requires that the building and construction industry gives the local planning authorities a waste management plan before construction and building projects start. These requirements entered into force 1 January 2008. Wastes are considered hazardous when they contain more PCBs than 50 mg/kg.</p>	<p><i>2005 IDR: c. (Based on the assumption that, since none of the substances are used, Norway currently does not have disposal or destruction issues).</i>  <i>States that none of the substances listed in annex I are used. Some were used in the past but prohibited long before the adoption of the protocol.</i>  <i>Specific information on a waste regulation, in which also the requirements of the Basel convention are implemented, is only given with respect to PCBs. It is not made clear whether the provisions of this waste regulation would also apply to wastes containing other annex I substances.</i></p>	In compliance

Party	Response to Q. 20	Comments	Conclusion
	<p>A survey to identify sites contaminated with PCB (and other hazardous substances) has been carried out and so far actions have been taken on more than 100 sites to prevent further pollution of the environment. The actions include removal and safe storage of the contaminated soil or remediation of the soil on site. Contaminated soils containing more PCBs than 0,01 mg/kg shall not be recycled, unless a risk assessment can prove the recycling to be environmentally sound. A strategy for polluted sediments has also been developed.”.</p> <p><b>Additional information:</b> “The regulation referred to in our response also applies to wastes containing other Annex I substances. Such waste has to be treated as hazardous waste. However, the provisions are not as detailed as those for waste containing PCB.”.</p>	<p><i>Additional information: gives the necessary clarification</i></p>	
<b>Republic of Moldova</b>	<p>No answer</p>	<p><i>2005 IDR: c.</i></p>	<p>No evaluation possible</p>
<b>Romania</b>	<p>“Persistent organic pollutants listed in Annex no I to the Protocol are not manufactured, used and imported in Romania. Destruction by the incineration is subject to the provisions on incineration of wastes in the Governmental Decision no 128/2002 on waste incineration, amended by the Government Decision no 268/2005 and in the Ministerial Order no 756/2004 for the approval of the Technical Normative on waste incineration. Disposal of waste chemical substances – hazardous waste – is done according to the Governmental Decision no 349/2005 on disposal of wastes, with amendments and Emergency Ordinance no 78/2000 on waste regimen, approved with amendments by Law no 426/2001; amended by Emergency Ordinance no 61/2006, approved with amendments by Law no 27/2007. Environmentally sound means of disposal are in compliance with the directives of European Community. Disposal of hazardous waste is possible only in those facilities that had obtained permits for these means of disposal from the regional environment protection agencies.”.</p>	<p><i>2005 IDR: n.e.p. (no reply)</i>  <i>States that no annex I substances are manufactured, used or imported. Refers to national legislation concerning destruction by incineration and concerning disposal of waste chemical substances (hazardous waste). States that environmentally sound disposal is in compliance with EC Directives and that disposal of hazardous waste is possible only in facilities with a permit. No reference is made to the Basel Convention. As for all EU Member States Regulation EC 850/2004 is directly applicable (e.g. see Finland), compliance can be concluded</i></p>	<p>In compliance</p>
<b>Slovakia</b>	<p>“Slovak legislation in the area of waste management in the Act No. 223/2001 on waste, as amended establishes several legislative measures to ensure that the disposal of hazardous waste (including substances listed annex I to the Protocol) is undertaken in environmentally sound manner. These measures resulted from the transposition of the Directive 91/689/EEC on hazardous waste and Directive 96/59/EC on the disposal of polychlorinated biphenyls and polychlorinated terphenyls (PCB/PCT) to the Slovak legislation – the Ministerial Decree No. 283/2001 on amended some provisions of Act on Waste.”.</p>	<p><i>2005 IDR: c.</i>  <i>Refers to national legislation (an Act on Waste and a Ministerial Decree, implementing EU Directives), which establishes measures to ensure disposal of hazardous wastes (including annex I substances) in an environmentally sound manner. Does not refer to the Basel Convention.</i>  <i>As for all EU Member States Regulation EC 850/2004 is directly applicable (e.g. see Finland), compliance can be concluded.</i></p>	<p>In compliance</p>
<b>Slovenia</b>	<p>“In Slovenia transboundary movement of the substances listed in Annex I is performed in accordance with legislation implemented for shipment of hazardous</p>	<p><i>Refers to national legislation implementing the Basel Convention, the Rotterdam Convention and EC</i></p>	<p>In compliance</p>

Party	Response to Q. 20	Comments	Conclusion
	<p>waste, i.e. the Basel Convention and its Ban-Amendment (BC, ratified in 1993), PIC procedure-Rotterdam Convention, Regulation (EC) No. 1013/2006 on shipments of waste, and Transport of dangerous goods act (OJ RS, No. 33/2006-UPB1). EARS is authorized to grant licenses to qualified companies for handling waste and hazardous waste (collection, storage, transport, recovery, disposal). For transboundary movement a permit is needed; it is issued by the Slovenian competent authority (EARS) if all other competent authorities gave their consent and if there is a proof that the hazardous wastes will be disposed of in an environmentally sound manner. Shipment is performed by licensed carrier with adequately equipped and labeled transporters (ADR agreement in road traffic, RID agreement in railway traffic). EARS, the Slovenian competent authority, runs the data base on waste shipment comprising information in accordance with Regulation (EC) No. 1013/2006 (waste code and amount, producer/holder/consignee/carrier, means of transport, duration of permit, notification procedure etc.). Due to lack of domestic capacity for destruction/disposal of Slovenian PCB containing wastes, they are exported to France, Germany and Austria.”.</p>	<p><i>Regulation 1013/2006, which is applicable on movement of annex I substances. Licenses for qualified companies for handling (hazardous) wastes and for transboundary movement are granted by the central government only if there is proof of environmentally sound disposal.</i></p> <p><i>States that Slovenia has no technical facilities to destruct/dispose PCB equipment in an environmentally sound way, therefore such equipment is exported (see Q.21)</i></p>	
<b>Sweden</b>	<p>“All waste containing those substances listed in Annex 1 are classified as hazardous waste and should be treated as such according to the Swedish Waste Ordinance (2001:1063) and the EU-POPs Regulation 850/2004/EC. The pesticides in Annex 1 have however since long been banned or never used in Sweden. Waste containing PCBs shall immediately be handed over for disposal in accordance with the Waste Ordinance.”.</p>	<p><i>2005 IDR: c.</i></p> <p><i>All waste containing annex I substances is hazardous waste. Refers for treatment of such wastes to the Waste Ordinance (2001) and EC Regulation 850/2004 (which specifically requires that these wastes are disposed of, or destroyed in an environmentally sound manner).</i></p>	In compliance
<b>Switzerland</b>	<p>“Based on the Swiss Federal Law relating to the Protection of the Environment, the Swiss Ordinance on Movements of Special Wastes (OMSW for hazardous wastes) entered into force in 1998. All substances listed in Annex I are classified as special wastes. Only plants which have a license are allowed to dispose of special wastes. A license is issued if the plant disposes of the special wastes in an environmentally sound manner. The license is valid for a maximum of 5 years. After this period the plant must apply again and the controls of the installation by the authorities are strict. In addition to the OMSW the Basel Convention is fully implemented in Switzerland.”.</p>	<p><i>2005 IDR: c.</i></p> <p><i>Refers to the Ordinance on movement of Special Wastes (1998). States that all substances listed in annex I are classified special wastes and have to be disposed of in plants with a license issued for disposal in an environmentally sound manner. The Basel Convention is fully implemented.</i></p>	In compliance
<b>United Kingdom</b>	<p>“Year EWC code of waste Method of treatment or disposal Quantity (kg) 2005 130101 D09 33959.24 2005 130301 D09 26977.9 2005 160209 D09 8500 2005 160210 D09 932 2005 170902 D09 1000 2006 130101 D09 58388 2006 130301 D09 205460 2006 160109 D09 15800 2006 160209 D09 4824 2006 160210 D09 3497.5 2006 170902 D09 96600 2005 130101 D10 69496 2005 130301 D10 150046 2005 160209 D10 41342 2006 130101 D10 9270 2006 130301 D10 102735 2006 160109 D10 669.8 2006 160209 D10 50408 2006 160210 D10 6710 2005 130101 R01 5855 The full description of the codes are as follows: D 9</p>	<p><i>Indicates a method of waste treatment or disposal, but the presented information is unclear in respect to the obligation concerned.</i></p> <p><i>As for all EU Member States Regulation EC 850/2004 is directly applicable (e.g. see Finland), compliance can be concluded.</i></p>	In compliance

Party	Response to Q. 20	Comments	Conclusion
	Physico-chemical treatment D 10 Incineration on land R 1 Use principally as a fuel or other means to generate energy Note that R1 is generally referred to as 'Incineration with energy recovery' They are derived from Annex IIA and IIB of the Waste Framework Directive (Council Directive 75/442/EEC)."		
EC	No answer	<i>2005 IDR: c. For all EU Member States Regulation EC 850/2004 is directly applicable (e.g. see Finland). Consequently the EC is in compliance.</i>	In compliance

**Table 3: Compliance with article 3.1. (b) (iii)**, (associated provisions: art. 3.2, 3.4, 4.1)

**"Each Party shall take effective measures to ensure that the transboundary movement of the substances listed in annex I is conducted in an environmentally sound manner, taking into consideration applicable subregional, regional and global regimes governing the management of hazardous wastes and their disposal, and in particular the Basel Convention".**

*Question 21: With reference to article 3, paragraph 1 (b) (iii), please provide details of the measures taken to ensure that the transboundary movement of substances listed in annex I is conducted in an environmentally sound manner, taking into consideration applicable international regimes, in particular the Basel Convention.*

Party	Response to Q. 21	Comments	Conclusion
Austria	"Austria has ratified the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade; provisions according to the Rotterdam Convention are in force due to Regulation (EC) 304/2003 of the European Parliament and the Council concerning the export and import of dangerous chemicals. Any export (and import) of waste has to be licensed in line with the Shipment Regulation (EEC) 93/295. A license for the export of substances listed in Annex I would require that domestic treatment is not possible and that treatment in the import country is carried out in an environmentally sound manner."	<i>2005 IDR: c. The same information as given in reply to the equivalent question in the 2004 Questionnaire. Refers to the Rotterdam Convention and the EC Regulation concerning dangerous chemicals. Describes a permitting procedure for export of waste of annex I substances. The national legislation on import and export of hazardous waste (in compliance with the Basel Convention) and the relevant EC Regulations is described under Q.20.</i>	In compliance
Belgium	The transboundary movement of substances listed in annex I is regulated by the European Regulation 1013/2006 of 14 June 2006 on shipments of waste. This regulation replaces the previous Regulation of 259/93 of 1 February 1993. Regulation 1013/2006 establishes new procedures and control regimes for the transboundary shipment of wastes, depending on the origin, destination and route of the shipment, the type of waste shipped and the type of treatment to be applied to the waste at its destination (removal, useful application, ...). Also the procedures for prior notification of shipment have been renewed. A shipment can	<i>Reference is made to EC Regulations 259/93 and 1013/2006 (on shipment of waste in compliance with the Basel Convention) both binding in its entirety and directly applicable in all member states. In addition EC Regulation 850/2004 is mentioned.</i>	In compliance

Party	Response to Q. 21	Comments	Conclusion
	<p>not occur without prior consent of the land of shipment, the land of destination and the land of transit. Notifications need to be accompanied with a contract stipulating the useful application or removal of the wastes. Furthermore the shipment needs to be fully covered by a deposit or equivalent insurance policy. This new regulation - like the previous regulation 259/93 - takes into consideration and is in compliance with the requirements of the Basel Convention. In application of the proximity principle (article 11,1 of the Regulation 1013/2006) by which foreign countries can refuse the import of dangerous waste that has to be removed in their country, these wastes have to be removed on the national territory unless there is insufficient capacity to remove certain substances (like PCBs). In that case the export of these substances can only be granted if the foreign installation meets at least the same decontamination quality of the domestic installations (e.g. application of BAT according to the IPPC Directive). Export of PCB containing equipment for disposal (landfilling or incineration) is prohibited. The import of equipment containing PCB as waste is allowed as long as our decontamination plants have capacity available. The legislation 850/2004 is respected.”.</p>		
<p><b>Bulgaria</b></p>	<p>“The cross-boundary transport of substances listed in annex I is settled with Regulation for the cases when a permit is required for the import, export and transportation of waste and the conditions and order of the issuing the permit adopted by Decree No. 166/2000 (SG 66/2000). The cross-boundary transport is in compliance with the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, of which Bulgaria is a party.”.</p>	<p><i>2005 IDR: c.                  Refers to national legislation (2000) on transboundary movement of substances listed in annex I, in accordance with the Basel Convention.</i></p>	<p>In compliance</p>
<p><b>Canada</b></p>	<p>“Canadian legislation addresses transportation, disposal, including destruction, and recycling of hazardous wastes and hazardous recyclable materials. This also includes waste POPs. The Basel Convention sets out obligations for a prior informed consent procedure and the tracking of shipments which contribute to ESM of transboundary movements. The importance of ESM is also recognized in the OECD Council Decisions on wastes destined for recovery operations, and the Canada-USA Agreement on the Transboundary Movement of Hazardous Wastes. These international obligations are implemented in Canada through the 2005 Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations, which set out the controls for imports, exports and transits of hazardous waste and hazardous recyclable material. The imports and transits of PCB waste are subject to the Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations. The export of PCB wastes are controlled under the 1997 PCB Waste Export Regulations which permit exports only to the United States for the purpose of disposal (not including landfilling); however, there are no exports of PCB wastes from Canada as the US border is closed to PCB imports.”.</p>	<p><i>2005 IDR: c.                  As in reply to the 2004 Questionnaire reference is made to national regulations on transboundary movement of hazardous wastes including waste POPs, in accordance with the Basel Convention and specifically mentions two regulations on PCBs, from 1997 (and 1992). In addition Regulations (2005), implementing the international obligations under Basel, OECD Council Decisions and the Canada-USA Agreement, are explained.</i></p>	<p>In compliance</p>

Party	Response to Q. 21	Comments	Conclusion
<b>Croatia</b>	<p>“Transboundary transport of waste in the Republic of Croatia is regulated by the Act on the Ratification of the [Basel Convention] (OG, International Treaties 3/94), the Waste Act (OG 178/04, 153/05) and the Regulation on supervision of transboundary shipments of waste adopted in 2007. Consequently the hazardous waste, including POPs wastes, is treated in accordance with the convention and the Act.”. In addition a description is given of the procedure to be followed for transboundary transport of waste and for final disposal of hazardous waste in Croatia. As Croatia has no disposal capacity for PCBs containing wastes, such wastes are exported for treatment to EU countries.                      Further is stated: “Croatia also adopted Ordinance on sanitary plants control and control of plants protection products in transboundary movements (OG 12/95)”.</p>	<p><i>Reference is made to the Basel Convention and the national Waste Act. It is stated that hazardous waste, including POPs wastes, is treated in accordance with the Basel Convention and the Waste Act</i></p>	<p>In compliance</p>
<b>Cyprus</b>	<p>“Cyprus has ratified the Basel Convention on the control of transboundary movements of hazardous wastes and their disposal and the necessary mechanism has been established for the implementation of the Convention.”.</p>	<p><i>2005 IDR: c. (no assessment)                      States that that the necessary mechanism for implementation of the Basel Convention has been established. No date is given, but anyway, the Basel convention is implemented at the time of the present review.</i></p>	<p>In compliance</p>
<b>Czech Republic</b>	<p>“If these substances are treated as waste, they are treated according to the Act No. 185/2001 Coll. On waste, as amended, which reflects all the issued EC legislation on transboundary transfer of waste, incl. hazardous (the respective orders). The Act on wastes includes all the provisions ensuing from the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, and namely through the EC regulations on transboundary transfer of waste.”.</p>	<p><i>2005 IDR: c.                      Refers to national regulations (2001) on transboundary movement of hazardous wastes including annex I substances, in accordance with the Basel Convention</i></p>	<p>In compliance</p>
<b>Denmark</b>	<p>“See answer to question 18 and 19”.</p>	<p><i>2005 IDR: c. (Based on the additional information that Denmark implemented the Basel Convention and complies with EC Regulation 259/93)                      Answers to Q.18 and 19 give no information relevant to this question.                      As for all EU Member States Regulation EC 1013/2006 is directly applicable (e.g. see Lithuania), compliance can be concluded.</i></p>	<p>In compliance</p>
<b>Estonia</b>	<p>“Estonia is party of BASEL Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal since 1992. Referring to the Waste Act Transboundary movement of waste shall be in accordance with international agreements of the Republic of Estonia which have entered into force and pursuant to the procedure provided for in Regulation (EC) No 1013/2006 of the European Parliament and of the Council on shipments of waste. Hazardous waste and waste regulated by international agreements may be imported into and</p>	<p><i>States that it is party to the Basel Convention since 1992. Refers to its Waste Act, which requires transboundary movement of waste to be in accordance with the Basel Convention, and to EC Regulation 1013/2006 (binding in its entirety and directly applicable in all member states). Gives an overview of the</i></p>	<p>In compliance</p>

Party	Response to Q. 21	Comments	Conclusion
	<p>exported from the Republic of Estonia and passed in transit through the territory of the Republic of Estonia on the basis of a permit for transboundary movement of waste (herein-after transport permit). A copy of the transport permit and the consignment note shall upon import, export or transit accompany a shipment of hazardous waste or waste regulated by an international agreement. The codes of the waste, the transboundary movement of which takes place on the basis of a transport permit, in the Combined Nomenclature is established by a regulation of the Minister of the Environment For transboundary movements of waste a notification must be submitted to competent authorities. According to the Waste Act the competent authority is the Ministry of Environment of Estonia. For transboundary movements of waste a notification must be submitted with following documents: notification document, movement document, and conclusion of a contract between the notifier and the consignee and establishment of a financial guarantee or equivalent insurance. If an official of the Tax and Customs Board has reasonable doubts as to whether the information specified in the consignment note or transport permit corresponds to the waste shipment subject to customs examination, the official shall seize the shipment and notify the Environmental Inspectorate of the circumstances relating to the seizure.”.</p>	<p><i>procedures followed.</i>  <i>It is not indicated at what date the Waste Act came into force, but anyway, the Basel convention is implemented at the time of the present review.</i></p>	
<b>Finland</b>	<p>“All transboundary movements of such wastes shall be carried out in accordance with the EU Regulation 1013/2006 on shipments of waste and national provisions laid down by the Finnish Waste Act (1072/1993). All requirements of the Basel Convention, including the ban to export hazardous wastes from OECD to non-OECD countries have been implemented by these provisions. See further details in the annual reports provided by Finland to the Secretariat of the Basel Convention concerning the implementation of the Basel Convention.”.</p>	<p><i>2005 IDR: c.</i>  <i>Refers to its Waste Act (1993) and EC Regulation 1013/2006 (binding in its entirety and directly applicable in all member states) on transboundary movement of wastes, implementing the provisions of the Basel Convention.</i></p>	In compliance
<b>France</b>	<p>The conditions for transboundary movement of annex I substances as laid down in amendment III/1 of the Basel Convention, are applied by France as they are comprised in EC Regulation 259/93</p>	<p><i>2005 IDR: c.</i>  <i>Refers to EC Regulation 259/93 (binding in its entirety and directly applicable in all member states).</i></p>	In compliance
<b>Germany</b>	<p>“The Basel Convention is implemented by the Waste Shipment Regulation 259/93/EEC and by the German Waste Movement Act, i.e. the export of waste for final disposal in non-EU and non- EFTA countries is banned, and export for recovery/recycling to non-OECD countries is banned.”.</p>	<p><i>2005 IDR: c.</i>  <i>States that it implemented the Basel Convention through its Waste Movement Act and EC Regulation 259/93 (binding in its entirety and directly applicable in all member states).</i></p>	In compliance
<b>Hungary</b>	<p>“Not relevant for Hungary.”.</p>	<p><i>2005 IDR: c. (no assessment) (Based on the statement that movement of substances listed in annex I is strictly regulated in accordance with the Basel Convention)</i>  <i>Indicates: Not relevant.</i>  <i>As for all EU Member States Regulation EC 1013/2006 is directly applicable (e.g. see Lithuania), compliance</i></p>	In compliance

Party	Response to Q. 21	Comments	Conclusion
		<i>can be concluded</i>	
<b>Iceland</b>	<p>“Transboundary movement of wastes are subject to provisions of the Basel Convention. Provisions of the Basel Convention were brought into force in Iceland by implementing Council Regulation (EEC) No 259/93 on the supervision and control of shipments of waste within, into and out of the European Community with Regulation No 377/1994, on environmental issues in the European Economic Area. Regulation 377/1994 was repealed by Regulation No 224/2005 on entry into force of EU legislation on the supervision and control of shipments of waste within, into and out of the European Community. Regulation No 224/2005 is based on the Hygiene and Pollution Prevention Act of 1998”.</p>	<p><i>2005 IDR: n.e.p. (no reply)</i>  <i>Refers to a Regulation (1994), repealed by another Regulation in 2005, which brought into force the provisions of the Basel Convention, including those on transboundary movement of wastes.</i></p>	In compliance
<b>Italy</b>	<p>“The Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste, ratifying the provisions of the Basel convention, establishes procedures and control regimes for the shipment of waste, depending on the origin, destination and route of the shipment, the type of waste shipped and the type of treatment to be applied to the waste at its destination.”.</p>	<p><i>Refers to EC Regulation 1013/2006 (binding in its entirety and directly applicable in all member states), which implements the provisions of the Basel Convention. The Regulation applies from 12-07-2007. Although it is in force at the time of the present review, it was not at the time the obligation took effect for Italy.</i></p>	In compliance
<b>Latvia</b>	No answer	<p><i>2005 IDR: (no assessment)</i>  <i>As for all EU Member States Regulation EC 1013/2006 is directly applicable (e.g. see Lithuania), compliance can be concluded.</i></p>	In compliance
<b>Liechtenstein</b>	No answer	<p><i>2005 IDR: n.e.p. (no reply)</i></p>	No evaluation possible
<b>Lithuania</b>	<p>“Measures taken: 1) The Council Regulation of 14 June 2006 (EC) No 1013/2006 on shipments of waste is directly applied in Lithuania. Any export of hazardous waste for disposal from the Republic of Lithuania to the Third Countries excluding the EFTA countries which are also the Basel Convention Parties is prohibited. All export of hazardous waste for disposal from the Republic of Lithuania to the European Community must be notified and is possible if the notifier has received the written consent of the Ministry of Environment of the Republic of Lithuania, as well as consents of other competent authorities concerned. 2) The Council Regulation (EC) No 304/2003 of the European Parliament and of the Council of 28 January 2003 concerning the export and import of dangerous chemicals and the Order of the minister of Environment of Lithuania No D1-154 of 30/03/2004 establish the system of notification and information for exports to countries of chemicals which are banned or restricted in the Community on account of their effects on human health and the environment, implementing the Rotterdam Convention on the Prior Informed</p>	<p><i>Refers to EC Regulation 1013/2006, which is ‘directly applied in Lithuania’. Thus export of hazardous wastes for disposal is prohibited except for (notified) export to EFTA countries, which are parties to the Basel Convention. The PIC Convention is implemented through EC Regulation 304/2003 and a Ministerial Order (2004) establishing a notification and information system.</i>  <i>How the Basel Convention was implemented before EC Regulation 1013/2006 came into force (July 2007) is not indicated. Anyway, there is compliance at the time of the present review.</i></p>	In compliance

Party	Response to Q. 21	Comments	Conclusion
	Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (The PIC Convention of 11 September 1998).”.		
<b>Luxembourg</b>	No answer	<i>2005 IDR: n.e.p. (no reply)</i> <i>As for all EU Member States Regulation EC 1013/2006 is directly applicable (e.g. see Lithuania), compliance can be concluded.</i>	In compliance
<b>Netherlands</b>	“Regulation (EEC) 259/93 was and Regulation (EC) 1013/2006 on waste transport is implemented in the Dutch Economic Offences Act (1950) and the Environmental Management Act (1993). Its implementation is supported by additional measures under the Environmental Management Act. The Minister of the Environment is responsible for the execution of the Regulation, but the actual execution is mandated to SenterNovem, a governmental agency. The implementation of the LAP ( <i>National Waste Management Plan</i> ) has led to further centralized control and reporting on movements of hazardous wastes. Every transboundary movement of hazardous waste needs a permit by the Minister for the Environment. Permits and refusals are published on the website of SenterNovem, and are subject to possible objection. A Dutch cleaning facility is importing PCB containing transformers from developing countries, for dismantling and decontamination. There is export of some PCB contaminated waste for which there is no destruction capacity in the Netherlands. PCB containing oils will be incinerated in the Netherlands. PCB-contaminated soil and stones will be treated in Germany. All shipments of these types of waste are in compliance with Regulation (EC) 1013/2006.”.	<i>2005 IDR: c.</i> <i>Refers to implementation of EC Regulations 259/93 and 1013/2006 in two Acts and additional measures. Control and reporting of waste movements is centralized. Describes the procedure to be followed for transboundary movement of hazardous waste, in compliance with the EC Regulation. PCB containing transformers are imported from developing countries for dismantling and decontamination. PCB containing oils will be incinerated in the Netherlands. Some PCB contaminated waste for which no destruction capacity exists, is exported, PCB containing soil and rubble to Germany</i>	In compliance
<b>Norway</b>	“Transboundary movement for the disposal of substances listed in Annex I to non-OECD countries is prohibited according to Norwegian legislation. To ensure that the transboundary movement for the disposal of substances listed in Annex I to other countries is conducted in an environmentally sound manner, Council Regulation (EEC) No 259/93 of 1 February 1993 on the supervision and control of shipments of waste within, into and out of the European Community, as well as the principles and provisions of the Basel Convention, are implemented in Norwegian legislation on waste management.”.	<i>2005 IDR: c.</i> <i>Transboundary movement for disposal of substances listed in annex I to non-OECD countries is prohibited. Refers to national legislation implementing the principles and provisions of the Basel Convention and EC Regulation 259/93</i>	In compliance
<b>Republic of Moldova</b>	No answer	<i>2005 IDR: c.</i>	No evaluation possible
<b>Romania</b>	“Transboundary movement of hazardous waste is done according to the Emergency Ordinance no 78/2000 on waste regimen, approved with amendments by Law no 426/2001; amended by Emergency Ordinance no 61/2006, approved with amendments by Law no 27/2007, Regulation (EC) no 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste,	<i>2005 IDR: n.e.p. (no reply)</i> <i>Refers for transboundary movement of hazardous waste to national legislation (2000 and 2001) as amended (2006 and 2007), EC Regulation 1013/2006 and implementation legislation (2007) and for</i>	In compliance

Party	Response to Q. 21	Comments	Conclusion
	<p>into and out of the EC, Government Decision no 788/2007 for the establishment of certain measures on the application of the Regulation (EC) No 1013/2006 and Basel Convention ratified by Romania by the Law no 6/1991 for the adherence to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal and the Law no 265/2002 on the acceptance of the amendments to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal. The inspection of waste management and fines imposed on the operators are by the Romanian National Environment Guard.”.</p>	<p><i>ratification of the Basel convention and acceptance of its amendments, to laws of 1991 and 2002.</i></p>	
<p><b>Slovakia</b></p>	<p>“Measures taken to ensure that the transboundary movement of substances in annex I to the Protocol is implemented in Slovakia through the Regulation of the European Parliament and of the Council No. 1013/2006 on shipments of waste. This Regulation establishes the requirements laid down in Basel Convention that the shipments of hazardous waste are consistent with environmentally sound manner and efficient management of such waste.”.</p>	<p><i>2005 IDR: c (Based on answers to other questions, leading to the conclusion that legislation would not allow transboundary movement)</i>  <i>Refers for measures with respect to transboundary movement of annex I substances, to EC regulation 1013/2006, establishing the requirements of the Basel Convention. How the Basel Convention was implemented before the EC Regulation came into force (July 2007) is not indicated. Anyway, there is compliance at the time of the present review.</i></p>	<p>In compliance</p>
<p><b>Slovenia</b></p>	<p>“In Slovenia transboundary movement of the substances listed in Annex I is performed in accordance with legislation implemented for shipment of hazardous waste, i.e. the Basel Convention and its Ban-Amendment (BC, ratified in 1993), PIC procedure-Rotterdam Convention, Regulation (EC) No. 1013/2006 on shipments of waste, and Transport of dangerous goods act (OJ RS, No. 33/2006-UPB1). EARS is authorized to grant licenses to qualified companies for handling waste and hazardous waste (collection, storage, transport, recovery, disposal). For transboundary movement a permit is needed; it is issued by the Slovenian competent authority (EARS) if all other competent authorities gave their consent and if there is a proof that the hazardous wastes will be disposed of in an environmentally sound manner. Shipment is performed by licensed carrier with adequately equipped and labelled transporters (ADR agreement in road traffic, RID agreement in railway traffic). EARS, the Slovenian competent authority, runs the data base on waste shipment comprising information in accordance with Regulation (EC) No. 1013/2006 (waste code and amount, producer/holder/consignee/carrier, means of transport, duration of permit, notification procedure etc.). Due to lack of domestic capacity for destruction/disposal of Slovenian PCB containing wastes, they are exported to France, Germany and Austria.”.</p>	<p><i>Transboundary movement of substances listed in annex I is performed in accordance with the Basel Convention (ratified 1993) and its Ban Amendment, PIC procedure and EC Regulation 1013/2006 and national legal Act (2006). The obligation of art. 3.1.(b)(iii) came into force for Slovenia in February 2006.</i>  <i>Describes the permit system for transboundary movement. Due to lack of domestic capacity PCB containing wastes are exported to France, Germany and Austria.</i></p>	<p>In compliance</p>

Party	Response to Q. 21	Comments	Conclusion
<b>Sweden</b>	<p>“Waste containing these substances are classified as hazardous waste according to the Basel convention and EU-Regulation 1013/2006/EC (OJ L 190, 12.7.2006, p. 1) on shipments of waste and regulated accordingly.”.</p>	<p><i>2005 IDR: c. (Based on EU Regulation 259/93, implementing the Basel Convention and directly valid in Sweden.)</i>  <i>Refers to EC Regulation 1013/2006 (binding in its entirety and directly applicable in all member states and in force since July 2007)</i></p>	In compliance
<b>Switzerland</b>	<p>“Transboundary movements of hazardous wastes are regulated in the OMSW (entered into force in 1998) and the Basel Convention, which is fully implemented in CH. Transboundary movements of the substances listed in Annex I, as wastes, are only possible following the PIC-procedure of the BC. A permit for the transboundary movement is issued from the Swiss competent authority if all other competent authorities gave their consent and if there is proof that the hazardous wastes will be disposed of in an environmentally sound manner. CH does prohibit export of hazardous wastes to Non-OECD-countries and has also ratified the Ban-Amendment of the BC, which prohibits exports of hazardous wastes from OECD-countries to Non-OECD-countries.”.</p>	<p><i>2005 IDR: c.</i>  <i>Refers to national legislation (1998) on transboundary movement of hazardous wastes and the Basel Convention, which is fully implemented. Describes the permit system in force.</i></p>	In compliance
<b>United Kingdom</b>	<p>“Implemented through: European Community Regulation 850/2004 on persistent organic pollutants.”.</p>	<p><i>Refers to EC Regulation 850/2004, ( binding in its entirety and directly applicable in all member states).</i></p>	In compliance
<b>EC</b>	No answer	<p><i>2005 IDR: c.</i>  <i>For all EU Member States Regulation EC 1013/2006 is directly applicable (e.g. see Lithuania). Consequently the EC is in compliance.</i></p>	In compliance

**Table 4: Compliance with article 3.1. (c)** (associated provisions: art. 3.4, 4.1, 4.2)

**“Each Party shall take effective measures to restrict the substances listed in annex II to the uses described, in accordance with the implementation requirements specified therein”.**

Substance	Implementation requirements / conditions still relevant on 31-12-2007
DDT	Restricted to uses: 1. For public health protection from diseases such as malaria encephalitis (use allowed only as a component of an integrated pest management strategy and only to the extent necessary); 2. As a chemical intermediate to produce Dicofol.
HCH (mixed isomers)	Restricted to use as an intermediate in chemical manufacturing.
Lindane (HCH gamma isomer)	Restricted to the following uses: 1. Seed treatment; 2. Soil application directly followed by incorporation into the topsoil surface layer; 3. Professional remedial and industrial treatment of lumber, timber and logs; 4. Public health and veterinary topical insecticide; 5 Non-aerial application to tree seedlings, small-scale lawn use, and indoor and outdoor use for nursery stock and ornamentals; 6. Indoor industrial and residential applications.
PCBs	Restricted to PCBs in use as of 23 October 2003, under the conditions that Parties shall make determined efforts designed to lead to: (a) the elimination of use; (b) the destruction or decontamination and (c) the decontamination or disposal of equipment, in accordance with annex II .

Question 22: With reference to article 3, paragraph 1(c), please provide details of the measures taken to restrict the substances listed in annex II to the uses described in that annex. Please complete the table[...].

Party	Response to Q. 22	Comments	Conclusion
<b>Austria</b>	Production and use of DDT, HCH (mixed isomers), Lindane and PCBs are banned according to Regulation 850/2004/EC; no exemption has been granted in Austria for the production of Dicofol from DDT; restricted use of HCH (mixed isomers) as intermediate in chemical industry and of Lindane as public health and veterinary insecticide, was allowed only until 31 December 2007; products containing PCBs which were already in use may still be used.	<i>2005 IDR: c. (Based on information indicating that production and uses of the annex II substances was prohibited in accordance with the annex). Has banned production and uses of annex II including restricted uses of HCH and Lindane. Refers to the relevant EC Regulation 850/2004, which is directly applicable in all EU member states. No information is given about any deadlines for use of existing PCB containing products.</i>	In compliance
<b>Belgium</b>	It is stated that use of DDT is banned. HCH (mixed isomers) is banned under EC Regulation 304/2003. Use of lindane is banned for agricultural and non-agricultural purposes. It is further stated that Lindane was not produced any more since 2007. Production and marketing of equipment containing PCBs and use in new applications is banned since 1986. Conditions on elimination, destruction or decontamination of PCB or equipment containing it, are covered by regional Orders”, implementing EC Directive 96/59. An overview of these orders and plans for the three regions, is given. “Deadlines for removal/decontamination of PCB containing equipment is presented. “In addition Belgium is committed to international agreements leading to the total destruction of all identifiable PCB’s	<i>Use of DDT, HCH (mixed isomers) and Lindane is banned. New application of PCBs is banned and planned elimination, destruction and decontamination of PCBs and PCB containing equipment comply with annex II</i>	In compliance

Party	Response to Q. 22	Comments	Conclusion
	(Parcom 92/3; conclusion of the third International Conference on the Protection of the North sea)		
<b>Bulgaria</b>	Uses of DDT, HCH (mixed isomers), lindane and PCBs are banned.	<i>2005 IDR: c. Use of the substances in annex II is banned.</i>	In compliance
<b>Canada</b>	DDT and HCH are not registered for use in Canada under the pest Control Products Act (PCPA). Health Canada's Pest Management Regulatory Agency (PMRA) ended all registrations of lindane for agricultural pest control in Canada on 31 December 2004. A CEC North American Regional Action Plan (NARAP) for continued use in human shampoo has been established. Proposed revisions to the federal PCB regulatory framework under Canadian Environmental Protection Act, 1999, anticipated to be published in 2008, will establish specific deadlines for ending the use of PCBs. Specifically, the use of PCBs in concentrations of 500 ppm or more would end no later than December 31, 2009, and in concentrations of 50 ppm or more but less than 500 ppm no later than December 31, 2025 as well as some equipment subject to specific practicality considerations (e.g. light ballasts and pole-top transformers). <b>Additional information:</b> "The registration of DDT in Canada as a pesticide was discontinued in 1985. Any other use of DDT as a chemical is also prohibited (...) (Prohibition of Certain Toxic Substances Regulations, 2005)". It is explained that agricultural pest control uses of lindane, includes veterinarian uses and that "there are no other uses, such as an intermediate in chemical industry". The new PCB regulations, published in September 2008, "establishes specific deadlines for ending the use of PCBs.". The deadlines are as indicated in the original answer.	<i>2005 IDR: c. (Based on the statements that DDT is not registered for use, that use of lindane and PCB is restricted to those allowed under the protocol and that phase out of existing PCB uses is addressed in proposed regulations.) DDT and HCH are not registered for use as pest control products. No information on possible other uses. Registrations of lindane for agricultural pest control are ended, but it is still allowed for use in human shampoo (a restricted use allowed according to annex II). Specific deadlines will be established (to be published in 2008) for ending the use of PCBs (concentrations &gt; 500 ppm, by the end of 2009, concentration &lt;500 ppm and some specific equipment, by the end of 2025). There are no other uses for DDT and HCH/lindane. The deadlines as presented for ending use of PCBs are in line with annex II.</i>	In compliance
<b>Croatia</b>	Production and use of DDT is banned since 1972 and application and use of dicofol are prohibited. HCH (mixed isomers) is banned since 1972. The last pesticide prohibited was Lindane (in 2001). Use of PCBs is only allowed in closed systems, the last PCBs containing equipment was manufactured in 1991. Inventory data on total weight of PCBs containing equipment is provided, as is the recorded weight of liquid (unused) PCBs stockpiles. <b>Additional information:</b> "...The last pesticide prohibited was lindane. In accordance to List of Poisons Whose Production, Trade and Use Is Prohibited (OG 29/05), lindane is banned not earlier than 2005. In 1972 ordinance lindane is prohibited only in some plant protection substances. Lindane was used as insecticide.	<i>Has banned production and uses of annex II substances including restricted uses of DDT. Information on other use of Lindane than as pesticide remains unclear. In the additional information it is stated that lindane was banned in 2005 as insecticide</i>	In compliance
<b>Cyprus</b>	"There is no production, import or use of DDT, HCH or PCB in Cyprus."	<i>2005 IDR: c. (no assessment) It is stated that annex II substances are not used.</i>	In compliance
<b>Czech Republic</b>	"DDT: Production and use prohibited in 1974, limited use in some preparations to 1983 Inventories and disposal of stocks HCH (mixed isomers): Technical mixture prohibited in 1974. Inventories and	<i>2005 IDR: c. It is stated that use of DDT, HCH (mixed isomers) and lindane is prohibited, with an exemption for limited use</i>	In compliance

<b>Party</b>	<b>Response to Q. 22</b>	<b>Comments</b>	<b>Conclusion</b>
	disposal of stocks Lindane: Gamma isomer prohibited in 1995, limited minimum use of Jakutin in health care. Inventories and disposal of stocks PCBs: Use prohibited. Inventory of existing facilities containing PCB and PCB wastes. Disposal of existing mixtures and wastes containing PCBs”.	<i>of lindane in health care. It is further stated that use of PCB is prohibited. Inventories and disposal of stocks are mentioned.</i>	
<b>Denmark</b>	DDT: ban since 1979 (latest version in Statutory Order no 208 of March 26, 1992); use of HCH and Lindane: banned since December 1995; PCBs: Statutory Order no 818 of September 29, 2003. “Sale and import of PCB have been banned since 1986 and since December 1998 the prohibition also includes instruments etc. containing PCB. The emissions of PCB is assumed to be negligible”.	<i>2005 IDR: c. Has banned DDT and use of HCH and Lindane. Sales and import of PCBs and PCB containing instruments are prohibited since 1986/1998)</i>	In compliance
<b>Estonia</b>	Indicates that annex II substances are not used, banned by EC regulation 850/2004.	<i>Use is banned by EC regulation 850/2004 (binding in its entirety and directly applicable in all member states)</i>	In compliance
<b>Finland</b>	Refers to EC Regulation 850/2004. States that use of DDT is allowed as closed-system, site-limited intermediate to produce Dicofol, HCH including lindane are banned and that placing on the marked of PCBs is prohibited, whether on its own, in preparations or as constituents of articles.	<i>2005 IDR: c. Banned all uses except for the use of DDT as a chemical intermediate to produce Dicofol</i>	In compliance
<b>France</b>	DDT: use is banned (Decree No 2007-1467), no use as intermediate for production of Dicofol in France. HCH (mixture of isomers): “L’arrêté du 31 janvier 2008 relatif aux installations classées soumises à autorisation fixe le seuil d’émission dans l’air à 10 kg/an”. Lindane: “L’utilisation du lindane en France est interdite sauf pour le traitement du bois et la formulation de produits antiparasitaires (décret n° 92-1074 du 2 octobre 1992). L’arrêté du 31 janvier 2008 relatif aux installations classées soumises à autorisation fixe le seuil d’émission dans l’air à 1 kg/an”.	<i>2005 IDR: n.e.p. All uses of DDT are banned. Use of Lindane is allowed for wood preservation and in parasiticides, which seems to be in agreement with annex II. It is unclear whether HCH, as mixture of isomers, is used as chemical intermediate, or not. As for all EU Member States Regulation EC 850/2004 is directly applicable (e.g. see Austria and Slovenia), compliance can be concluded.</i>	In compliance
<b>Germany</b>	“The Ordinance on the Prohibition of Chemicals prohibits the production and use of DDT and PCBs”. “HCH (mixed isomers): no measures needed, banned for all uses according to Regulation (EC) No 850/2004 of the European Parliament and of the Council of 29 April 2004 on persistent organic pollutants and amending Directive 79/117/EEC. Lindane (HCH gamma isomer) banned for any use as active ingredient of plant protection products”.	<i>2005 IDR: n.c. (Based on the observation that the described rest-use of HCH (Lindane) in wood preservatives, is not in agreement with annex II. At EB23 it was officially declared (§63 report) that lindane was not used as wood preservative since 23.10.2003. EB noted Germany’s view it should be deemed to be in compliance with art. 3.1(c) ). Refers to legislation (1993) prohibiting the use of DDT and PCBs and to EC Regulation 850/2004 prohibiting use of HCH. States that lindane is banned for any use as plant protection ingredient</i>	In compliance
<b>Hungary</b>	“The legal harmonisation assures that disposal and destruction of POP substances might be undertaken only keeping the regulatory measures stipulated in the	<i>2005 IDR: (no assessment) Answer not relevant for this question.</i>	In compliance

Party	Response to Q. 22	Comments	Conclusion
	relevant EU Directives. Altogether about 40 pieces of legislation have been issued in these topics in recent years mainly in the framework of waste management.”.	<i>As for all EU Member States Regulation EC 850/2004 is directly applicable (e.g. see Austria and Slovenia) compliance can be concluded</i>	
<b>Iceland</b>	“Measures taken (e.g. national legislation) DDT Banned in 1996 HCH (mixed isomers) No measures taken Lindane (HCH gamma isomer) Last registrations cancelled in 1999 PCBs Regulation No 323/1998, on import, uses and disposal of PCB, PCT and environmentally dangerous substitutes, based on the Act on Toxic and Dangerous Substances of 1988 and the Hygiene and Pollution Prevention Act of 1998, covers management of PCBs and preparations of which PCBs are a constituent. Import and uses of PCBs, and equipment containing PCBs, is prohibited. Disposal of PCBs and cleaning of PCB containing equipment shall be completed before the end of 2010. The regulation covers PCBs and mixtures containing more than 0.005% of PCBs. Admixture of PCBs, PCTs or other hazardous wastes with waste oils is prohibited according to Regulation No 809/1999, on waste oils, based the Act on Hygiene and Pollution Prevention of 1998 and the Act on Pollution Prevention of the Sea and Coastal Areas of 2004. Preparations, including waste oils and hydraulic fluids containing more than 0.005% of PCBs should be treated as hazardous wastes. Discarded equipment and components removed from discarded equipment containing PCBs are classified as hazardous waste according to Regulation No 184/2002, on a list of hazardous wastes and other wastes, based on the Act on Toxic and Dangerous Substances of 1988 and the Hygiene and Pollution Prevention Act of 1998.”.	<i>2005 IDR: n.e.p. (no reply) Use of DDT, lindane and PCBs is banned in 1996, 1999 and 1998 respectively. The planning for disposal of PCBs in use at the time of entry into force of the protocol is in accordance with annex II. States that no measures are taken with respect to HCH mixed isomers.</i>	In non-compliance
<b>Italy</b>	For DDT, HCH (mixed isomers) and Lindane exemptions are not allowed. For PCBs reference is made to Legislative Decree n.209 of 22 may 1999, transposing Council Directive 96/59/EC of 16 September 1996 on the disposal of polychlorinated biphenyls and polychlorinated terphenyls (PCB/PCT).	<i>It is only mentioned that exemptions are not allowed for DDT, HCH and Lindane. For the use of PCBs no information is given than a reference to national legislation implementing a EC Directive on disposal of PCBs and PCTs. As for all EU Member States Regulation EC 850/2004 is directly applicable (e.g. see Austria and Slovenia), compliance can be concluded.</i>	In compliance
<b>Latvia</b>	No answer	<i>2005 IDR: (no assessment) As for all EU Member States Regulation EC 850/2004 is directly applicable (e.g. see Austria and Slovenia), compliance can be concluded.</i>	In compliance
<b>Liechtenstein</b>	No answer	<i>2005 IDR: n.e.p. (no reply)</i>	No evaluation possible
<b>Lithuania</b>	DDT, HCH (mixed isomers) and Lindane: “Banned. (Order of the Minister of Health Protection No. V-864 for the adoption of hygiene norm 63:2004 “Banned active substances in products for plants protection” (06/12/2004)”. PCBs: HN	<i>Refers to national legislation. Use of DDT, HCH (mixed isomers) and Lindane are banned in products</i>	In compliance

Party	Response to Q. 22	Comments	Conclusion
	63:2004, HN 36:2004 "Banned and restricted substances"; According to the requirements of the Rules on polychlorinated biphenyls and polychlorinated terphenyls (PCB/PCT) Management (26-10-2003 Order No.473 of the Minister of Environment) PCB-containing equipment must be decontaminated and/or disposed by the end of 2010 at the latest. (Equipment containing PCB is still used in water supply/treatment, energy production/distribution, petroleum processing, metal processing companies).".	<i>for plant protection. No specific information about other uses. Use of PCBs is restricted to existing equipment, which must be decontaminated and/or disposed of by end 2010 (in accordance with annex II). As for all EU Member States Regulation EC 850/2004 is directly applicable (e.g. see Austria and Slovenia), compliance can be concluded.</i>	
<b>Luxembourg</b>	No answer	<i>2005 IDR: n.e.p. (no reply) As for all EU Member States Regulation EC 850/2004 is directly applicable (e.g. see Austria and Slovenia), compliance can be concluded.</i>	In compliance
<b>Netherlands</b>	"The substances listed in table q.22 are not permitted by the Ctgb. PCBs are prohibited under the Hazardous Substances Act.". The substances are forbidden	<i>2005 IDR: c. (Based on the statement that use of substances from annex II is not allowed.) States that use of DDT, HCH (mixed isomers) and Lindane is forbidden, apparently for plant protection. No specific information about possible other uses. Refers further to national legislation prohibiting use of PCBs. As for all EU Member States Regulation EC 850/2004 is directly applicable (e.g. see Austria and Slovenia), compliance can be concluded</i>	In compliance
<b>Norway</b>	"None of the uses described in Annex II occur in Norway. All use of DDT has been banned since 01.01.1989 and use of HCH has been banned since 01.01.1994. New use of PCB has been banned since 1980.".	<i>2005 IDR: c. No use what so ever of annex II substances. All use of DDT and HCH and new use of PCBs, have been banned. The answer does not mention existing PCB uses. <u>Conclusion partly based on 2005 IDR</u></i>	In compliance
<b>Republic of Moldova</b>	No answer	<i>2005 IDR: c.</i>	No evaluation possible
<b>Romania</b>	1. DDT: "Not used since 1985 Romania was not registered with any specific exemptions for the utilization of DDT. The manufacturing and import of PPPs containing banned active substances provided for in the Annex to the Council Directive 79/117/EEC prohibiting the placing on the market and use of plant protection products containing certain active substances was stopped in February 2003, with a 12 month period granted for using the existing stocks. According to the Ministerial Order no. 396/707/1944/2002 issued by the Ministry of Agriculture, Food and Forestry, the Ministry of Health and the Ministry of Waters and Environment Protection, transposing the Council Directive	<i>2005 IDR: n.e.p. (no reply) Refers to national legislation prohibiting (2003, with 12 month period of grace for existing stocks) use of plant protection products containing DDT and HCH (mixed isomers). Further withdrawal, December 2006, of authorizations of products containing Lindane is mentioned. For use of PCBs reference is made to Decision 173/2000; in the answer to Q.19 it is stated</i>	In compliance

Party	Response to Q. 22	Comments	Conclusion
	<p>79/117/EEC, the placing on the market and use of plant protection products containing one or several active substances laid down in the Annex to that Directive was prohibited on the Romanian territory. 2. HCH (mixed isomers) Measures taken (e.g. national legislation): For HCH containing less than 99.0 % of the Gamma isomer – see the measures specified at DDT above. 3. Lindane (HCH gamma isomer) Measures taken (e.g. national legislation): The authorizations of products containing Lindane were withdrawn starting from 30 December 2006 to implement Commission Decision 2000/801 concerning the non-inclusion of Lindane in Annex I to Council Directive 91/414/EEC and the withdrawal of authorizations for plant-protection products containing this active substance. Products were withdrawn from the market with no period of grace for sell-up and using of the existing stocks. 4. PCBs Measures taken (e.g. national legislation): - Governmental Decision no 173/2000 on the regulation of the special regime regarding the management and control of the polychlorinated biphenyls and others similar compounds, with amendments; - National Implementation Plan for Stockholm Convention;”.</p>	<p><i>that PCB use is compulsory eliminated since 2000. Although a ban on use of Lindane is effective at the time of the present review, it remains unclear what use of that substance was still allowed at the date the obligation came into force for Romania.</i></p>	
Slovakia	<p>“Slovakia regulates placing on the market and use of chemical substances according to the Act No. 163/2001 on chemical substances, as amended. This Act is the basic regulation for import and export of chemicals. Currently, new amendment of this Act is under preparation. Its draft regulates ban of production and ban of import of chemicals, including substances in annex II to the POPs Protocol. Until the new legislation enters in force, requirements of the Protocol are satisfied individually. The use of PCB and equipment containing more than 0,005% of PCB is restricted according to the Ministerial Decree No. 67/2002 of Ministry of the Economy. The import of DDT is prohibited according to the Ministerial Decree No. 33/1999 of Ministry of the Agriculture.”.</p>	<p><i>2005 IDR: c. (Concluded for compliance, because of an Act (2001) regulating import and export of chemicals and a Decree, which bans certain substances, e.g. PCBs (other substances of annex II not mentioned), although use of HCH/ Lindane was considered unclear)</i>  <i>Refers to two Decrees, one (1999) prohibiting import of DDT, the other (2002) banning/restricting the use of PCBs. It is stated that <b>introduction on the market and use of chemicals is regulated in an Act (2001)</b>. An amendment to this Act is under preparation, to regulate a ban of <b>production and import</b> of chemicals, including annex II substances. It is explained that pending this amendment, the requirements of the Protocol are satisfied individually. The answer to Q.19 indicates that use of DDT is banned. Regarding use of HCH and Lindane information is still unclear. As for all EU Member States Regulation EC 850/2004 is directly applicable (e.g. see Austria and Slovenia), compliance can be concluded</i></p>	In compliance
Slovenia	<p>“Use of substances listed in Annex II of the Protocol is restricted with Article 3 and Annex I of Regulation (EC) No. 850/2004 on persistent organic pollutants and amending Directive 79/117/EEC. In the EC Regulation the same restrictions</p>	<p><i>Reference is made to EC Regulation 850/2004 (binding in its entirety and directly applicable in all member states)</i></p>	In compliance

Party	Response to Q. 22	Comments	Conclusion
	<p>in use as in Annex II of the Protocol apply. The competent authorities for implementing Regulation (EC) No. 850/2004 on restricted use are the National Chemicals Bureau of the Republic of Slovenia (NCBRS) and the Inspectorate. No fines for violations of restricted use of Annex II substances are reported. None of the uses described in Annex II occur in Slovenia for a long time. DDT was not in use since 1971, although a legal decision on its ban was adopted later on (in 1996). HCH and Lindane were used in pharmaceuticals for public health (antilice shampoos) until 2000. New use of PCB is banned since 1985. “.</p>	<p><i>containing the same restrictions for use as annex II. Use of DDT was banned in 1971, HCH and Lindane were used only in pharmaceuticals until 2000. New use of PCBs is banned since 1986</i></p>	
<b>Sweden</b>	<p>“The substances are all banned. Substance Measures taken (e.g. national legislation) DDT: The Chemical Products and Biotechnical Organisms Regulations KIFS 1998:8, last reprinted in KIFS 2004:4. Banned as active ingredient in pesticides. HCH (mixed isomers): [...] Banned as active ingredient in pesticides. Lindane (HCH gamma isomer): [...] Banned as active ingredient in pesticides. PCBs: Government Ordinance on PCB (1985:837). Ban on production and use.”.</p>	<p><i>2005 IDR: c. (Based on the information that use of DDT, HCH and PCBs is banned) Reference is made to specific legislation banning use of DDT, HCH and Lindane as active ingredient in pesticides (1998) and production and use of PCBs (1985). No specific information about other uses. As for all EU Member States Regulation EC 850/2004 is directly applicable (e.g. see Austria and Slovenia), compliance can be concluded.</i></p>	In compliance
<b>Switzerland</b>	<p>“Use of DDT and HCH (mixed isomers) is banned. Use of Lindane is only permitted as pharmaceuticals for public health and veterinary topical insecticide purpose. Use of PCBs is banned with exemptions for existing installations whose total weight is lower than 1 kg.”.</p>	<p><i>2005 IDR: c. States that use of DDT, HCH (mixed isomers) and PCBs are banned and use of Lindane is restricted to uses as pharmaceutical for public health and veterinary topicalinsecticide, which are allowed under the protocol.</i></p>	In compliance
<b>United Kingdom</b>	<p>“The UK Government banned the use of DDT in 1991 using Directive 79/117/EEC. In 2004 Regulation (EC) 850/2004 additionally banned the production, use, import and export of the listed pesticides including DDT”. HCH (mixed isomers) and Lindane are not manufactured. “Directive 96/59/EC on disposal of Polychlorinated Biphenyls and polychlorinated terphenyls requires the phasing out of remaining identifiable PCBs no later than 2010.”.</p>	<p><i>States that use of DDT was banned in 1991. Refers for DDT in addition to EC Regulation 850/2004 (binding in its entirety and directly applicable in all member states) and for PCBs to an EC Directive. No information is given with respect to the use of HCH (mixed isomers) and Lindane (only manufacturing is mentioned) or with respect to implementation of the Directive on PCBs. However, EC Regulation 850/2004, also bans the use of HCH/Lindane and PCBs.</i></p>	In compliance
<b>EC</b>	No answer	<p><i>2005 IDR: c. For all EU Member States Regulation EC 850/2004 is directly applicable (e.g. see Austria and Slovenia). Consequently the EC is in compliance</i></p>	In compliance

**Table 5: Compliance with article 3.3.** (associated provision: art. 3.4)

**“For substances listed in annex I, II, or III, each Party:**

**[should develop appropriate strategies for identifying articles still in use and wastes containing such substances, and]**

**shall take appropriate measures to ensure that such wastes and such articles, upon becoming wastes, are destroyed or disposed of in an environmentally sound manner”.**

*Question 25: With reference to article 3, paragraph 3, please provide details of the measures taken in your country to ensure that wastes and articles still in use containing the substances listed in annex I, II, or III, upon becoming wastes, are destroyed or disposed of in an environmentally sound manner.*

Party	Response to Q. 25	Comments	Conclusion
<b>Austria</b>	<p>The identification of articles still in use and wastes containing substances listed in annex I, II and III to the Protocol is regulated by the Waste Management Act (2002/2007) and by ordinances [18, 21, 22](2002/2997, 1993). Electrical equipment containing hazardous substances (including all substances listed in annex I, II and III to the Protocol) have to be labelled; location and amount have to be reported to the ministry for environment. Austria has strict regulations on the handling and transport of hazardous waste (including all substances of annex I, II and III) including obligations for bookkeeping and reporting to the authorities. These articles and wastes have to be destroyed in an environmentally sound manner according to best available technology.</p>	<p><i>2005 IDR: c.</i>  <i>Update of the additional answer given in 2005. Refers to legislation and procedures for identification of wastes and electrical equipment, containing annex I, II and III substance. Procedures for handling and transport of such wastes are described. States that these articles and wastes have to be destroyed in an environmentally sound manner according to BAT. Unclear what substances from annex I, II and III actually are contained in electrical equipment.</i></p>	<p>In compliance</p>
<b>Belgium</b>	<p>“Regarding the disposal or destruction of substances listed in annex I or II, upon becoming wastes, see answers to Q.20, Q.21 and Q.22. Specifically, for the identification and removal of existing PCB containing equipment we refer to the regional plans mentioned in the answer to Q.22.”                      The <u>Flemish region</u> provides some additional information on specific PCB containing articles and transformers, on inventories into articles and wastes containing PAHs and dioxins and into the destiny of wastes containing dioxins. Measures are taken in situations possibly leading to pollution by dioxins (ELVs imposed). The <u>Walloon region</u> refers to Q.18. The <u>Brussels-Capital region</u> refers with regard to PCB containing equipment, to Orders (1999), concerning inventories and planning of elimination and decontamination (deadline 2010). A description is given of the procedure followed. For PAH and dioxins reference is made to an Order (2007), which establishes air quality limits for PAH, and, with respect to dioxins, to an Order (2002) concerning waste incineration. In addition EC Regulation 850/2004 is mentioned. Developments that caused emission reduction are described (e.g. fuel change in residential combustion (main cause for the 70% reduction of PAH), closure of hospital waste incinerators). Finally the use (since 2006) of de-NOx in a domestic waste incinerator is mentioned.</p>	<p><i>Information is provided on handling of wastes of annex I substances and PCB wastes in particular. Reference is made to Q.20 –22, and for the Walloon region also to Q.18 (where only a list is shown of regional legislation with regard to environmental permits in general and to wastes). In addition some information from the regions is given on (inventories of) PAH and dioxins emissions in general and on dioxin wastes, but no conclusive information is provided on destruction or disposal of wastes containing other annex III substances or HCH and Lindane.</i>  <i>As for all EU Member States Regulation EC 850/2004 is directly applicable (e.g. see Finland and UK), compliance can be concluded.</i></p>	<p>In compliance</p>
<b>Bulgaria</b>	<p>“Bulgaria prepared two strategy plans (until 2010 and until 2020) for identifying</p>	<p><i>2005 IDR: c. (Based on additional information on the</i></p>	<p>In compliance</p>

Party	Response to Q. 25	Comments	Conclusion
	<p>and for storage of the substances, included in Appendixes I, II and III of the Protocol in full compliance with the Basel Convention. A new regulation under the Wastes Management Act has been adopted – on the requirements for inventory of PCB containing equipment, marking and cleaning as well as for treatment and transportation of PCB containing waste (CM Decree, 9<sup>th</sup> of March 2006) (SG 21/2006). This regulation fully and without transitional periods transposes Directive 1996/59/EC. Regulation on restrictions and ban on the market and use of certain dangerous substances and preparations (CM Decree 180, 1<sup>st</sup> of July, 2002) (SG 69/2002) stipulate the ban and restricted use of certain dangerous chemicals, including some POPs. Both, import and export, of POPs under the Stockholm convention are forbidden in accordance with the Regulation on the procedure and method of import and export of dangerous chemical substances and preparations on the territory of the Republic of Bulgaria (CM Decree No.161/2004) (SG 63/2004).”.</p>	<p><i>strategy plans, which include environmentally sound destroying and disposal of wastes containing annex I, II and III substances, and provide measures for identification and environmentally sound storage, disposal, export for disposal and for destruction of residues and measures for construction of a national center for treatment of hazardous wastes.)</i>  <i>States it prepared strategy plans (up to 2020) for identifying and storage of annex I, II and III substances in accordance with the Basel Convention. For PCBs equipment and PCB containing waste, inventory and cleaning/treatment is dealt with in a specific Decree (2006). No information about destruction or disposal of other substances than PCBs. However, in response to Q.20 destruction and disposal in compliance with the Basel Convention is mentioned for annex I substances.</i>  <i>As for all EU Member States Regulation EC 850/2004 is directly applicable (e.g. see Austria and Slovenia), compliance can be concluded</i></p>	
<p><b>Canada</b></p>	<p>“With the exception of PCBs, there are no stockpiles of the targeted substances in Canada. Proposed revisions to the federal PCB regulatory framework are in line with the Stockholm Convention’s conditions of identification and use of low concentrations of PCBs, including their end of use (2025 deadline) and their destruction as soon as possible (2028 deadline). Proposed revisions also include end of storage deadlines for these PCBs in order to accelerate their destruction. Disposal of PCBs is subject to provincial and federal controls as outlined in response to question 21, above. Furthermore, most provinces and territories have programs to address the environmentally sound management of industrial, commercial and domestic hazardous wastes, including POPs in products.”  <b>Additional information:</b> “The new PCB regulations (..), published in September 2008, establishes specific deadlines for ending the use of PCBs”. The additionally presented deadlines are the same as presented in the original answer to Q.22</p>	<p><i>2005 IDR: c.</i>  <i>States there are no stockpiles of the targeted substances except for PCBs. Like in 2005, proposed revisions to the federal PCB regulatory framework are mentioned. Disposal of PCBs is controlled by federal and provincial authorities. Refers to its reply to Q. 21, where legislation concerning disposal/destruction of hazardous waste (including waste POPs) is described. From the additional information it is not clear whether the new PCB regulation include a deadline for destruction of PCBs. It is only stated that the provisions are in line with the Stockholm Convention, including the deadline for destruction (2028). The relation with the destruction deadline as indicated in annex II, 2015, remains unclear.</i></p>	<p><u>In compliance</u></p>
<p><b>Croatia</b></p>	<p>“No legalised landfill site for PCBs waste disposal is operating in Croatia. According to the Waste Act (OG 178/04, 111/06), PCB wastes in the Republic of</p>	<p><i>For PCB wastes disposal in an environmentally sound manner is obligatory under national legislation (Waste</i></p>	<p>No evaluation possible</p>

Party	Response to Q. 25	Comments	Conclusion
	<p>Croatia need to be disposed in an environmentally sound manner.”.</p> <p><b>Additional information:</b> “During POPs inventory there has been no record of major POPs stockpiles or POPs waste (except for the equipment with PCB that is either damaged or stockpiled). However, the sites potentially contaminated with POPs have been identified. They require further investigation to determine their level of contamination. Given the fact the inventory of POPs pesticides in Croatia has not registered any production, use, import or export of these substances, and has established the absence of their stockpiles and waste, it can be concluded that the area of POPs pesticides does not require any improvement of the current practices and legal framework for their management and treatment.</p> <p>During inventory of POPs compounds the following has been found out:</p> <ul style="list-style-type: none"> <li>▪ there is no major stockpile of POPs pesticides, articles in use with POPs pesticides or POPs pesticides waste; (.....);</li> <li>▪ the inventory has not identified the existence of the products, of the articles in use or waste that is contaminated or contains the compounds from Annex C.”. <b>NB</b> Annex C ?! </li></ul>	<p><i>Act). No information is given with respect to wastes of other annex I, II and III substances. Additional information is apparently provided on the basis of the Stockholm Convention (see additional information to Q26!). It is stated that for POP pesticides there is no need to improve the current legal framework and practices, without explaining what they are. No clarity with respect to annex III substances.</i></p>	
<b>Cyprus</b>	<p>“Most of the substances of Annexes I, II and III have been prohibited in Cyprus for several years. There is a strategy for identifying articles containing or that may contain PCB. The articles already identified, are stored under controlled conditions and exported.”.</p>	<p><i>2005 IDR: c. (no assessment)</i></p> <p><i>Most annex I, II and III substances are prohibited. Has developed a strategy. Identified articles containing PCBs are stored under controlled conditions. No specific information is given about treatment of waste containing other annex I, II and III substances. Compare also the comments on the answer to Q.20. As for all EU Member States Regulation EC 850/2004 is directly applicable (e.g. see Finland and UK), compliance can be concluded.</i></p>	In compliance
<b>Czech Republic</b>	<p>“If these substances are contained in wastes, this is classified as hazardous waste in the sense of Act No. 185/2001 Coll., on wastes. These hazardous wastes are also disposed in accordance with the Waste Management Plan of the CR and the National Implementation Plan for the Stockholm Convention.”.</p>	<p><i>2005 IDR: c. (Based on reference to regulations for implementation of an Act (2001) requiring environmentally friendly management of wastes and to regulations for waste incineration)</i></p> <p><i>Refers to the Act (2001) and, with respect to disposal to a Waste Management Plan, without giving any details about its provisions. No information about destruction. As for all EU Member States Regulation EC 850/2004 is directly applicable (e.g. see Finland and UK), compliance can be concluded.</i></p>	In compliance
<b>Denmark</b>	<p>“Statutory Order no. 619 of 27 June 2000: waste oil with more than 50 ppm PCB should not be burned and waste oil with more than 10 ppm PCB should be burned in more than 12 sec. at temperature above 1200 degree C. Statutory Order no. 925 of 13 December 2000: Prohibition of the use of oil containing PCB.</p>	<p><i>2005 IDR: c. (Based on additional response that annex I and II substances and products containing them, have been removed from the market)</i></p>	In compliance

Party	Response to Q. 25	Comments	Conclusion
	Statutory Order No. 664 of 27 June 2005 Removal of PCB containing capacitors before scrapping of electrical or electronic products.”.	<p><i>Gives only information and reference to legislation concerning incineration of PCB waste. No information on destruction or disposal of wastes containing any other annex I, II or III substance.</i></p> <p><i>As for all EU Member States Regulation EC 850/2004 is directly applicable (e.g. see Finland and UK), compliance can be concluded.</i></p>	
<b>Estonia</b>	“Substances are collected, stored and destroyed in an environmentally sound manner regarding to several EU directives and EU regulation 850/2004.”.	<p><i>The substances are stored and destructed in an environmental sound manner; reference is made to EU Regulation 850/2004 (binding in its entirety and directly applicable in all member states).</i></p>	In compliance
<b>Finland</b>	<p>“According to Article 5 of EU Regulation 850/2004, the holder of a stockpile, which consists of, or contains any substance currently listed in Annex I of the Protocol, shall manage that stockpile as waste and in accordance with the provisions of article 7 of the Regulation. In addition, the holder of a stockpile referred to above shall manage the stockpile as hazardous waste. Hence, all obligations of the Waste Act (1072/1993) concerning hazardous wastes (e.g. Section 51: duty to be well informed about essential aspects of the waste in their possession and to keep record on it) shall be fulfilled by the holder of the stockpile. According to Article 7 of the EU Regulation 850/2004, "waste consisting of, containing or contaminated by any substance listed in Annex IV [covers all substances listed in annex I] shall be disposed of or recovered, without undue delay ... in such a way as to ensure that the POPs content is destroyed or irreversibly transformed so that the remaining waste and releases do not exhibit the characteristics of POPs." In Finland high temperature incineration with flue gas cleaning is used for the destruction of hazardous waste consisting of, containing or contaminated with POPs. For PCBs the main measures were carried out before the Protocol entered into force through Government Decisions 1071/1989 and 711/1998. According to these decisions, the manufacture, import, sale or delivery of PCBs and any products containing them was prohibited in Finland in the beginning of 1990, transformers containing PCBs and capacitors of 1 kVAr or more were to be withdrawn from use by the end of 1994, and all other equipment contain-ing more than 5 dm3 of PCB by 31.12.1999. Decision 711/1998 also established an obligation for holders of equipment with PCB volumes of more than 5 dm3 to provide a regional environment center with required information (e.g. location and description of the equipment, quantity of PCB, date and type of disposal envisaged or carried out) of the equipment by March 1, 1999, and to report on any changes in the possession of the equipment without delay. Regional environment centers shall keep an inventory of the equipment and related information. [...] PCB containing transformers, capacitors,</p>	<p><i>2005 IDR: c.</i></p> <p><i>Gives quotations from provisions in EU Regulation 850/2004 (binding in its entirety and directly applicable in all member states and covering waste management of substances from annex I as well as from II and III).</i></p> <p><i>Previous legislation referred to, deals with responsibility of a holder of a stockpile of such substances (Waste act (1993)) and with specific measures (1989 and 1998) for PCBs and PCB containing equipment. PCB inventories were carried out in 1983 and 1999.</i></p> <p><i>In addition it is stated that high temperature incineration with flue gas cleaning is used for destruction of waste containing POPs, without further specification.</i></p> <p><i>Although there is compliance at the time of the present review it is not clear whether the obligation was complied with at the time it took effect for Finland.</i></p>	In compliance

Party	Response to Q. 25	Comments	Conclusion
	<p>sealants and thermal glasses used previously have been identified as potential PCB containing articles and wastes. [...]. The first PCB inventory was carried out in 1983, [...]. An inventory carried out in autumn 1999 indicated that minor amount of PCB equipment were still in use. It was required that this equipment be taken out of use by the end of 1999. However, even after 1999, some PCB equipment that were not identified in the 1999 inventory have occasionally been delivered for final destruction. In Finland, PCBs were also widely applied as sealants in prefabricated houses and house elements between 1957 and 1979 (though later use can not be ruled out with full certainty). PCB has also been used in some paints. These materials are still in use, although they will be gradually treated as waste as buildings are renovated or dismantled. In some cases, PCBs have leached into the surrounding soil. The Ministry of the Environment has issued guidance on the waste management of both PCB-containing sealants and thermal glasses.”.</p>		
<b>France</b>	<p>In general , elimination of substances listed in annexes I, II and III is performed in special installations, subject to two Orders (2002), one dealing with incineration of hazardous wastes and one with incineration of non-hazardous wastes, replacing Orders of 1991 and 1996. The procedure to be followed for PCBs is presented.</p>	<p><i>2005 IDR: n.e.p.</i>  <i>No information is provided on requirements or how destruction or disposal in an environmentally sound manner is actually ensured.</i>  <i>As for all EU Member States Regulation EC 850/2004 is directly applicable (e.g. see Finland and UK), compliance can be concluded.</i></p>	<p>In compliance</p>
<b>Germany</b>	<p>“Remaining PCBs in equipment (condensers, transformers and as hydraulic fluids), had to be disposed of by the year 2005 according to the Act on Closed Substance Cycle Waste Management and Waste Disposal. Machinery still containing PCBs are inventoried. Waste wood is analysed for PCP prior to recycling (Ordinance on management of waste wood, Lindane being indirectly covered by the prescribed analytical measure. In case of relevant contamination the wood is disposed of as hazardous waste.”.</p>	<p><i>2005 IDR: n.e.p.</i>  <i>Same answer as given in reply to the 2004 Questionnaire. Only reference is made to measures taken to deal with remaining PCBs contained in equipment (inventory) and concerning (PCP?) contaminated wood. No specific information about treatment of waste containing other annex I, II and III substances.</i>  <i>As for all EU Member States Regulation EC 850/2004 is directly applicable (e.g. see Finland and UK), compliance can be concluded.</i></p>	<p>In compliance</p>
<b>Hungary</b>	<p>“As above mentioned a detailed inventory was performed containing all substances listed in Annex I, II and II to the Protocol. According to the national program prepared prior to the ratification process of the Protocol a list of substance by substance measures was elaborated. This comprised the identification of substances still in use and wastes containing such substances. The legal instruments related to waste management mentioned before ensure environmentally sound treatment and disposal of materials and products</p>	<p><i>2005 IDR: c. (no assessment) (Based on additional information regarding implementation of art. 3.1(b)(i), which is not given in the present answer (no reply to Q.20)).</i>  <i>States that the legal instruments “mentioned before”, ensure environmentally sound treatment and disposal</i></p>	<p>In compliance</p>

Party	Response to Q. 25	Comments	Conclusion
	containing POPs.”.	<i>of materials containing POPs. The only relevant legislation mentioned (answering Q.19) is EC Regulation 850/2004 (binding in its entirety and directly applicable in all member states), and a Ministerial Decree on the disposal of PCBs/PCTs, without further information as regards content. As for all EU Member States Regulation EC 850/2004 is directly applicable (e.g. see Finland and UK), compliance can be concluded.</i>	
<b>Iceland</b>	<p>“Uses of the substances listed in annex I and annex II are not allowed in Iceland. Regulation No 323/1998, on import, uses and disposal of PCB, PCT and environmentally dangerous substitutes, based on the Act on Toxic and Dangerous Substances of 1988 and the Hygiene and Pollution Prevention Act of 1998, covers management of PCBs and preparations of which PCBs are a constituent. Import and uses of PCBs, and equipment containing PCBs, is prohibited. Disposal of PCBs and cleaning of PCB containing equipment shall be completed before the end of 2010. The regulation covers PCBs and mixtures containing more than 0.005% of PCBs. The unintentionally produced POPs listed in annex III are not present in articles, but may become part of wastes, such as from cleaning of flue gases from waste incineration. Environmentally safe handling of wastes from waste incineration is stipulated in regulations and operating permits required for these activities.”.</p> <p><b>Additional information:</b> “Uses of the substances listed in annex I and annex II are not allowed in Iceland. If these substances are present in waste, they fall under regulation on hazardous waste and are treated and disposed of accordingly (permits required and environmentally safe handling). Since Regulation No. 103/2009, on persistent organic pollutants, entered into force there are stronger measures on handling and disposal.”.</p>	<p><i>2005 IDR: n.e.p. (no reply)</i> <i>Refers to a Regulation (1998) covering disposal of PCB/PCT and PCB containing preparations. Disposal of PCB and cleaning of equipment shall be completed in 2010. States that environmentally safe handling of wastes from waste incineration (e.g. flue gases containing annex III substances) is stipulated in regulations and permits.</i> <i>No information on disposal of other annex I and II substances than PCB/PCT.</i> <i>Waste containing annex I and II substances is treated as hazardous waste. Treatment and disposal require permits and environmentally safe handling.</i></p>	In compliance
<b>Italy</b>	<p>“The Legislative Decree n.209 of 22 may 1999, transposing Council Directive 96/59/EC of 16 September 1996 on the disposal of polychlorinated biphenyls and polychlorinated terphenyls (PCB/PCT), establishes inventories of equipment with PCB, information that operators have to communicate to the Competent Authority and programs for the decontamination or disposal of equipment containing PCBs.”.</p>	<p><i>Describes a Decree (1999) concerning disposal of PCB/PCT and (programs for) disposal of equipment containing PCBs. No information about treatment of waste containing other annex I, II and III substances. As for all EU Member States Regulation EC 850/2004 is directly applicable (e.g. see Finland and UK), compliance can be concluded.</i></p>	In compliance
<b>Latvia</b>	No answer	<p><i>2005 IDR: (no assessment)</i> <i>As for all EU Member States Regulation EC 850/2004 is directly applicable (e.g. see Finland and UK), compliance can be concluded.</i></p>	In compliance

Party	Response to Q. 25	Comments	Conclusion
<b>Liechtenstein</b>	No answer	<i>2005 IDR: n.e.p. (no reply)</i>	No evaluation possible
<b>Lithuania</b>	“According to the Rules of management of polychlorinated biphenyls and polychlorinated terphenyls (PCB/PCT) adopted by Order No. 473 of 26 September 2003 of the Minister of Environment (in compliance with the Council Directive 96/59/EC on the disposal of polychlorinated biphenyls and polychlorinated terphenyls (PCB/PCT)), the equipment having more than 5 dm <sup>3</sup> PCB/PCT or equipment contained therein PCB/PCT no less than 0.05 % shall be disposed of as soon as possible but no later than December 31, 2010.”.	<i>Refers to legislation (2003) on disposal of PCB/PCT and equipment containing it. Apart from a deadline there are no relevant details given, neither is specific information given about treatment of waste containing other annex I, II and III substances. As for all EU Member States Regulation EC 850/2004 is directly applicable (e.g. see Finland and UK), compliance can be concluded.</i>	In compliance
<b>Luxembourg</b>	No answer	<i>2005 IDR: n.e.p. (no reply) As for all EU Member States Regulation EC 850/2004 is directly applicable (e.g. see Finland and UK), compliance can be concluded.</i>	In compliance
<b>Netherlands</b>	<ul style="list-style-type: none"> <li>▪ Mixing of wastes containing PCBs, dioxins or other POPs, or other categories of hazardous waste requires a special licence and is only permitted if it does not pose risks for human health or the environment and promotes safety during disposal.</li> <li>▪ As none of the pesticides included in the POP Protocol are authorized for use under the present pesticides act (2007), possible stocks are wastes and have to be deposited in accordance with the waste legislation.</li> <li>▪ On the basis of the PCB Decree (1991) and the Regulation disposal PCBs (1998), which implement EC Directive 96/59 (PCB Directive), equipment (transformers), containing PCBs was cleaned-up or replaced. This action was completed in 2006.</li> <li>Waste existing of, or containing, hazardous substances as PCB is disposed in conformity with the PCB Directive.</li> <li>▪ Based on the Waste Incineration Decree a policy is developed to reduce emissions of dioxins/furans, found in low concentration in fly ashes and flue gas residues. Fly ashes are partly re-used as filler material in asphalt, which has no negative impact to the environment. Flue gas residues are disposed of at landfills. This policy deals also with PAHs, HCB and PCB.</li> <li>▪ There is no special policy regulating the presence of PAHs in products and wastes. Used oils, regardless of the PAH content, are collected recovered and disposed of in conformity with the EU Waste Oil Directive 75/439. Clothing is not allowed to contain polybromobiphenyl. Products that could contain HBB are collected and disposed of in an environmentally sound manner.</li> <li>▪ The use of creosoted wood is restricted since 2003, as is putting on the market of creosotes and carbolineum since 2001.</li> </ul>	<i>2005 IDR: c. Refers to legislation (e.g. a new pesticides act (2007), following the one of 1962). Describes policies regarding treatment (closely linked to the Basel Convention) of wastes containing PCBs, dioxins or other POPs, regarding wastes consisting of pesticides included in the Protocol (annex I and II) and regarding wastes consisting of PCBs and PCB containing materials and equipment. Further a description is given how wastes containing annex III substances and HBB (annex I) are handled. In the reply to Q.21 it is further stated that PCB containing oils are incinerated and PCB containing soil and rubble is exported for treatment to Germany.</i>	In compliance
<b>Norway</b>	“PCB - A survey on PCB in electric equipment and construction materials, and a strategy for removing it, has been developed. An action plan for collecting remaining PCB in historical products, originally published in report to the	<i>2005 IDR: c. (Based on the description of measures and strategies restricting PCB and annex III substances, given in reply to the equivalent question in</i>	In compliance

Party	Response to Q. 25	Comments	Conclusion
	<p>Starting no. 25 (2002-2003) [...] will be revised and updated in 2008. Large capacitors containing PCB were removed before 1995. A ban on use of small capacitors containing PCB in lighting fixtures was introduced in 2005 and the capacitors are being phased out. The use of electrical bushings containing PCB is prohibited from 2010. PCB-containing articles and materials have to be treated as hazardous waste and incinerated to destroy PCB. Wastes with PCBs mainly arise from reconstruction and demolition of buildings. Common sources for PCBs in such wastes are double glazing windows, joint fillers, paints and additives for cement. The waste regulation was amended in 2007 and requires that the building and construction industry gives the local planning authorities a waste management plan before construction and building projects start. These requirements entered into force 1 January 2008. Wastes are considered hazardous when they contain more PCBs than 50 mg/kg. A survey to identify sites contaminated with PCB (and other hazardous substances <i>e.g.</i> PAH) has been carried out and so far actions have been taken on more than 100 sites to prevent further pollution of the environment. The actions include removal and safe storage of the contaminated soil or remediation of the soil on site. Contaminated soils containing more PCBs than 0,01 mg/kg shall not be recycled, unless a risk assessment can prove the recycling to be environmentally sound. A strategy for polluted sediments has also been developed. <b>Dioxins and furans</b> – Potential sources of wastes with dioxins and furans were assessed in 2003. It was then concluded that such wastes mainly arise from wood-burning, known industrial processes and incineration. Waste containing dioxins has to be treated as hazardous waste. [...]. In 2002 the waste regulation was amended to implement the EU regulation on incineration of wastes and give stricter release requirements. A new regulation on seepage from landfills can further reduce releases of dioxins to the environment. [...]. <b>HCB</b> – Potential sources of wastes containing HCB were assessed in 2003. HCB might occur as side-pollutant in dioxin-containing wastes, [...]. Else, HCB-containing wastes are not known in Norway, and no HCB-emissions from products are registered [...]. <b>PAH</b> – Potential sources of wastes containing PAHs were assessed in 2003. It was concluded that these wastes mainly arise from the aluminium industry, wood-burning, traffic and wood treated with creosote.[...]. The main source of PAH-releases from products is creosote-treated wood, [...]. After 2003 the use of creosote-treated wood is in a regulation restricted to professional use only, under certain given conditions. Waste of creosote-treated wood is a prioritised type of hazardous waste, and a new strategy for hazardous waste will include a plan for safe treatment of creosote-treated wood. From 1 January 2010 the content of PAH in tyres will be restricted, as well as the allowed content of benzo(a)pyren in oils used in the production of tyres. [...]"</p> <p><b>Additional information:</b> "Wastes containing Annex I and Annex II substances</p>	<p><i>the 2004 Questionnaire and some information regarding use of annex I substances and HCH, given in other answers).</i></p> <p><i>Describes specific measures and strategies for wastes consisting of PCBs or PCB containing materials and equipment. It further describes how wastes containing annex III substances are handled. No information on waste from annex I and II substances.</i></p> <p><i>Additional information is provided about the way waste containing these other annex I and II substances have to be handled, should it exist.</i></p>	

Party	Response to Q. 25	Comments	Conclusion
	<p>other than PCB are generally to be treated as hazardous waste, i.e. such waste must be delivered to approved facilities, and a permit from the authorities is required to treat hazardous waste. However, none of the 11 substances have ever been produced in Norway. Only 4 of these substances have been authorised for use in Norway, and the authorisations for these 4 substances were withdrawn many years ago ( see table under our previous answer to question 19). In 1993 the agricultural authorities carried out a campaign to encourage the delivery of obsolete pesticides, and no stocks or waste containing these pesticides are known to exist in Norway today.”.</p>		
<p><b>Republic of Moldova</b></p>	<p>No answer</p>	<p><i>2005 IDR: c.</i></p>	<p>No evaluation possible</p>
<p><b>Romania</b></p>	<p>“If these substances are contained in wastes, these are classified as hazardous waste in the sense of Emergency Ordinance no 78/2000 on waste regimen, approved with amendments by Law no 426/2001; amended by Emergency Ordinance no 61/2006, approved with amendments by Law no 27/2007. These hazardous wastes are also disposed in accordance with the Government Decision no 1470/2004 on the approval of the Wastes Management National Strategy and of the Wastes Management National Plan, amended by Government Decision no 358/2007, Ministerial Order no 1364/1499/2006 on the approval of the Wastes Management Regional Plans and to the National Implementation Plan for Stockholm Convention In Romania, the production and the utilization of the substances included in Annex I is prohibited according to the Law no 271/2003 for the ratification of the Convention on long-range transboundary air pollution Protocols and to the Ministerial Order no 396/2002 on prohibition of the utilization on the Romanian territory of the plant protection products containing certain active substances. Within the PHARE Project ‘Disposal of Pesticides ..... - Obsolete Pesticides’, developed by the Ministry of Agriculture and Rural Development between December 2004 and October 2006, were re-packed and collected 2516 t of obsolete pesticides disposed in 218 locations on the entire Romanian territory; the whole quantity was transported in Germany in order to be destroyed in contained conditions into an incineration. Was elaborated the Governmental Decision no 173/2000 on the regulation of the special regime regarding the management and control of the polychlorinated biphenyls and others similar compounds, with amendments. Were exported the out of use equipments in order to be destroyed, as follows: Year Exported quantity (tonns equipments) Company who eliminates Country 2006 228,34 ENVIO Germany 19,43 TREDI SECHE SA France Total 2006 247,77 2007 187,94 ORION BV Holand 41,34 SAVA GmbH&amp;Co Germany 190,66 ENVIO Germany 86,66 TREDI SECHE SA France Total 2007 506,60”.</p>	<p><i>2005 IDR: n.e.p. (no reply)</i>  <i>If substances of annex I, II and III are contained in wastes these are classified as hazardous waste. Refers to legislation and strategies dealing with the classification (2001/2007) and treatment (2004) of wastes. Reference is further made to legislation (2002/2003) prohibiting production and use of annex I substances. A description is given of the PHARE Project carried out in Romania (2004-2006) collecting and destroying (in Germany) of 2516 tons of obsolete pesticides. Further a program is described regarding waste PCB and PCB containing equipment, which was exported for destruction in 2006/2007.</i></p>	<p>In compliance</p>
<p><b>Slovakia</b></p>	<p>“Slovakia has implemented the GEF (Global Environmental Facility) project –</p>	<p><i>2005 IDR: c. (Based on reference to a plan including</i></p>	<p>In compliance</p>

Party	Response to Q. 25	Comments	Conclusion
	<p>Initial assistance to Slovakia to meet its obligations under the Stockholm convention on POPs. Draft national implementation plan was the main outcome of the project. Ministry of the Environment has extended the national implementation plan not only to cover requirement of the Stockholm convention but the POPs Protocol as well, including the task concerning identification of articles and waste containing substances listed in annexes I – III to the Protocol.”.</p>	<p><i>identification of articles and wastes containing substances listed in annexes I – III, however, without information about destruction and disposal)</i>  <i>The same answer is given as to the 2004 Questionnaire: a plan for identification of wastes containing annex I, II or III substances, still without any information about disposal or destruction of such wastes.</i>  <i>As for all EU Member States Regulation EC 850/2004 is directly applicable (e.g. see Finland and UK), compliance can be concluded.</i></p>	
<b>Slovenia</b>	<p>“Details on waste management legislation and the measures taken in Slovenia are described in A. 20 and A. 21.”.</p>	<p><i>In the replies to Q.20 and 21 reference is made to EC Regulation 1013/2006 and to national rules and licensing procedures for the management of waste (including disposal and recovery) and it is stated that except for PCBs no annex I substances are produced or used. PCB waste is exported for destruction/disposal to France, Germany and Austria.</i>  <i>Information on wastes that contain annex III substances or HCH, is missing.</i>  <i>As for all EU Member States Regulation EC 850/2004 is directly applicable (e.g. see Finland and UK), compliance can be concluded.</i></p>	In compliance
<b>Sweden</b>	<p>“All waste containing these substances are classified as hazardous waste and should be treated as such according to the Waste Ordinance (2001:1063) and the POPs EU-Regulation 850/2004/EC. The pesticides in Annex 1 have however since long been banned or never used in Sweden. Waste containing PCBs shall immediately be handed over for disposal in accordance with the Waste Ordinance.”.</p>	<p><i>2005 IDR: c.</i>  <i>States that wastes containing these substances are classified hazardous wastes. Refers to national waste legislation (2001), without details of its requirements and to EC Regulation 850/2004 (binding in its entirety and directly applicable in all member states and covering waste management of substances from annex I, II and III).</i>  <i>Although there is compliance at the time of the present review it remains unclear whether the obligation was complied with at the time it took effect for Sweden.</i></p>	In compliance
<b>Switzerland</b>	<p>“The manufacture, supply, import and use of substances listed in Annex I and II are prohibited according to the 1986 Swiss Ordinance relating to Environmentally Hazardous substances replaced in 2005 by the Ordinance on Risk Reduction related to Chemical Products (ORRChem). If remaining wastes</p>	<p><i>2005 IDR: c.</i>  <i>States that waste containing annex I, II or III substances will be destroyed or disposed in an environmentally sound manner.</i></p>	In compliance

Party	Response to Q. 25	Comments	Conclusion
	containing annex I, II and III substances are still present in Switzerland they will be destroyed or disposed in an environmentally sound manner.”.		
<b>United Kingdom</b>	“Implemented through: European Community Regulation 850/2004 on persistent organic pollutants.”.	<i>Refers to EC Regulation 850/2004 (binding in its entirety and directly applicable in all member states and covering waste management of substances from annex I, II and III).</i>	In compliance
<b>EC</b>	No answer	<i>2005 IDR: c. For all EU Member States Regulation EC 850/2004 is directly applicable (e.g. see Austria and Slovenia). Consequently the EC is in compliance</i>	In compliance

**Table 6: Compliance with article 3.5. (a),** (associated provisions art. 3.7)

“Each Party shall reduce its total annual emissions of each of the substances listed in annex III from the level of the emission in a reference year set in accordance with that annex by taking effective measures, appropriate in its particular circumstances”.

*EMEP 2009 (WebDab 29 June 2009 update, officially reported data).*

Party	Entry into force	Total (1-4) PAHs <sup>1</sup> (in Mg/a)							Dioxins/furans (in g TE/a)							Hexachlorobenzene (HCB) (in kg/a)						
		Ref. yr. (1990) <sup>2</sup>	2003	2004	2005	2006	2007	Reduction	Ref. yr. (1990) <sup>2</sup>	2003	2004	2005	2006	2007	Reduction	Ref. yr. (1990) <sup>2</sup>	2003	2004	2005	2006	2007	Reduction
<b>Austria</b>	23.10.2003	26.2	10.8	11.0	11.1	10.8	9.8	Yes	188	51.3	51.7	52.8	52.7	48.0	Yes	107	54	53	54	52	46	Yes
<b>Belgium</b>	23.08.2006	404	247	244	249	233	230	Yes	592	60.0	62.5	60.9	56.6	58.4	Yes	22	60	40	49	61	96	No
<b>Bulgaria</b>	23.10.2003	677	140	130	124	130	19.0	Yes*	554	255	239	230	247	68.6	Yes*	544	45	21	19	25	23	Yes*
<b>Canada</b>	23.10.2003	237	107	93	107	112	101	Yes	436	149	138	122	89	74.5	Yes	89	28	23	18	15	15	Yes
<b>Croatia<sup>#</sup></b>	05.12.2007	14.0	-	-	8.6	8.7	7.4	Yes	160	-	-	91.4	92.6	79.0	Yes	NA	-	-	0	NA	NA	Yes
<b>Cyprus</b>	01.12.2004	0.4	0.4	0.4	0.4	0.4	0.5	No	7.56	6.18	6.11	6.18	6.14	3.35	Yes	0.16	0.13	0.13	0.12	0.11	0.10	Yes
<b>Czech Rep.<sup>#</sup></b>	23.10.2003	751	21.3	24.4	24.2	17.1	16.4	Yes*	1252	114	187	179	175	172	Yes*	-	0.07	4.3	4.7	3.7	3.9	
<b>Denmark</b>	23.10.2003	6.6	11.1	11.7	13.3	14.4	17.1	No	66.5	29.2	23.9	25.4	25.6	27.8	Yes	1.7	3.8	3.8	3.9	4.0	4.0	No
<b>Estonia</b>	09.08.2005	14.5	13.2	13.9	12.6	11.7	13.2	Yes	5.66	4.07	3.73	3.27	2.66	4.79	Yes	0.12	0.24	0.16	0.15	0.12	0.13	No
<b>Finland</b>	23.10.2003	17.4	16.7	16.7	13.3	13.4	13.3	Yes	41.4	32.3	32.0	26.2	14.2	11.8	Yes	40.7	14.6	30.6	35.7	42.5	44.4	No
<b>France<sup>#</sup></b>	23.10.2003	42.4	27.7	26.6	25.1	23.8	21.9	Yes	1763	235	315	194	121	117	Yes	1199	28	23	18	13	13	Yes
<b>Germany</b>	23.10.2003	183	124	124	127	133	132	Yes	114	80.0	81.6	79.7	82.3	82.9	Yes	1.6	1.9	1.9	1.9	1.9	2.0	No
<b>Hungary</b>	06.04.2004	48.5	22.2	21.3	23.5	22.8	13.5	Yes*	172	76.0	73.7	91.8	92.3	85.3	Yes*	6.9	4.5	4.4	6.1	7.1	6.7	Yes*
<b>Iceland<sup>#</sup></b>	23.10.2003	0.05	0.07	0.08	0.07	0.08	-	n.a.	11.3	5.07	4.39	3.87	3.76	-		NE	NE	NE	NE	NE	-	
<b>Italy</b>	18.09.2006	103	123	141	138	143	155	No	472	282	289	294	302	318	Yes	0.02	0.03	0.02	0.02	0.03	0.03	Yes
<b>Latvia</b>	26.01.2005	26.9	33.2	33.9	34.2	33.4	32.5	No	7.1	12.1	13.1	13.1	13.7	13.3	No	0.27	0.42	0.45	0.45	0.45	0.44	No

Party	Entry into force	Total (1-4) PAHs <sup>1</sup> (in Mg/a)							Dioxins/furans (in g TE/a)							Hexachlorobenzene (HCB) (in kg/a)						
		Ref. yr. (1990) <sup>2</sup>	2003	2004	2005	2006	2007	Reduction	Ref. yr. (1990) <sup>2</sup>	2003	2004	2005	2006	2007	Reduction	Ref. yr. (1990) <sup>2</sup>	2003	2004	2005	2006	2007	Reduction
Liechtenstein	22.03.2004	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Lithuania	14.09.2006	18.1	46.6	15.4	15.6	16.0	14.8	Yes*	20.2	12.4	10.8	10.9	11.2	10.9	Yes*	NA	NE	NA	NA	NA	0	Yes*
Luxembourg <sup>#</sup>	23.10.2003	NR	NR	NR	NR	NR	NR		NR	NR	NR	NR	NR	NR		NR	NR	NR	NR	NR	NR	NR
Netherlands <sup>#</sup>	23.10.2003	1546	316	380	389	394	384	Yes	742	26.2	27.6	35.6	25.5	24.8	Yes	0	0	0	0	0	0	Yes
Norway	23.10.2003	14.7	13.0	14.2	16.0	16.6	13.6	Yes	129	29.1	32.3	24.0	23.8	23.5	Yes	NE	NE	NE	NE	NE	NE	
Rep.Moldova <sup>#</sup>	23.10.2003	16.7	11.8	3.7	4.9	5.4	-	---	13.6	6.1	5.2	5.5	5.5	-	---	1.0	0.13	0.26	10.1	8.6	-	---
Romania <sup>#</sup>	05.12.2003	NE	NE	17.3	17.4	16.5	17.2		NE	NE	245	297	268	216		NE	NE	1.4	1.6	1.7	1.8	
Slovakia	23.10.2003	29.1	13.5	15.8	19.2	18.2	18.2	Yes	136	70.4	65.3	85.9	66.7	66.3	Yes	2.5	1.8	2.1	2.0	2.2	2.3	Yes
Slovenia <sup>#</sup>	12.02.2006	13.4	10.3	10.3	10.2	10.6	10.3	Yes	16.5	10.2	9.1	8.6	9.4	8.3	Yes	46.6	0.34	0.32	0.30	0.30	0.36	Yes
Sweden	23.10.2003	16.8	16.0	15.9	17.9	18.8	19.5	No	59.8	33.2	36.4	38.7	37.7	36.5	Yes	0.02	0.02	0.02	0.02	0.01	0.01	Yes
Switzerland	23.10.2003	1.6	1.1	1.1	1.1	0.7	0.6	Yes	175	16.5	16.2	16.0	16.0	15.4	Yes	0	0	0	0	0	0	Yes
United Kingdom	01.12.2005	218	11.8	11.5	11.0	11.6	12.0	Yes	1143	197	227	198	197	190	Yes	3515	329	850	838	813	812	Yes
EC <sup>#</sup>	29.07.2004	NR	NR	NR	NR	NR	NR		NR	NR	NR	NR	NR	NR		NR	NR	NR	NR	NR	NR	NR

<sup>1</sup>PAHs: For the purpose of emission inventories, the following four indicator compounds shall be used: benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene and indeno(1,2,3-cd)pyrene.

<sup>2</sup>Austria's base year for POPs is 1987, Estonia's is 1990 for dioxins and 1995 for PAHs and HCB, Finland's is 1994, and Romania's is 1989.

\* Where a conclusion is marked with an \*, the Emission Reporting Guidelines followed when calculating or re-calculating the base year data differ from those according to which the 2007 data, and occasionally, (part of) the data for earlier years are calculated or re-calculated.

**General remarks:**

“-”: No data reported.

NA: “Not Applicable” (notation key from the Emission Reporting Guidelines signifying that emissions are considered by the Party to never occur).

NE: “Not Estimated” (notation key from the Emission Reporting Guidelines signifying that emissions may occur, but have not been estimated in the submission. Parties are requested to give the reason emissions have not been estimated).

NR: “Not relevant” (notation key from the Emission Reporting Guidelines, introduced in the 2009 Guidelines, ‘... to ease the reporting where emissions are not strictly required by the different protocols, e.g. for some Parties emissions of NMVOCs prior to 1988.’).

**# Specific remarks:**

**Croatia:** emission reporting obligation as from 2008; **Czech Republic:** actual EMEP reports (WebDab) did not provide HCB data for the reference year 1990, however, table 5 of the 11<sup>th</sup> IC Report as well as table 5 of IC2/09 show an “X”, indicating that base year data are reported; 2004 - 2007 HCB emissions 60 times those of 2003; **France:** extremely high HCB emissions in base year; **Iceland:** increase of PAH emissions: in its Decision 2006/9 the EB “notes the report provided by the IC (ECE/EB.AIR/2006/3, paras. 33-35) with concern to Iceland’s compliance with art. 3.5. (a), [...] in particular the Committee’s conclusion that Iceland is in compliance with article 3.5. (a), based on art. 3.7”, revised data series (1990 and 2003-2006) provided 26.06.2008, 2007 data are not reported, notwithstanding the emphasis put on Iceland in the 9th IC Report, para. 34, to fulfil its reporting obligation for POP emissions in time; **Luxembourg and EC:** the notation key ‘NR’ does not seem to be used properly, as according to the explanation given in ECE/EB.AIR/97 it is meant ‘...to ease the reporting where emissions are not strictly required by the different protocols...’; table 5 of Note IC2/09 shows “Xs” for Luxembourg for the base year and for EC ‘NE’ for the base year and 2003 – 2006, with the explanation that ‘...EU 25 totals are difficult to estimate given the lack of information from individual States; **Netherlands:** extremely high PAH emissions for the base year; **Rep. of Moldova:** 2005 and 2006 HCB emissions 30 –70 times those of 2003-2004, no data are reported for 2007; **Romania:** WebDab shows for 1989 (the base year as chosen) ‘NE’ for PAHs, Dioxins/furans as well as HCB

*emissions, however, in 2009 Romania reported emission data for 1990: 274 Mg PAHs, 3073 g Dioxins and 99 kg HCB; Slovenia: base year emissions for HCB are more than 100 times those of 2003-2007.*

**Table 7: Compliance with article 3.5. (b)(i)**, (associated provisions: art. 1.10, 1.11, 1.12, 3.6)  
**“No later than the timescales specified in annex VI, each Party shall apply, taking into account annex V: BATs to each new stationary source within a major stationary source category for which annex V identifies BATs;”.**

*Question 26: With reference to article 3, paragraph 5 (b)(i), and annex V, please explain how you ensure the application of BAT, to each new stationary source (construction commenced after 23 October 2005) within a major stationary source category for which that annex identifies BAT, for example through national legislation, permitting procedures, guidance, etc.*

Party	Response to Q. 26	Comments	Conclusion
Austria	<p>“For new or modified industrial installations a permit is required according to the Industrial Code [33](1994) and the Clean Air Act for Steam Boilers [1](2004). Specific requirements as emission limit values and/or emission reduction measures according to best available technique have to be laid down during the individual licensing procedure. The criteria for the determination of BAT are identical with those mentioned in Annex V of the Protocol, part I.</p> <p>For some categories of (new and existing) stationary emission sources explicit emission limit values for certain kinds of POPs and/or BAT requirements have been set by ordinance, i.e: •for new sinter plants ELV of 0.4 ng TE/m<sup>3</sup> and for the production of iron and steel in general 0.1 ng TE/m<sup>3</sup> [3], [4](1997); •for aluminium production (new plants: 0.1 ng TE/m<sup>3</sup>, existing plants: 0.4 ng TE/m<sup>3</sup>), for lead and copper production: 0.4 ng TE/m<sup>3</sup>, for production of ferro-alloys: 0.1 ng TE/m<sup>3</sup> [5](2008); •for co-firing of waste an ELV of 0.1 ng TE/m<sup>3</sup> [18](2002); for residential combustion only stoves and boilers with type approval may be installed, limit values (PM, CO, HC) for the type approval have been enacted, only regular fuels may be used and combustion of waste materials is prohibited; •creosote and other coal tar distillates may only be used if their BaP content is below 0.005 %, may only be used by professionals and must not be sold to private persons; wood treated with creosote may only be used for business/industrial purposes [31](2003).</p> <p>For several source categories limit values for particulate matter (see also Q.34), CO and/or HC have been set. As far as requirements are expressed as emission limit values, it is left open to the plant operators to decide which techniques to use for achieving the limit values.”.</p>	<p><i>2005 IDR: voluntarily implemented (all categories of annex VII, except 10-12, are considered major source categories?)</i></p> <p><i>Refers to national legislation, including procedures for issuing of permits, requiring application of BAT to each new source. The general criteria for determination of BAT are those mentioned in part I of annex V.</i></p> <p><i>For some categories of stationary sources (sinter plants, aluminium, lead and copper and ferro-alloy production, co-firing of waste) ELVs for certain POPs and/or BAT requirements have been set by ordinance. As far as requirements are expressed as ELV, it is to the operators to decide on the techniques used to achieve that value.</i></p> <p><i>For residential combustion only type approved stoves and boilers (based on limit values for PM, CO and HC) and regular fuels may be used.</i></p>	In compliance
Belgium	<p>Reference is made to the IPPC Directive 96/61/EC, setting common rules for permitting and controlling industrial installations, among which those referred to in annex V of the Protocol. The IPPC Directive is implemented in Belgium in regional legislation. The content of the Directive is elucidated with respect to the obligation to apply BAT and the role of BREFs. In the <b>Flemish region</b> Directive</p>	<p><i>For The Flemish and Brussels regions refers is made to legislation, including procedures for issuing of permits, requiring application of BAT to each new source. Specific measures are also mentioned for a few sectors.</i></p>	No evaluation possible

Party	Response to Q. 26	Comments	Conclusion
	<p>is implemented through Orders of 1991 (VLAREM I, concerning licensing) and of 1995 (VLAREM II, concerning provisions relating to environmental safety). Application of BAT is, through VLAREM I and II, also imposed for smaller installations, outside the scope of the Directive. For these installations separate Flemish BAT documents are developed. For the <b>Walloon region</b> reference is made to Q.18. For the <b>Brussels-Capital region</b> reference is made to an Order (2007) implementing the IPPC Directive. 13 so called 'IPPC companies' are identified, for which a permit is required. Conditions for such permits are BAT and BEP (Best Environmental Practices) application, established for each sector. The procedure followed for permitting 'IPPC companies' is described in relation to BAT and BEP determined for each sector. Further specific measures adopted in the Brussels region for specific stationary sources are mentioned (reference is made to annex V, part II, paras. 7(a),(b), (d),(e), 8(a), (c), (d) and 9(a)-(c)): filters and de-NOx, for waste incineration and filters on the funnel for a thermal metallurgic process (secondary production of lead). Apart from those two, no other major source categories exist. For 7(b) (dioxins) it is stated that in the Brussels region few POPs are emitted in the domestic sector; for 8(a) (PAH) reference is made for domestic heating to Q.25.</p> <p><b>Additional information:</b> for the Walloon region it is explained that "BAT-related emission values are only available for PCDD/Fs". For PAHs (benzo(a)pyrene) and HCB ELVs are used and developed on a toxicological basis (health criteria at ground level). A list of categories of activities requiring permits is given, including all industrial categories of annex V. In addition categories are mentioned, which are covered by good housekeeping campaign, awareness campaign about negative impacts on health of incomplete combustion, federal product standards as far as quality of fuel and quality of paintings are concerned, etc. (according to BAT described in chapter V):</p> <ul style="list-style-type: none"> <li>· Residential combustion;</li> <li>· Domestic wood and coal coating;</li> <li>· Open fires such as refuse burning, forest fires and after-crop burning."</li> </ul>	<p><i>No specific information is provided by these regions on BAT in residential combustion, only results are given from developments in the past with respect to PAH emissions in this sector in the Brussels region.</i></p> <p><i>For the Walloon region only reference is made to Q.18 where it stated: "As far as air is concerned and up until now, we use to impose limit values through permits, for example within the framework of directive IPPC (dioxins &amp; furans - PCDD/Fs, PCBs "dioxin like" - "total" PCBs - estimated by the sum of the 6 PCB of DIN standard multiplied by 5) - polycyclic aromatic hydrocarbons PAHs, hexachlorobenzene, pentachlorophenol", followed by a list with regional legislation, concerning the environmental permit in general and wastes. Under Q.18 for Flanders awareness campaigns and 'reglementation' are mentioned for domestic wood and waste burning. In the additional information for Wallonia it is stated that for all industrial categories from annex V permits are required. For residential combustion awareness campaigns are mentioned. However, ELVs for PAHs and HCB, if used in permits are not BAT related, but related to human health.</i></p>	
<p><b>Bulgaria</b></p>	<p>"Applying of best available techniques (BAT) to each new stationary source within a major stationary source category for which the annex V identifies BATs, is envisaged in the following regulations: • Regulation on the conditions and procedure for issuing of permits for Integrated Pollution Prevention and Control for the construction of new and the operation of existing industrial installations and equipment, approved with Government Decision No. 62/2003 (SG 26/2003). This regulation transposes Directive 1996/61/EC and demands applying of BAT to the installations under its scope. According to the directive, all installations listed in its Annex I, should be put into compliance by 31st of October 2007. This means that the corresponding BATs, depending on the specific type of the installations concerned, should be applied. • Regulation No.1/2005 for ELV of</p>	<p><i>2005 IDR: voluntarily implemented</i></p> <p><i>Refers to national legislation, including procedures for issuing of permits, requiring application of BAT to each new source within a major stationary source category, covering all categories listed in the annexes to the Protocol.</i></p>	<p>In compliance</p>

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	<p>hazardous substances (pollutants) emitted in the atmosphere from stationary sources (SG 64/2005). This regulation demands specifying and applying of BATs for new installations not listed in Annex I of the Directive 1996/61/EC – on the basis of the annexes to the protocols to the Convention. The installations should be put into compliance with the regulation from the date of putting in operation. • Regulation No. 6/2004 on the conditions and the requirements for construction and operation of installations for incineration and installations for co-incineration of waste, which transposes Directive 2000/76/EC (SG 78/2004). • Regulation No. 7/2003 for emission limit values of VOC emitted into the air due to the use of solvents in certain installations (SG 96/2003) transposing fully and without transitional periods Directive 1999/13/EC in Bulgarian legislation.”.</p>		
<p><b>Canada</b></p>	<p>The major source categories listed are those for which annex V identifies best available techniques.  <b>PCDD/F:</b> “Canada’s approach to the reduction of emissions from major stationary sources is to set an emission limit based on consideration of best available techniques (BAT), [...]. It is the responsibility of facilities to meet these emission limits using any appropriate means at their disposal”.  <b>•Cat. 1, waste incineration:</b> “For new or expanding facilities of any size, application of BAT, such as a waste diversion program, to achieve a maximum concentration in the exhaust gases from the facilities for municipal waste, medical waste”[...], hazardous waste (waste derived fuel or used oil not included) and sewage sludge incineration of: “80 pg I-TEQ/m<sup>3</sup>; As an initial action with shared responsibility by all jurisdictions, strategies identifying opportunities to minimize waste incineration emissions of air pollutants including dioxins and furans have been developed through a multi-stakeholder process published in 2003 to provide a framework for continual progress towards the elimination of dioxin and furans”.  <b>•Cat. 2, Iron Sintering Plants:</b> “for new and expanding facilities dioxin and furan stack emissions shall be less than 200 pg/m<sup>3</sup> TEQ, and as a result of achieving this limit, particulate emissions should correspond to a level of less than 20 mg/m<sup>3</sup>”.  <b>•Cat. 4, Steel Manufacturing Electric Arc Furnaces:</b> “New and Modified Furnaces, dioxin and furan emissions shall be less than 100 pg ITEQ/Rm<sup>3</sup> from any new or modified steel manufacturing EAF”.  <b>•Cat. 3&amp;5?, Base Metals Smelting Sector:</b> “In March 2006, Environment Canada published under the authority of the <i>Canadian Environmental Protection Act, 1999</i>, an <i>Environmental Code of Practice for Base Metals Smelters and Refineries</i>. Recommendation 206 specifies that each new facility should be designed and operated to limit release concentrations of dioxins and furans to less than 32 pg ITEQ/Rm<sup>3</sup>”.  <b>•Cat. 6, combustion of fossil fuels in utility and industrial boilers:</b> “Currently there are no federal initiatives specifically targeting this source type. However, such facilities are under provincial jurisdiction and are subject to provincial regulations such as the</p>	<p><i>2005 IDR: no assessment</i>  <i>A description is given of the approach used to apply BAT to new sources in major source categories. For a number of these categories emission limits are set based on BAT considerations. It is the responsibility of the facilities to meet these limits using any appropriate means. The emission limit values that are presented for the categories 1- 5 and 9 of annex VIII, for PCDD/F and/or PAH emissions, are in conformity with the effects to be expected from application of BAT according to annex V. For category 7, residential combustion, a federal action plan is mentioned and the possibility of a regulation is considered, as are future education activities.</i>  <i>For category 11, aluminum industry, which is also under provincial jurisdiction and subject to a licensing system, the federal government intends to develop regulations. For category 12, wood preservation installations, recommendations for the design and operation are developed. No further details.</i>  <i>No specific information is given on BAT application for new sources in the major source categories 6, 8 - 10, which are subject to provincial regulations, such as the requirement to have an operating permit.</i>  <i>The additional information does not clarify the approach for the four specific categories. The statement that the provinces ‘allow industry to opt for</i></p>	<p><u>In compliance</u></p>

Party	Response to Q. 26	Comments	Conclusion
	<p>requirement to have an operating permit". •Cat. 7, Residential combustion (focuses on wood combustion): an "Action Plan outlines a regulatory framework to address the challenges of climate change and air pollution from a number of key sources including consumer and commercial products, as well as it provides the regulatory framework for improvement of indoor air quality. As a result, a regulation for residential wood burning appliances is also being considered. A regulation, in combination with possible future education, change-out programs or other incentives programs, will provide an effective, comprehensive and efficient approach to address the many pollutants from this source [...]. •Cat. 8, Firing installations for wood (&lt;50 MW capacity): "Currently there are no federal initiatives specifically targeting this source type. However, such facilities are under provincial jurisdiction and are subject to provincial regulations such as the requirement to have an operating permit".</p> <p><b>PAH:</b> •Cat. 9, Coke production: The 2001 <i>Environmental Code of Practice for Integrated Iron and Steel Mills</i> presents targets: "a maximum of 6.0 g/tonne produced for each new or modified by-product coke oven battery". For measurement and calculation of PAH releases, reference is made to the CSPA PAH Measurement Protocol. •Cat. 10, Anode production: "Currently there are no federal initiatives specifically targeting this source type. However, such facilities are under provincial jurisdiction and are subject to provincial regulations such as the requirement to have an operating permit". •Cat. 11, Aluminium industry: "These facilities are under provincial jurisdiction and are subject to provincial regulations such as the requirement to have an operating permit. Further, the federal government has indicated its intent to develop regulations limiting the air pollutant releases, including releases of PAH from aluminium manufacturing facilities. Emission targets are to be at least as rigorous as those in the U.S. or other environmental performance-leading countries". •Cat. 7, Residential combustion (focuses on wood combustion): same as for PCDD/F. •Cat. 12, Wood preservation installations: "Canada has produced a document containing recommendations reflecting BAT for the design and operation of wood preservation facilities. This document can be found online [...]. Within Canadian provinces, permits are required".</p> <p><b>Additional information:</b> "National emission guidelines are developed jointly by the federal and provincial governments with industry and other interested parties which can result in instruments which become de-facto minimum national standards (e.g. CWS for Dioxins and Furans)                      Emission standards for most industrial sources are set and enforced provincially. Where provinces regulate, they generally do not prescribe the specific technology to be used as a requirement but allow industry to opt for alternatives to BAT as long as performance expectations are met."</p>	<p><i>alternatives to BAT" leads to confusion. However, comparison with the conclusion for Q.33(BAT for HM stationary sources) makes compliance plausible</i></p>	
<b>Croatia</b>	"In the Regulation on emission limit values of pollutants into the air from	<i>Reference is made to national Regulation prescribing</i>	No evaluation

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	<p>stationary sources (OG 21/07) ELV for dioxins and furans in gas is prescribed, and each new stationary source has to be in line with this value. For any new stationary source listed in the Annex to <i>the Ordinance on Environmental Impact Assessment (EIA)</i>, procedure of EIA project is the assessment of possible significant environmental impacts set out under this Act and the regulation referred to in Article 71 paragraph 3 of this Act. EIA identifies, describes and evaluates in an appropriate manner the impact of the project listed in the Annex to the Ordinance on the environment, by establishing the possible direct and indirect effects of the project on soil, water, sea, air, forest, climate, human beings, flora and fauna, landscape, material assets, cultural heritage, taking into account their mutual interrelations. EIA shall ensure the realization of the prevention principle in the early phase of project planning in order to reduce the effects of the project to the least possible extent and achieve the greatest possible level of preservation of environmental quality, which is achieved through harmonization and adjustment of the intended project to the receptive capacities of the environment in a specific area. EIA shall be carried out as part of the preparation of the intended project, prior to issuing the location permit for project implementation.”.</p> <p>Additional information: “...In the field of unintentional POPs formation and release there is legal obligation for industry and industrial processes (potential sources of chemicals in Annex C of the Stockholm Convention) to apply BAT - Best Available Techniques.                      (...) The priority goals of NIP implementation (<i>National Implementation Plan Stockholm Convention</i>) are: (...); ▪ Unintentional releases of PCDD/Fs PCBs, and HCB are controlled and continuously reduced; ▪ Application of technological solutions (BAT/BEP) that facilitate emissions reduction or cessation of POPs compounds from unintentional sources; (...).”.</p> <p>Furthermore an overview is provided of the legal measures regarding a register of use permits, decisions on integrated env. requirements for existing installations and on the procedure for establishing integrated env. requirements (in force April 2009). The procedure for determining integrated env. requirements for new and for existing installations is described.</p>	<p><i>obligatory ELVs for PCDD/F for new stationary sources listed in an annex to that Regulation. It is not described whether all sources indicated in annex V of the Protocol are included and no information is given about the relation of these ELVs with BAT. No measures are referred to relating to use of BAT with respect to reduction of PAH or HCB emissions. Further reference is made to an Ordinance on EIA, without indicating the source categories that are involved or the role of BAT application in the EIA procedure or issuing of the location permit. No information is provided with regard to non-industrial sources like residential combustion.</i></p> <p><i>The additional information, apparently based on the Stockholm Convention, indicates that application of BAT for industrial sources is obligatory for the unintentional release of PCDD/Fs, PCBs and HCB. No information on the source categories involved or on BAT to control PAH emissions. Still no information with respect to residential combustion.</i></p>	<p>possible</p>
<p><b>Cyprus</b></p>	<p>“Two Air Emission Permits concerning incineration plants (capacity 200 kg/hr) in airports and one concerning an incineration plant for animal carcasses (capacity 800 kg/hr) have been issued. Dioxin emission limit values have been specified in the relevant Air Emission Permits issued based on EU Directive 2000/76/EC and relevant BREF Documents.”.</p> <p><b>Additional information:</b> “According to the Atmospheric Pollution Control Laws of 2002 until 2008, the operators of all industrial installations listed in the Laws must apply for a permit. The permit conditions are based on the emission limits</p>	<p><i>2005 IDR: voluntarily implemented (conclusion based on the statement that by law operating conditions and ELVs in permits for stationary sources are based on BAT)</i></p> <p><i>States that 2 permits have been issued for incineration plants. Refers for the requirement to a EU Directive and BREF documents. No details as regarding BAT</i></p>	<p>In compliance</p>

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	<p>prescribed in relevant EU Directives or BAT.                      Small boilers (Up to 50 MWth) are regulated by the Atmospheric Pollution Control (Non-Registrable Processes) Regulations of 2004 and 2008. These Regulations specify emission limits for a number of processes including small boilers. To comply with the provisions of the POPs Protocol, these Regulations were amended in 2008, introducing low emission limits for CO, which, in order to be achieved, new technologies are required regarding the design and combustion in small boilers. The new emission limits apply in the case of burning of wood and other types of biomass (such as olive seeds). Since emission measurements of POPs from small boilers are difficult and expensive and it is well known that by optimizing combustion, both POPs and CO are reduced, a low emission limit for CO has been used as a measure of combustion efficiency aiming at reducing POPs emissions.”.</p>	<p><i>and no information on residential combustion. The additional information refers to legislation introducing(to comply with the POP protocol) emission limits for CO from small boilers burning wood and biomass. It can be assumed that this regulation includes boilers for residential combustion. Measures to reducing CO emissions is indicated as BAT in para. 69 of annexV.</i></p>	
<p><b>Czech Republic</b></p>	<p>“During permitting procedures for building and operation of new stationary sources, the implementation of best available technologies (BAT) is required as set by the Act No. 76/2002 Coll. on integrated prevention. Information on BAT is provided by the Ministry of Industry and Trade of the Czech Republic in cooperation with other organizations including the industrial associations. Emission limit values for pollutants are set by complementary regulations to the Act No. 86/2002 Coll., on air quality protection, which fully transpose the emission limit values set by the Directive 2000/76/EC, on the incineration of waste and Directive 2001/80/EC, on the limitation of emissions of certain pollutants into the air from large combustion plants. Air quality legislation enables to specify emission limit values for other emitted pollutants and the conditions for the operation of the source substituting the limit values (e.g. the value of specific production emission for PCDD/F in iron metallurgy).”.</p> <p><b>Additional information:</b> “Stationary combustion sources for residential heating shall be operated in compliance of the producer’s requirements and only prescribed fuel may be burnt (burning of waste is prohibited). Sources, where solid fuels are burnt, with the rated thermal output of 15 kW and higher and sources combusting gaseous or liquid fuels with the rated thermal output of 11 kW and higher must keep prescribed minimal values of heat efficiency and maximum carbon monoxide content (* Heating appliances located in family flats and family houses used for accommodation only are not covered). These requirements and their specification are prescribed in the Clean Air Act (No 86/2002 Coll.) and in the Government Decree No 352/2002 Coll. setting forth emission limit values and other requirements for the operation of combustion stationary air pollution sources (amended by the Government Decree No 146/2007 Coll.). Requirements regarding individual types of fuels from the aspect of air protection and verification of their quality are set down by the Decree of the Ministry of the Environment No 357/2002 Coll.</p>	<p><i>2005 IDR: voluntarily implemented</i>  <i>Refers to an act on integrated prevention,, which requires the implementation of BAT in the permitting procedure. Whether residential combustion is dealt with (on the basis of the Act on air quality protection?) remains unclear.</i>  <i>Additional information is presented regarding small boilers and residential combustion with reference to national legislation and description, with reference to Annex V, of the measures taken with respect to public awareness, product standards, suitable heating systems and improved insulation.</i></p>	<p>In compliance</p>

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	<p>In accord with the para. 70 a) of the Annex V awareness campaign has been created by Ministry of the Environment aiming at raising public awareness of environmental impacts of improper use of domestic heating appliances and of the prohibited waste burning. Also product standards are applied for new stoves and small boilers, e.g. Technical standard CSN EN 303-5 "Heating boilers". Clean Air Act also requires preference of the centralized heating systems, if this is economically and technically acceptable (in accord with para 71 of the Annex V). Energy conservation such as improved thermal insulation to reduce energy consumption is performed, among others, by implementation of Directive 2002/91/EC of the European Parliament and of the Council on the energy performance of buildings."</p>		
<p><b>Denmark</b></p>	<p>"Waste incineration: compulsory wet flue gas cleaning, Statutory Order. Hard coal combustion: Flue gas cleaning (desulphurisation), compulsory de-sulphur, Statutory Order. Residential combustion: Prohibition of using contaminated wood, Statutory Order issued for the construction and use of wood burning stoves and boilers and guidelines for the use of stoves and boilers."  <b>Additional information:</b> "In the Danish Environmental Act, No. 1757, 22 December 2006, it is a fundamental principle in the Danish environmental administration that polluting enterprises had to limit their contribution to pollution in the environment through application of the Best Available Technology (BAT). For those enterprises included in the EU IPPC-directive (96/61/EC,1996.09.24) BAT reference documents (BREF-notes) are used as the Danish minimum standard in the licenses issued. The enterprises carry the obligation to analyse and assess the possibility to use re recommendations in the BREF-notes. This covers replacement of harmful substances, energy savings, savings in raw materials, cleaner technologies and minimizing waste. Through the use of BREF-notes the emissions of POP's from stationary sources are reduced. The main potential Danish sources for emitting POP's are regulated individually: Waste incineration:" ... (followed by text original answer).                  "The following source categories mentioned in Annex V do not exist in Denmark: Thermal processes in the metallurgical industry, Sinter Plants, Primary and secondary production of copper, Production of steel, Smelting Plants in the secondary aluminium industry, Coke production, Anode production and Aluminium industry."</p>	<p><i>2005 IDR: no assessment</i>  <i>Lists for three of the major source categories from annex VIII, the technologies to be applied, based on one or more Statutory Orders. Describes the measures regarding residential combustion (wood burning stoves and boilers) No information with respect to BAT application for the other categories.</i>  <i>With respect to these other categories the additional information makes clear that a general obligation exists to apply BAT. In addition to the (minimal) references to BAT as listed in annex V, for waste incineration and hard coal combustion, it is stated that for 'enterprises included in the EU IPPC-directive' it is compulsory to assess the possibility to use BAT recommended in BREF-notes.</i></p>	<p>In compliance</p>
<p><b>Estonia</b></p>	<p>"Ambient Air Protection Act [...] and National IPPC Regulation [...] require that all major stationary sources have to apply for an air or IPPC permit. This applies to both existing and new installations. The emission reduction requirements in the permit have to base on BAT. Combustion plants with thermal input of more than 0,3 megawatts have been permitted with the air permit. Combustion plants over 50 megawatts have to comply with the emission limit of the LCP directive, where limit values for SO<sub>2</sub>, NO<sub>x</sub> and particulates are set. The total emission limit value</p>	<p><i>Reference is made to the Ambient Air Protection Act and the National IPPC Regulation, requiring a permit for all major stationary sources. The requirements in the permit have to be based on BAT. Estonia has published in 2006 the guidance on 'good practice in residential combustion'.</i></p>	<p>In compliance</p>

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	<p>for dioxins and furans is 0,1 ng TE/m<sup>3</sup>. The existing waste incineration or co-incineration plants have to comply with these requirements from decree no 66 (requirements from the directive 2000/76/EC). As a residential combustion is one of the major sources of PAH emissions in Estonia the guidance on "good practice in residential combustion" have been published in 2006."</p>		
<b>Finland</b>	<p>"The major stationary sources of dioxins and furans are combustion plants providing energy and residential combustion (energy production), iron and steel and production and to some extent waste incineration. The major stationary sources for PAH are energy production, especially residential combustion. Environmental Protection Act (86/2000) requires that all major stationary sources have to apply for an integrated permit. This applies to both existing and new installations. The emission reduction requirements in the permit have to be based on BAT. Combustion plants with thermal input of more than 5 megawatts have been permitted. Combustion plants over 50 megawatts have to comply with the emission limit of the national Government Decree on Large Combustion Plants (1017/2002) where limit values for SO<sub>2</sub>, NO<sub>x</sub> and particulates are set. The national report on BAT on combustion plants between 5 and 50 megawatts gives guidance to the permit authorities on level of emissions that could be reached in these smaller plants. The industrial installations (the metal industry) have been permitted and the emission reduction measures are based on the application of BAT. Waste incineration and co-incineration plants have to comply with the Government Decree on Waste Incineration (362/2003.) The total emission limit value for dioxins and furans is 0,1 ng TE/m<sup>3</sup>. The existing waste incineration or co-incineration plants have to comply with these requirements from 28 December 2005. Residential combustion is one of the major sources of PAH emissions in Finland. Guidance on "good practice in residential combustion" have been published in 2003 by the Helsinki Metropolitan Area Council, Pulmonary Association and the Ministries of the Social and Health and of the Environment."</p>	<p><i>2005 IDR: voluntarily implemented</i>  <i>Reference is made to the Environmental Protection Act (2000) requiring an integrated permit for all major stationary sources. The requirements in the permit have to be based on BAT. Finland has published in 2003 the guidance on 'good practice in residential combustion'.</i></p>	<p>In compliance</p>
<b>France</b>	<p>Information is given for certain stationary sources indicated in annex V. Waste incineration plants have to comply with ELVs laid down in two Orders (2002) for incineration of hazardous wastes and for incineration of non-hazardous wastes. Compliance with the ELV (0.1 ng/m<sup>3</sup>) require application of BAT. Combustion plants have to apply BAT to comply with ELVs for PAH of 0.1 mg/Nm<sup>3</sup> (Order 20.6.2002, as amended by Order of 13.7.2004). For turbines and engines the same ELV applies. In addition emission ceilings are established for the plant as a whole, comprising all installations given authorization, of 0.0001 kg TEQ/year of dioxins, 10 kg/year of HCB and 50 kg/year of PAH. No information on BAT for other industrial source categories, or on measures with respect to residential combustion.</p>	<p><i>2005 IDR: no assessment</i>  <i>BAT application on the basis of compulsory ELVs is described for waste incineration plants and combustion plants. No information on BAT application for the other source categories listed in annex V.</i></p>	<p>No evaluation possible</p>
<b>Germany</b>	<p>"The establishment and operation of installations particularly liable to cause harmful effects on the environment are subject to licensing under the Federal</p>	<p><i>2005 IDR: no assessment</i>  <i>Reply is identical with that to the 2004 Questionnaire.</i></p>	<p>In compliance</p>

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	<p>Immission Control Act (1974). A key issue of this act is the precautionary principle, which in practical terms means that all sources (new and existing) must prevent and control emissions according to the best available technologies. A number of technical ordinances to this act set out specific regulations on various emission sources. Emissions from major stationary sources of all categories listed in annex IV (municipal waste incinerators, hazardous waste incinerators and medical waste incinerators) are covered by the ordinance on municipal and hazardous waste incinerators (1990). In addition there is an ordinance in place for crematoria (1997). Major stationary sources need an authorisation (permit) according to the 4. BimSchV (1985), while detailed provisions relating to the licensing procedure are laid down in the 9. BimSchV (1977). For residential combustion (1988) no emission values are set out but certain requirements for solid fuels along with monitoring requirements and technical measures to optimize burnout contribute to overall reduction of POPs from that multiple point sources.”.</p>	<p><i>Has introduced a licensing regime requiring that all stationary sources control emissions according to BAT. For residential combustion there are requirements for the (solid) fuel and technical requirements to optimize the combustion process.</i></p>	
<p><b>Hungary</b></p>	<p>“See Q25.”.  <b>Additional information:</b> “To ensure the legal basis of the application of BAT in Hungary we transposed the Directive 96/61/EC on IPPC into national law [... 2 Decrees (2001 and 2005)]. Beside this, the Hungarian Air protection law [... Decree 2001] also prescribe the application of BAT for the new and the existing installations. Above mentioned decrees regulate the main rules of conditions and procedure of permits for IPPC. In Hungary all new installations listed in Annex I of the Directive (...) has to meet with the requirements of IPPC (included the application of BAT) from 30 October 2001. For the existing installations the final deadline was 31 October 2007. Combustion plants with thermal input of more than 50 megawatts have to comply with the emission limits of the national Ministerial Decree on Large Combustion Plants [2003....] which is fully harmonized with the Directive 2001/80/EC. The industrial installations (the metal industry) have been permitted according to IPPC or EIA depending on their capacities, but in both cases the emission reduction measures are based on the application of BAT. The emission limits for the main industrial installation can be found in the Ministerial Decree [2001...]. Waste incineration and co-incineration plants have to comply with the Ministerial Decree on Waste Incineration [2002....] which is fully harmonized with the Directive 2000/76/EC. The total emission limit value for dioxins and furans is 0,1 ng TE/m3. The Directive 1999/13/EC on emission limit values of VOC emitted into the air due to the use of solvents in certain installations was fully transposed into Hungarian law [2001...]. Residential combustion is not regulated by national level; it is within the competence of the local governments. According to the Hungarian Air protection law no waste of any kind shall be burned outdoors or in household heating equipment. The quality of gas oil and the heavy fuel oil is regulated by</p>	<p><i>2005 IDR: no assessment</i>  <i>No relevant information</i>  <i>In the additional reply it is stated that national law prescribes application of BAT for new (and existing) installations. For waste incineration ELVs in accordance with annex IV are mentioned. Apart from the metal industry no further specification is given of the source categories addressed. The information provided, mainly deals with transposition in national law of a variety of EU Directives (i.e. IPPC Directive). Although no direct link is made with annex V, it is plausible that all relevant industrial categories are covered. For residential combustion no information on BAT from section V of the annex is mentioned, only a ban on the use of waste as a fuel.</i></p>	<p>No evaluation possible</p>

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	Ministerial Decree (harmonized with EU requirements).”.		
<b>Iceland</b>	<p>“Application of best available techniques has been required by law for all new installations since 1998 (Act No. 7/1998). New installations since 2005, i.e. aluminum smelters, are required to obtain operating licenses from the Environment Agency of Iceland. The permits specify emission limits and BAT requirements. The Environment Agency is also responsible for on-site environmental inspections. Projects involving construction of aluminum smelters are subject to environmental impact assessments.”.</p> <p><b>Additional information:</b> “There are no residential combustions in Iceland, Iceland uses central district heating using geothermal water or using electric heating.”.</p>	<p><i>2005 IDR: no assessment</i></p> <p><i>Application of BAT is required by law since 1998 for all new installations. Mentions aluminum smelters as the new installations since 2005, permits specify emission limits and BAT. No information on residential combustion</i></p> <p><i>No residential combustion. It is stated that central district heating is used instead.</i></p>	In compliance
<b>Italy</b>	<p>“Legislative Decree n. 59 of the 2005, transposing the Directive 61/96/EC (IPPC Directive), establishes the criteria for granting the permit to new and existing installations covered by such Directive. National guidelines for each specific industrial activities listed in Annex I of IPPC Directive have been developed.”.</p> <p><b>Additional information:</b> “The National guidelines, based on the European Bat REference documents (BREFs), better reflect the Italian industries framework and local conditions helping the competent authorities to identify the BATs for each installations”.</p>	<p><i>Refers to national legislation (2005) transposing EU Directive 96/61(IPPC), giving criteria for granting permits and national guidelines. No information about the requirements in such permits, no reference to BAT. No information on residential combustion.</i></p> <p><i>In the revised answer nothing on residential combustion either.</i></p>	No evaluation possible
<b>Latvia</b>	No answer	<i>2005 IDR: no assessment</i>	No evaluation possible
<b>Liechtenstein</b>	No answer	<i>2005 IDR: no assessment</i>	No evaluation possible
<b>Lithuania</b>	<p>“Application of BAT to each new stationary source is ensured trough Integrated Pollution Control and Prevention (IPPC) permitting procedure. From 30-10-2007 emission limit values for IPPC installations are based on BAT (Rules on Issuing, Reconsideration and Cancelling of IPPC Permits (27-02-2002 Order No 80 of the Minister of Environment)).”.</p> <p><b>Additional information:</b> “Application of BAT for new residential combustion appliances is ensured through implementing these measures: Generally, the Law on Ambient Air Protection (1999, last amended in 2009) prohibits incineration of waste, except when they are incinerated in specially designed facilities, as well as incineration of dry grass, reed, stubble. Public education campaigns (articles in media, TV spots, press releases) are regularly organized in order to inform population about harm of burning of grass, leaves and rubbish and impact on the environment and human health. Fuel quality is regulated through the application of the Obligatory Requirements for Quality of Oil Products, Biofuel and Liquid Fuel used in Lithuania (08-31-2006 Order No. D1/399/4-336/-3-340 of the Minister of Environment, the Minister of Economy, the Minster of Transport). All new boilers used in residential sector are tested according EU standards. It</p>	<p><i>States that application of BAT is ensured for each new stationary source through the permitting procedure, reference is made to a ministerial Order (2002). No information on residential combustion.</i></p> <p><i>In the revised answer reference is made to recent measures promoting BAT for new residential combustion appliances. Incineration of wastes and certain agricultural residues is restricted to special facilities. Public campaigns inform about adverse effects. Reference is made to legislation on quality of oil and biofuel and to standards for new boilers for residential use. Contribution of centralized heating systems is 51% at a national level.</i></p>	In compliance

Party	Response to Q. 26	Comments	Conclusion
	also should be mentioned that 51% of heat energy for residential sector is supplied by centralized system in Lithuania.”.		
<b>Luxembourg</b>	No answer	<i>2005 IDR: no assessment</i>	No evaluation possible
<b>Netherlands</b>	“The obligation to use BAT to reduce emissions has been incorporated in the Environmental Management Act. This is implemented through legal standards and licenses. The European BAT Reference documents (BREFs) are used as standards for the determination of BAT. Techniques on BAT: For PCDD/F emissions: • Waste incineration: Primary measures and activated coal. • Thermal processes in the metallurgical industry: Standards regulates in permits, using BAT (especially FF/filters) • Combustion of fossil fuels in utility and industrial boilers: Standards regulates in permits, using BAT (especially FF/filters) • Residential combustion: Communication and education; • Firing installations for wood (<50 MW capacity); standards regulated in permits, using BAT (controlled combustion, ESP of FF/filters) For PAH emissions: • Coke production: standards regulated in permits, using BAT; • Anode production: standards regulated in permits, using BAT (wet scrubbers, incinerators and FF/filters); • Aluminium industry: standards regulated in permits, using BAT; • Residential combustion: communication and education, aim to limit PAH emission; • Wood preservation installations: standards regulated in permits, using BAT.”.	<i>2005 IDR: voluntarily implemented</i> <i>States that use of BAT is obliged under the Environmental Management Act and implemented through legal standards and licenses. European BAT Reference documents are used for determination of BAT. Lists the major source categories of annex VIII and gives an indication of specific BAT prescribed for PCCD/F and PAH emissions for most of them. For residential combustion the aim is to limit PAH emissions through communication and education.</i>	In compliance
<b>Norway</b>	“The principle of regulation has been BAT based for performance since the Pollution Act was established in 1982. This is reflected in each individual emission permit. See also response to Question 2 and question 3”. <b>Additional information:</b> “Emission of particles from new residential combustion appliances must not exceed ELV for particles given in Norwegian standard for closed wood burning appliances (NS 3058 and NS 3059). No ELVs are set for POPs emissions from these appliances, but restrictions on emissions of particles are expected to have some effect on these emissions as well.”	<i>2005 IDR: voluntarily implemented (conclusion based on the statement that emission limits are set in permits for all industry; applied limits may be more stringent than those given in annex IV-V; measures for residential combustion were included)</i> <i>States that the principle of regulation has been BAT based for performance since 1982. This is reflected in each permit. No information on residential combustion. Additional information indicates that ELVs for particles apply for residential combustion. <del>Any substantiation or link with BAT as presented for residential combustion in sections IV and V of annex V, is missing.</del></i>	<u>In compliance</u>
<b>Republic of Moldova</b>	No answer	<i>2005 IDR: voluntarily implemented</i>	No evaluation possible
<b>Romania</b>	“Major new stationary sources I. For PCDD/F emissions: A. Waste incineration : BAT applied: - Government Decision no. 128/2002 (Romanian Official Journal no 160/06.03.2002) on the incineration of waste, with amendments (Government	<i>2005 IDR: no assessment</i> <i>Describes for each major source categories from annex VIII the national legislation that require application of</i>	In compliance

Party	Response to Q. 26	Comments	Conclusion
	<p>Decision no 268/2005 (Romanian Official Journal no. 332/28.04.2005) - Ministerial Order no 756/2004 (Romanian Official Journal no 86 bis/ 26.01.2005) regarding the approval of Technical Norms on the incineration of waste B. Thermal processes in the metallurgical industry - Ministerial Order no 169/2004 (Romanian Official Journal no 206/09.03.2004) for the approval of the direct confirmation method for the reference documents regarding the Best Available Techniques (BREF) approved by European Union - Best Available Techniques Reference Document on the Production of Iron and Steel Reference Document on Best Available Techniques in the Non Ferrous Metals Industries C. Combustion of fossil fuels in utility and industrial boilers - Reference Document on Best Available Techniques for Large Combustion Plants D. Residential combustion E. Firing installations for wood (&lt;50 MW capacity) - Ministerial Order no 462/1993 on the approval of the technical conditions on the atmospheric protection and of the methodological norms on the establishment of the atmospheric pollutants emissions from the stationary sources II. For PAH emissions: A. Coke production BAT applied: - Ministerial Order no. 169/2004 (Romanian Official Journal no 206/09.03.2004) for the approval of the direct confirmation method for the reference documents regarding the Best Available Techniques (BREF) approved by European Union - Best Available Techniques Reference Document on the Production of Iron and Steel B. Anode Production C. Aluminium industry - Ministerial Order no 169/2004 (Romanian Official Journal no 206/09.03.2004) for the approval of the direct confirmation method for the reference documents regarding the Best Available Techniques (BREF) approved by European Union - Reference Document on Best Available Techniques in the Non Ferrous Metals Industries D. Residential combustion - Ministerial Order no 462/1993 on the approval of the technical conditions on the atmospheric protection and of the methodological norms on the establishment of the atmospheric pollutants emissions from the stationary sources E. Wood preservation installations - Best Available Techniques Reference Document on Surface Treatment using Organic Solvents”.</p>	<p><i>BAT. Best Available Techniques Reference documents are mentioned for the industrial sources. Residential combustion and firing installations for wood, are dealt with in a ministerial order (1993) regarding technical conditions (...) pollutants emissions from stationary sources.</i></p>	
<p><b>Slovakia</b></p>	<p>“Slovakia has applied the best available techniques to each new stationary source according to article 18, paragraph 3 the Act No. 478/2002 on air protection and according to the Act No. 245/2003 on integrated pollution prevention and control (IPPC). When building a new plant, which may be a source or upgrading the existing facilities, the best available techniques have to be used, taking into account the adequacy of expenses for their provision and operation according to article 18, paragraph 3 the Act No. 478/2002 on air protection. The application of BAT to stationary source within a major source category with thermal input above 50 MW are subject to integrated pollution prevention and control according to the Act No. 245/2003 on IPPC.”.</p>	<p><i>2005 IDR: no assessment                  Refers to national legislation (air protection act (2002) and the 2003 Act on IPPC). For new plants BAT has to be applied. No information on residential combustion.</i></p>	<p>No evaluation possible</p>

Party	Response to Q. 26	Comments	Conclusion
Slovenia	<p>“The Environment Protection Act (OJ RS, No. 41/2004, 17/2006, 20/2006) requires that major stationary sources (larger so called IPPC installations and also smaller installations) have to obtain for their operation an environmental permit. Slovenian competent authority for issuing environmental permits is the Environmental Agency (EARS). Basic requirements for prevention and control of emissions in permits are: required application of best available technique (as defined in the BREF documents of the European IPPC Bureau in Sevilla), regulated emission limit values (from the national legislation) and regulated control measures (from the national legislation). This applies to both existing and new installations. National legislation on emission limit values (as particulate matter, PCDD/F, HCB, PAH) and on emission control measures for major stationary sources listed in Annex V of the POPs Protocol: - Decree on the emission of substances into the atmosphere from stationary sources of pollution (OJ RS, No. 31/2007), - Decree on emission limit values discharged into the atmosphere from large combustion plants (OJ RS, No. 73/2005, 92/2007), - Decree on the emission of substances into the atmosphere from small and medium combustion plants (OJ RS, No. 34/2007, 81/2007), - Decree on the emission of substances into the atmosphere from waste incineration and co-incineration plant (OJ RS, No. 50/2001, 56/2002, 84/2002), - Decree on the emission of substances into the atmosphere from installations for the production of light alloy, ferrous alloy and steel (OJ RS, No. 34/2007), - Decree on the emission of substances into the atmosphere from installations for the manufacture of aluminum using an electrolytic process (OJ RS, No. 34/2007, 81/2007), - Decree on the emission of substances into the atmosphere from installations for the production of lead and its alloys from secondary raw materials (OJ RS, No. 34/2007), - Decree on the emission of substances into the atmosphere from installations for hot deep galvanizing (OJ RS, No. 34/2007), - Decree on the emission of substances into the atmosphere from foundries of aluminum and magnesium (OJ RS, No. 34/2007), - Decree on activities and installations causing large-scale environmental pollution (OJ RS, No. 97/2004, 71/2007, 122/2007). For residential combustion, measures to reduce emissions of POPs from existing and new appliances include economic instruments, public information and awareness programs, and technical standards on products (stoves, small boilers etc.). Soft loans are provided by Environmental Fund of RS (EFRS) for replacement of existing heating system/boilers/stoves with the state-of-the art energy efficient products as well as for improvements of energy efficiency (building surface thermal characteristics etc.) for households, local authorities and private companies. EFRS subventions are offered for energy efficiency measures and for use of renewable energy sources for households (solar heating technologies, energy efficient windows, biomass heating, heat pumps etc.). In local authority offices of several bigger towns free of charge consulting for the</p>	<p><i>States that for major stationary sources a permit is obligatory. Basic requirement for a permit is application of BAT and ELVs and control measures, laid down in legislation. An overview is given of this national legislation. For residential combustion measures to control POPs emission include economic instruments (including soft loans), public information and awareness programs and technical standards on stoves and boilers.</i></p>	In compliance

Party	Response to Q. 26	Comments	Conclusion
Sweden	<p>citizens is available on energy efficiency measures, use of renewable sources and new heating systems/products for households.”.</p> <p>“Individual permits, issued in accordance with the Environmental Code (1998:808) which requires the use of BAT.”.</p> <p><b>Additional information:</b> “In the Swedish national regulations on permits for new and re-constructed buildings there are requirements on environmental performance of heating appliances using solid and liquid fuels. Reference: (.... 1993) section 6:74. We consider these requirements sufficient to address BAT described in section D in annex V of the POP-protocol.”. A translation of national legislation containing obligatory ELVs for solid fuel heating and oil heating with power up to 300 kW resp. 400 kW is presented.</p>	<p><i>2005 IDR: voluntarily implemented (conclusion based on the statement that BAT requirements are set in individual permits and reference to ELV for new residential boilers)</i></p> <p><i>States that individual permits require use of BAT. Does that include all source categories? Not clear for residential combustion.</i></p> <p><i>The additionally supplied information presents national ELVs in line with annex V, for CO, OGC (Organically bound carbon), THC and soot, as emitted from buildings with solid fuel or oil heating appliances.</i></p>	In compliance
Switzerland	<p>“Switzerland has limit values and control measures for benzo(a)pyrene, dibenzo(a,h)-anthracene, diesel soots, PCDD and PCDF. These emission limit values are established on the basis of best available techniques to be applied under the conditions specified in the construction permit. In the Ordinance on Air Pollution Control there is only emission limit values to be achieved (performance criteria) without specification of the control technology to be applied.”.</p> <p><b>Additional information:</b> “The construction and operation of all stationary sources mentioned in Annex V are subject to permitting under the Swiss Federal Ordinance on Air Pollution control (OAPC). The OAPC is based on the precautionary principle requesting that new and existing sources must comply with emission limit values (ELV) reflecting BAT criteria. For example the ELVs for waste incinerators are defined in such a way such that they imply the installation of BAT according to Annex V for dust removal (ELV for dust: 10mg/m<sup>3</sup>) or NOx removal (ELV for NOx: 80 mg/m<sup>3</sup>). Similarly the ELVs for the metallurgical industry and industrial boilers are also implying technologies consistent with the BAT criteria of Annex V. Concerning residential combustion the OAPC ELVs are consistent with corresponding CEN standards. Concerning wood combustion the OAPC sets very strict ELVs for dust implying installation of high efficiency dust removal equipment in installations with a power &gt; 70 kW. The OAPC also defines quality criteria for wood fuels. Moreover public information programs concerning the use of wood-burning stoves have been carried out. (...).”.</p>	<p><i>2005 IDR: no assessment</i></p> <p><i>Emission limit values are applied, established on the basis of BAT. Only the ELVs have to be achieved without specifying the control technique to be applied. Seems all right for the industrial sources, however, information on residential combustion is missing. In the additionally supplied information it is stated that the national ELVs set for residential combustion are consistent with CEN standards (as draft reflected in Annex V, table VII). Reference is made to Public information programs concerning use of wood-burning stoves.</i></p>	In compliance
United Kingdom	<p>“BAT is applied in the UK for all major industrial stationary source categories in the Protocol, under the Pollution Prevention and Control regime. UK Guidance notes for IPPC and other relevant sectors include reference to the protocol: [...] The application for the process permit is required to demonstrate how the process will avoid or minimise impact to the environment. There are sector/activity</p>	<p><i>States that BAT is applied for all major industrial stationary sources. Guidance notes include reference to the Protocol. Guidance is sector/activity specific (on BAT for the process concerned) but also cross-sector</i></p>	In compliance

Party	Response to Q. 26	Comments	Conclusion
	<p>specific guidance which includes specific guidance on BAT for the process and any mandatory emission limit values. Defra and the UK regulatory authorities have also produced cross-sector guidance on common issues (for example energy efficiency and impact assessment).”</p> <p><b>Additional information:</b> “For residential combustion appliances, the Clean Air Act 1993 prohibits emissions of smoke and the general burning of smoky fuels in domestic premises in most UK urban areas. Regulations allow the use of clean wood and other biomass fuels but prohibit the use of any contaminated fuels, including those containing halogenated organic compounds as a result of treatment with wood preservatives or coatings.”</p>	<p><i>guidance is given.</i></p> <p><i>No information is presented on non-industrial categories, like residential combustion.</i></p> <p><i>In the additional information for residential combustion appliances, reference is made to regulations that prohibit use of any contaminated fuels and allow the use of clean wood, but also of ‘other biomass fuels’.</i></p>	
EC	No answer	<i>2005 IDR: voluntarily implemented</i>	No evaluation possible

**Table 8: Compliance with article 3.5. (b)(ii)**, (associated provisions: art. 1.10, 1.11, 1.12, 3.6)

“No later than the timescales specified in annex VI, each Party shall apply, taking into account annex V:

Limit values at least as stringent as those specified in annex IV to each new stationary source within a category mentioned in that annex. A Party may, as an alternative apply different emission reduction strategies that achieve equivalent overall emission levels;”

Limit values for PCDD/F (definition see annex III), which refer to 11% O<sub>2</sub> concentration in flue gas, apply to the following incinerator types:

- (A) Municipal solid waste (burning more than 3 tonnes per hour): 0.1 ng TE/m<sup>3</sup>;
- (B) Medical solid waste (burning more than 1 tonne per hour): 0.5 ng TE/m<sup>3</sup>;
- (C) Hazardous waste (burning more than 1 tonne per hour): 0.2 ng TE/m<sup>3</sup>.

*Question 27: With reference to article 3, paragraph 5 (b)(ii), and annex IV, please provide details of the limit values applied to each new stationary source (construction commenced after 23 October 2005) within a category referred to in that annex. Please complete the table [...].*

Party	Response to Q. 27	Comments	Conclusion
Austria	Indicates (table) for all three types of waste incineration: “0.1 ng TE/m <sup>3</sup> , 8 hour mean value”.	<i>2005 IDR: voluntarily implemented</i> <i>ELVs for the three source categories 0.1 ng TE/m<sup>3</sup></i>	In compliance
Belgium	<p>“Emissions of major stationary sources referred to in annex IV of the protocol are regulated by regional legislation: see answers below: [...]The European Directive 2000/76/EC on waste incineration -(including emission limit values for PCDD/F) was implemented in the <b>Flemish legislation</b> VLAREM II on 12 December 2003, maintaining the already applied limit value for PCDD/F of 0,1 ng TEQ/Nm<sup>3</sup>. [...] -imposing an emission limit value of 0,1 ng TEQ/Nm<sup>3</sup> of PCDD/F for the incineration of municipal, medical and hazardous waste - has been implemented into <b>Walloon legislation</b> by the ‘Order of the Walloon Government of 27 February 2003 on incineration and co-incineration of waste’.</p>	<i>ELVs for the three source categories 0.1 ng TE/m<sup>3</sup> in the three regions</i>	In compliance

Party	Response to Q. 27	Comments	Conclusion
	[...] -imposing an emission limit value of 0,1 ng TEQ/Nm <sup>3</sup> of PCDD/F for the incineration of municipal, medical and hazardous waste - has been implemented into <b>Brussels legislation</b> by the 'Arrêté (...)' of 21 November 2002 on incineration of wastes (M.B. 20/02/2003)."		
<b>Bulgaria</b>	"Standards for emission limit values for particular categories of stationary sources have been adopted in the following regulations: • Regulation No.1 for ELV of hazardous substances (pollutants) emitted in the atmosphere from stationary sources (SG 64/2005); • Regulation № 6 from 28th of July 2004 on the conditions and the requirements for construction and operation of installations for incineration and installations for co-incineration of waste, which transposes Directive 2000/76/EC (SG 78/2004); The only new incineration plant was put into operation in the year 2003. This is an installation for combustion of hospital wastes (with capacity 0.4 t/h, ELV established 0.1ng TE/m <sup>3</sup> , and sampling time 6-8 h). The installation is in compliance with the ELV."	<i>2005 IDR: voluntarily implemented (Based on ELVs reported for municipal and medical waste incineration) Refers to national legislation concerning ELVs (2005) and waste incineration (2004). Only for a new installation in source type B (although lower capacity) an ELV (0.1 ng TE/m<sup>3</sup>) is presented, not for other types. <u>Conclusion partly based on the 2005 IDR.</u></i>	In compliance
<b>Canada</b>	"For new or expanding facilities of any size, application of best available pollution prevention and control techniques, such as a waste diversion program, to achieve a maximum concentration in the exhaust gases from the facility are as follows: Municipal waste incineration 80pg I-TEQ/m <sup>3</sup> Medical waste incineration 80pg I-TEQ/m <sup>3</sup> Hazardous waste incineration 80pg I-TEQ/m <sup>3</sup> Sewage sludge incineration 80pg I-TEQ/m <sup>3</sup> Stack concentrations of dioxins and furans will be corrected to 11% oxygen content for reporting purposes. Hazardous waste incinerators include all facilities that burn hazardous waste including low level radioactive waste; however they do not include facilities that use waste derived fuel or used oil."	<i>2005 IDR: no assessment Describes ELVs, which apply for new sources of any size in all three types: 80 pg I-TEQ/m<sup>3</sup> (=0.08 ng) (hazardous waste incineration does not include facilities that use waste derived fuel or used oil)</i>	In compliance
<b>Croatia</b>	Indicates (table) for all three types of waste incineration: "0.1 ng TE/m <sup>3</sup> , 11% oxygen. <b>Additional information</b> is given about collecting, packing, storage and transport of medical and hazardous wastes.	<i>ELVs for the three source categories 0.1 ng TE/m<sup>3</sup></i>	In compliance
<b>Cyprus</b>	"No new stationary sources with the capacity mentioned in the table below have been operating in Cyprus."	<i>2005 IDR: voluntarily implemented (conclusion based on the statement that the requirement to apply limit values (and BAT) is implemented through emission permits and limit values given in a table) No information on ELVs that apply to new installations; <u>conclusion primarily based on 2005 IDR.</u></i>	In compliance
<b>Czech Republic</b>	Indicates (table) for all three types of waste incineration: 0.1 ng TE/m <sup>3</sup>	<i>2005 IDR: voluntarily implemented ELVs for the three types 0.1 ng TE/m<sup>3</sup></i>	In compliance
<b>Denmark</b>	Indicates (table) for all three types of waste incineration: 0.1 ng/Nm <sup>3</sup>	<i>2005 IDR: no assessment ELVs for the three types 0.1 ng/Nm<sup>3</sup></i>	In compliance
<b>Estonia</b>	Indicates (table) for all three types of waste incineration: 0.1 ng TE/m <sup>3</sup>	<i>ELVs for the three types 0.1 ng TE/m<sup>3</sup></i>	In compliance

Party	Response to Q. 27	Comments	Conclusion
<b>Finland</b>	“Government Decree on Incineration of Waste (362/2003) issues emission limit values for sulphur dioxide, nitrogen oxides, particulates, heavy metals, total organic carbon, hydrogen chloride, hydrogen fluoride and dioxins and furans for incineration and co-incineration of waste. Emission limit values for dioxins and furans is 0,1 ng TEQ/m <sup>3</sup> in oxygen content of 11 per cent. “. Further indicates (table) for all three types of waste incineration: 0.1 ng TE/m <sup>3</sup>	<i>2005 IDR: voluntarily implemented</i> <i>Refers to national legislation issuing ELVs for emissions from waste (co-)incineration. PCCD/F for the three types: 0.1 ng TE/m<sup>3</sup>.</i>	In compliance
<b>France</b>	Indicates (table) for all three types of waste incineration: 0.1 ng TE/m <sup>3</sup> (11% O <sub>2</sub> ). In addition for co-incineration and for co-incineration in cement kilns, the value of 0.1 ng TE/m <sup>3</sup> is given with 6% respectively 10% O <sub>2</sub> .	<i>2005 IDR: no assessment</i> <i>ELVs for the three types 0.1 ng TE/m<sup>3</sup></i>	In compliance
<b>Germany</b>	Indicates (table) for all three types of waste incineration 0.1 ng TEQ/Nm <sup>3</sup>	<i>2005 IDR: no assessment</i> <i>ELVs for the three types 0.1 ng TEQ/Nm<sup>3</sup></i>	In compliance
<b>Hungary</b>	“Implemented the provisions stipulated in Directive 2000/76/EC on the incineration of waste in Ministerial Decree 3/2002.(II.22.) KöM. All requirements concerning ELVs, operational conditions, reference O <sub>2</sub> content etc. have been transposed to the Hungarian legislation.”. Further indicates (table) for all three types of waste incineration: 0.1 ng TE/m <sup>3</sup>	<i>2005 IDR: no assessment</i> <i>Refers to national legislation issuing ELVs for PCCD/F emissions from waste incineration. For the three types: 0.1 ng TE/m<sup>3</sup>.</i>	In compliance
<b>Iceland</b>	“Major new stationary sources Limit values for PCDD/F ( in ng TE/m <sup>3</sup> , based on 11% oxygen in flue gas) Other emission reduction strategies (if applicable) A. Municipal solid waste (>3 tons/hour) NA B. Medical solid waste (>1 ton/hour) NA C. Hazardous waste (>1 ton/hour) NA”. <b>Additional answer:</b> “No Installments in Iceland have the noted capacity in annex IV. According to Regulation No. 739/2003 on incineration of waste, the limit value for PCDD/F is 0.1 ng/m <sup>3</sup> .”.	<i>2005 IDR: no assessment</i> <i>Indicates for the three types: NA</i> <i>Although there are no installations with the capacity noted in annex IV, the limit value is 0.1 ng/m<sup>3</sup>.</i>	In compliance
<b>Italy</b>	“Legislative Decree n. 133 of the 11 May 2005, transposing Directive 2000/76/EC of the European Parliament and of the Council of 4 December 2000 on the incineration of waste, establishes for PCDD and PCCF only a limit value both for new and for existing stationary sources without differences for the kind of waste. Average values are measured over a sample period of a minimum of 6 hours and a maximum of 8 hours. The emission limit value refers to the total concentration of dioxins and furans calculated using the concept of toxic equivalence. This limit value is 0,1 ng TE/m <sup>3</sup> , as reported in the table Below.”.	<i>Refers to national legislation issuing ELVs for PCCD/F emissions from waste incineration. For the three types: 0.1 ng TE/m<sup>3</sup>.</i>	In compliance
<b>Latvia</b>	No answer	<i>2005 IDR: no assessment</i>	No evaluation possible
<b>Liechtenstein</b>	No answer	<i>2005 IDR: no assessment</i>	No evaluation possible
<b>Lithuania</b>	Indicates (table) for all three types of waste incineration: 0.1 ng TE/m <sup>3</sup>	<i>ELVs for the three types 0.1 ng TE/m<sup>3</sup></i>	In compliance
<b>Luxembourg</b>	No answer	<i>2005 IDR: no assessment</i>	No evaluation possible
<b>Netherlands</b>	“BATs are encouraged by legal standards and licenses. Table Q27 gives an	<i>2005 IDR: voluntarily implemented</i>	In compliance

Party	Response to Q. 27	Comments	Conclusion
	<p>overview". Indicates (table) for all three types of waste incineration: 0.1 ng TE/m<sup>3</sup> (1) and in the 3d column (other emission reduction strategies): primary measures are activated coal (2)</p> <p>Notes to table q.27: (1) Legal standards for PCDD/F for new and existing plants (8 hourly averages); (2) Widely used, since standards are stricter than annex IV since 1989 (Off. Journal, 27-9-1989).</p> <p>Emissions from dioxins/furans from waste incineration plants dropped to (almost) zero since 1990."</p>	<p><i>Refers to national legislation issuing ELVs for PCCD/F emissions from waste incineration. For the three types: 0.1 ng TE/m<sup>3</sup>.</i></p>	
<b>Norway</b>	<p>"There is one new stationary source in Norway with emissions of POPs. The limit value applied is 0,1 ng/Nm<sup>3</sup> by 10% O<sub>2</sub> and 15 mg per year. This is in accordance with the emission limits in annex IV."</p> <p><b>Additional information:</b> "The new stationary source referred to in our response to question 27 is a waste incineration plant for municipal solid waste. The ELV for incineration plants for hazardous waste is according to Norwegian legislation 0,1 ng TE/Nm<sup>3</sup>. There is no special installation for incineration of medical solid waste in Norway."</p>	<p><i>2005 IDR: voluntarily implemented (conclusion based on the information about the obligatory ELV for waste incineration (0.1 ng/Nm<sup>3</sup>) and the statement that EU directive on waste incineration was implemented.)</i></p> <p><i>States there is one new stationary source with emissions of POPs. What about other types? Additional information shows that both for municipal waste and hazardous waste is 0.1 ng. Apparently for medical waste incineration emissions are restricted to the same level, as no separate installation exists.</i></p>	In compliance
<b>Republic of Moldova</b>	No answer	<i>2005 IDR: voluntarily implemented</i>	No evaluation possible
<b>Romania</b>	<p>Indicates (table) ELVs for all three types of waste incineration: category A: 0.1 ng TE/m<sup>3</sup>; category B: 0.5 ng TE/m<sup>3</sup>; category C: 0.2 ng TE/m<sup>3</sup>. States that for municipal solid waste, incineration is not current practice.</p>	<p><i>2005 IDR: no assessment</i></p> <p><i>Presents ELVs for the types A, B and C, respectively 0.1, 0.5 and 0.2 ng TE/m<sup>3</sup>.</i></p>	In compliance
<b>Slovakia</b>	<p>"Slovakia has applied the emission limit values for PCDD/F emissions to each new stationary source within a major stationary source category according to the Ministerial Decree No. 706/2002. This Decree establishes emission limits, technical requirements for and general conditions of operation of air pollution stationary sources, periods and terms of their validity, new sources and existing sources of air pollution and their facilities, list of pollutants, for which the emission limits, emission quotas and general operating conditions are established, categorisation of large and medium sources and requirements for securing the dispersion of pollutant emissions. This Decree transposed the Directives 92/112/EEC, 2000/76/EC and 2001/80/EC."</p> <p>Further indicates (table) for all three types of waste incineration: 0.1 ng TE/m<sup>3</sup></p>	<p><i>2005 IDR: no assessment</i></p> <p><i>Refers to national legislation issuing ELVs for PCCD/F from new stationary sources within a major source category, which transposes EU Directives including the Directive on waste incineration. For the three types 0.1 ng TE/m<sup>3</sup>.</i></p>	In compliance
<b>Slovenia</b>	<p>"Limit values specified in Annex IV to each new stationary source within the category mentioned in Annex IV (i.e. incinerators) are regulated in Decree on the emission of substances into the atmosphere from waste incineration and co-incineration plants (OJ RS, No. 50/2001, 56/2002, 84/2002)."</p> <p>Further indicates (table) for all three types of waste incineration: 0.1 ng TE/m<sup>3</sup></p>	<p><i>Refers to national legislation issuing ELVs for emissions from waste (co-)incineration. For the three types 0.1 ng TE/m<sup>3</sup>.</i></p>	In compliance

Party	Response to Q. 27	Comments	Conclusion
Sweden	Indicates (table) for all three types of waste incineration: 0.1 ng TE/m <sup>3</sup>	<i>2005 IDR: voluntarily implemented</i> <i>ELVs for the three source categories 0.1 ng TE/m<sup>3</sup></i>	In compliance
Switzerland	Indicates (table) for categories A and B of waste incineration: 0.1 ng TE/m <sup>3</sup> and for C: <<0.1 ng TE/m <sup>3</sup> . Further an 'other emission reduction strategy', DeNOx system (SCR or SNCR) on a systematic basis in each installation, is mentioned under category A.	<i>2005 IDR: no assessment</i> <i>ELVs for the three types 0.1 ng TE/m<sup>3</sup></i>	In compliance
United Kingdom	"The limit values in the table are implemented through permits issued under the following UK regulations which implement the IPPC directive and the Waste Incineration Directive; - the Pollution Prevention and Control (England and Wales) Regulations 2000 No 1973 - the Pollution Prevention and Control (Scotland) Regulations 2000 No 323 - the Pollution Prevention and Control (Northern Ireland) Regulations 2003 No 46 -the Waste Incineration (England and Wales) Regulations 2002 No - the Waste Incineration Regulations (Northern Ireland) 2003 No 390 -the Waste Incineration (Scotland) Regulations 2003 No 170 All the England and Wales regulations will be superseded by the Environmental Permitting Regulations from 6 April 2008.". Further indicates (table) for all three types of waste incineration: 0.1 ng TE/m <sup>3</sup> . In addition an 'other emission reduction strategy', BAT application , is mentioned.	<i>The ELVs are implemented through permits issued under UK regulations. The Environmental Permitting Regulations from April 2008 will supersede the listed regulations. For the three types 0.1 ng TE/m<sup>3</sup>.</i>	In compliance
EC	No answer	<i>2005 IDR: voluntarily implemented</i>	No evaluation possible

**Table 9: Compliance with article 3.5. (b)(v)**

**"No later than the time scales specified in annex VI, each Party shall apply effective measures to control emissions from mobile sources, taking into consideration annex VII."**

*Question 30: With reference to article 3, paragraph 5 (b) (v), and taking into consideration annex VII, please provide details of the measures taken to control emissions from mobile sources. Please complete the table [...].*

Party	Response to Q. 30	Comments	Conclusion
Austria	"Emissions of mobile sources are regulated according to the respective EU directives. Emission standards shown in Table [...] are currently in force. (Past and future standards are not listed)." Indicates (table) ELVs for all three mobile source categories and refers to national legislation: Cat. (as used in the table) A: HC + NO <sub>x</sub> : 0.30 g/km, Particulates: 0.025 g/km; Cat. B: HC: 0.46 g/kWh, Particulates: 0.02 g/kWh (ESC); Cat. C: HC + NO <sub>x</sub> : 4.0–7.5 g/kWh, Particulates: 0.2–0.6 g/kWh.	<i>2005 IDR: c.</i> <i>ELVs are given for all three categories for HC (HC + NO<sub>x</sub>) and PM. Refers to national legislation. Diesel fuel parameters are dealt with under Q.58.</i>	In compliance
Belgium	"Most important measures to control emissions from mobile sources are the European Directives on emission limit values for mobile sources and the	<i>Refers to Q.51 – Q.54 where national legislation is indicated and ELVs are presented for all three</i>	In compliance

Party	Response to Q. 30	Comments	Conclusion
	<p>European Directives on fuel characteristics for diesel and petrol. These Directives have all been implemented into national legislation. For more details on the applied limit values for mobile sources we refer to the answers to Q.51 up to Q.54. For more details on the applied fuel characteristics for diesel and petrol we refer to the answers to Q.57 and Q.58.” Further it is stated that emissions of dioxine/furans by mobile sources is related to use of leaded petrol. Measures to ban leaded petrol and measures regarding diesel fuel, are referred to.</p>	<p><i>categories of Q.30: Cat. A: HC + NOx: 0.30 g/km, particulates: 0.025 g/km; Cat. B: HC: 0.46 g/kWh, particulates: 0.02 g/kWh (ESC) and HC: 0.55 g/kWh, particulates 0.03 g/kWh (ETC); Cat. C: depending on power HC 1.0 - 1.5 g/kWh, particulates: 0.2 – 0.8 g/kWh. Further reference is made to fuel quality parameters reported under Q.75 and Q.58.</i></p>	
<b>Bulgaria</b>	<p>Indicates (table) ELVs for all three mobile source categories and refers to national legislation: Cat. (as used in the table) A: HC + NOx: 0.30 g/km, particulates: 0.0025?? g/km; Cat.B: HC: 0.46 g/kWh. Particulates: 0.02 g/kWh (ESC), NMHC: 0.55 g/kWh, particulates: 0.03 g/kWh (ETC); Cat. C: HC + NOx: 4.0-7.5 g/kWh, particulates: 0.2-0.6 g/kWh (depending on power).</p>	<p><i>2005 IDR: c. ELVs are given for all three categories for HC (HC + NOx) and PM. Refers to national legislation. Diesel fuel parameters are dealt with under Q.58.</i></p>	In compliance
<b>Canada</b>	<p>“The 1998 <i>Diesel Fuel Regulations</i> reduce sulphur in diesel fuel used in on-road vehicles to 500 ppm (maximum). The <i>Sulphur in Diesel Fuel Regulations</i> will further limit this level to a maximum of 15 ppm as of June 1, 2006. The <i>Regulations Amending the Sulphur in Diesel Fuel Regulations</i> will reduce the level of sulphur in off-road, rail and marine diesel fuel to 500 mg/kg commencing 2007 with a further reduction to 15 mg/kg commencing 2010 for off-road and 2012 for rail and marine. Regulations controlling sulphur levels in gasoline reduced sulphur to 150 ppm (average) in 2002 and to 30 ppm (average) in 2005.”  <b>Additional information:</b> “Over the past several years, Canada has taken extensive measure to reduce and control emissions from mobile sources in compliance with Article 3, para. 5 (v) of the Protocol on Persistent Organics Pollutants.”. “On-road Vehicle and Engine Emission Regulations (2003), Off-Road Small Spark-Ignition Engine Emission Regulations (2003) and Off-Road Compression-Ignition Engine Emission Regulations. These regulations not only address NO<sub>x</sub> emissions but also emissions of PM and hydrocarbons.”.</p>	<p><i>2005 IDR: c. (based on measures regarding emission standards for on-road vehicles and on the information that a 10-year plan of action is implemented to develop new Canadian emission standards for vehicles and engines and on information about S-standards for diesel fuel)</i>  <i>Information is only given on fuel quality (sulphur in diesel and gasoline)</i>  <i>Additionally reference is made to legislation addressing ‘also emissions of PM and hydrocarbons’, without any specification of emission performance. It is emphasized that annex VII is recommendatory in nature. However, can the set of measures as presented be considered as effective to control emissions, as required in art. 3.5(b)(v)? Taking into account the 2005 IDR, this may be the case.</i></p>	In compliance
<b>Croatia</b>	<p>“NA”                      Additional information: “The ECO-TEST has been performed in Croatia according to the EU directives; first on the vehicles with petrol engines. Now, it is starting to be applied on the vehicles with Diesel engines as well. (...) In Ordinance on technical tests of vehicles, exhaust gases from motor vehicles are examined (ECO TEST). ECO test consists of a visual control of prescribed devices and measurement of exhaust gas system - pollutant emissions (carbon monoxide CO, hydrocarbons HC, nitrogen oxides NO<sub>x</sub>, particulate matter) and the emissions of ... CO<sub>2</sub>.”. Followed by a description of the procedure, but no prescribed ELVs given. “Measurement of hydrocarbons (ppm vol. HC) is</p>	<p><i>No ELVs provided. No answer to Q.51-54 either. The additional information does not include ELVs either.</i></p>	No evaluation possible

Party	Response to Q. 30	Comments	Conclusion
	measured in the ECO test, but it is not mandatory.”.		
<b>Cyprus</b>	States that for mobile source Cat. (as used in the table) A and B “Periodic vehicle inspections according to EU Directive 96/96/EEC as amended up to 2003/27/EC apply” and for C. “Periodic inspections according to Motor Vehicles and Road Traffic Regulations (P.I. 66/1984) of 1984 up to 2006.”.	<i>2005 IDR: (no assessment)</i> <i>Information is only given on periodic vehicle inspection, referring to EU Directives and national legislation. However, ELVs for mobile sources are dealt with under Q51-54 and diesel fuel parameters under Q.58.</i>	In compliance
<b>Czech Republic</b>	It is stated for mobile source cat. A, B and C (as used in the table) that: “Both for road and off-road vehicles, there are obligatory limit values for the groups of substances containing POP, i.e. hydrocarbons (CxHy) and solid particles in diesel engines (PM10). The limits are specified in Q 51 and next”. Further is stated, for both cat. A and B: “Other measures ensue from the Transport Policy for the years 2005–2013, adopted by the Government Resolution No. 882 of 13.7.2005: support of alternative fuels, appropriate division of transportation, etc.”.	<i>2005 IDR: c.</i> <i>States that obligatory limit values are applied for hydrocarbons and solid particles. Refers to the answers to Q.51 and next, showing as ELVs for Cat. A: HC + NOx: 0.30 g/km, particulates: 0.025 g/km; Cat. B: HC: 0.46 g/kWh, particulates: 0.02 g/kWh (ESC) and HC: 0.55 g/kWh, particulates 0.03 g/kWh (ETC); Cat. C: depending on power HC 0.19 g/kWh or HC + NOx: 4.7 g/kWh, particulates: 0.025 g/kWh. Diesel fuel parameters are dealt with under Q.58.</i>	In compliance
<b>Denmark</b>	“The only POP which is relevant for this question is PAH which is regulated as part of the HC limit values in answers to Q51 – Q 54.”.	<i>2005 IDR: c.</i> <i>Refers to Q.51 – Q.54 where national legislation is indicated and ELVs are presented for all three categories of Q.30: Cat. A: HC + NOx: 0.30 g/km, particulates: 0.025 g/km; Cat. B: HC: 0.46 g/kWh, particulates: 0.02 g/kWh (ESC) and HC: 0.55 g/kWh, particulates 0.03 g/kWh (ETC); Cat. C: depending on power HC 4.0?? - 1.5 g/kWh, particulates: 0.2 – 0.8 g/kWh. Diesel fuel parameters are dealt with under Q.58.</i>	In compliance
<b>Estonia</b>	“EU directives like 70/220/ECE, 88/77/ECE, 2005/55/EC and 2005/78/EC are implemented.”. Indicates (table) LVs for all three mobile source categories and refers to national legislation: Cat. (as used in the table) A: HC + NO <sub>x</sub> : 0.30 g/km, Particulates: 0.025 g/km; Cat. B: HC: 0.46 g/km, Particulates: 0.02 g/km (ESC); Cat. C: HC + NO <sub>x</sub> : 1,3 g/kWh, Particulates: 0.2–0.8 g/kWh.	<i>ELVs are given that are in accordance with those in annex VII, part II (it is taken that the units presented with the limits for heavy duty are by mistake given as g/km instead of g/kWh)</i>	In compliance
<b>Finland</b>	“The limit values introduced in the EU Directives on mobile sources have been fully implemented and complied with in Finland. These include the limit values as referred to in Annex VII of POPs Protocol as well as the changes/updates which have been done to these Directives later on. Please see tables under questions 51, 52 and 54.”.	<i>2005 IDR: c.</i> <i>States that the limit values implemented and complied with in Finland, include the limit values as referred to in annex VII. Diesel fuel parameters are dealt with under Q.58.</i>	In compliance

Party	Response to Q. 30	Comments	Conclusion
<b>France</b>	States, there are no limit values for POP, but certain measures are taken in France to reduce POP emissions. Refers in particular for PAH, to the Periodic vehicle inspections (opacity measurement). Further a number of measures as indicated in annex VII, table 2, is applied in France: 3-way catalyst, oxidizing catalyst (as from 2000), trap oxidizer/particulate filter, electronic control system, exhaust gas recirculation.	<i>2005 IDR: c. (Based on statement made with regard to respecting EC Directives which contain limit values in accordance with those in annex VII)</i> <i>Reference is made to periodic vehicle control. Gives a list of technical measures as indicated in annex VII, which are applicable in France. No ELVs provided in reply to the 2008 Questionnaire, however. <u>Conclusion partly based on the 2005 IDR</u></i>	In compliance
<b>Germany</b>	“Germany regulates emissions from mobile sources pursuant to EU Directives (97/68/EC, 98/69/EC, 1999/96/EC). Achievable emission levels for various types of vehicles (passenger cars, heavy duty vehicles, off-road engines) as set out in annex VII are deduced from the above mentioned EU directives. In 1991 production of leaded gasoline discontinued in Germany, while marketing ceased in 1995. Hence there is no further need to add chlorinated and brominated scavengers. Sale of fuels with chlorinated and brominated scavengers is not permitted (19. BImSchV).”.	<i>2005 IDR: c.</i> <i>Same reply as to the equivalent question in 2004. States that Germany regulates emissions from mobile sources pursuant to EU Directives and that the emission levels as set out in annex VII, are deduced from these EU Directives.</i> <i>Diesel fuel parameters are dealt with under Q.58.</i>	In compliance
<b>Hungary</b>	“Hungary fully implemented the requirements stipulated in UNECE regulations concerning measures to control emissions from mobile sources. The relevant Hungarian decrees are Ministerial Decree 6/1990.(IV.12.) KÖHÉM and Joint Ministerial Decree 75/2005.(IX.29.) GKM-KvVM.”.	<i>2005 IDR: (no assessment)</i> <i>States that it fully implemented the requirements of UNECE regulations for mobile sources. Refers to national legislation (Ministerial Decrees from 1990 and 2005). No further details and no specific information about the relation with the protocol.</i> <i>However, ELVs for mobile sources are dealt with under Q51-54 and diesel fuel parameters under Q.58.</i>	In compliance
<b>Iceland</b>	“Limit values. Mass of particulates (g/kWh) A. Diesel-fuelled passenger cars 0.025 B. Heavy duty vehicles 0.02 (ESC) 0.03 (ETC) C. Off-road engines 0.4 (37<P<75) 0.3 (75<P<130) 0.2 (P>130) 1/ When limit values are given, please provide those for category A in g/km and those for categories B and C in g/kWh.” <b>Additional information:</b> ELVs are provided for HC + NOx (Cat. A) and HC (Cat. B). For Cat. C it is stated: “Have to comply with EC directive 70/20/EEB and directive 88/77/EC.”.	<i>2005 IDR: n.e.p (no reply)</i> <i>Provides information on limit values for particulates for all tree categories (although the units presented with the limits are unclear: Cat. A: apparently 0.025 g/km; Cat. B: 0.02 g/kWh (ESC) and 0.03 g/kWh (ETC); Cat. C (depending on power): 0.4 – 0.2 g/kWh. No information on ELVs for HC or HC + NOx. Additionally ELVs are given for Cat. A: 0.3 (HC + NOx) and Cat. B: 0.46 (ESC) and 0.55 (ETC). For Cat. C only reference is made to EC Directives.</i>	No evaluation possible
<b>Italy</b>	“In Italy is in force the legislative Decree on March 21th 2005, n.66 that implements the EC Directive 2003/17, concerning the specification of diesel used by all the mobile sources reported in the attached table”. Indicates in the table 11% m/m (PAH) for categories A, B and C.	<i>Gives a quality standard (PAH content) for diesel fuel, no ELVs for motor vehicles. Neither are Q51-54 answered (Italy is not a Party to the relevant Protocol).</i>	In compliance

Party	Response to Q. 30	Comments	Conclusion
	New information: Reference is made to further Italian legislative instruments. <b>Additional information:</b> apart from the fuel parameters ELVs are presented in the table Cat. (as used in the table) A.: HC + NO <sub>x</sub> : 0.3 g/km, Particulates: 0.025 g/km; Cat. B: HC: 0.46 g/kWh, NO <sub>x</sub> : 2g/kWh, TP: 0.02 g/kWh (ESC for 01.10.2008) and NHMC: 0.55g/kWh, NO <sub>x</sub> : 2 g/kWh, TP: 0.03 g/kWh (ETC for 01.10.2008); Cat. C: HC + NO <sub>x</sub> : 4.0–7.5 g/kWh, Particulates: 0.2–0.6 g/kWh.	<i>With the additional information ELVs are presented for all three categories of Q30, table.</i>	
<b>Latvia</b>	No answer	<i>2005 IDR: (no assessment)</i>	No evaluation possible
<b>Liechtenstein</b>	No answer	<i>2005 IDR: n.e.p (no reply)</i>	No evaluation possible
<b>Lithuania</b>	“Limit values for HC, NO <sub>x</sub> , PM and appropriate national legislation are indicated in the questions 51-54; fuel quality parameters are indicated in the questions 57-58.”.	<i>Refers to Q.51 – Q.54 where national legislation is indicated and ELVs are presented for all three categories of Q.30: Cat. A: HC + NO<sub>x</sub>: 0.30 g/km, particulates: 0.025 g/km; Cat. B: HC: 0.46 g/kWh, particulates: 0.02 g/kWh (ESC) and HC: 0.55 g/kWh, particulates 0.03 g/kWh (ETC); Cat. C: depending on power HC 1.0 - 1.5 g/kWh, particulates: 0.2 – 0.8 g/kWh. Further reference is made to fuel quality parameters reported under Q.75 and Q.58.</i>	In compliance
<b>Luxembourg</b>	No answer	<i>2005 IDR: n.e.p. (no reply)</i>	No evaluation possible
<b>Netherlands</b>	“Standards in force comply with recommended values in Annex VII. Table Q30 gives standards for particulates”. Indicates (table) ELVs for all three mobile source categories and refers to EU Directives. For standards for combined HC (+NO <sub>x</sub> ) see Q51. Note to table q.30: BAT is stimulated by gradually strengthening standards. EC directives, with implementation deadlines up to 2004 are (largely) implemented. Fiscal measures (if allowed) are used to promote early compliance e.g. for passenger cars (up to 2003), buses, heavy-duty vehicles and some machinery. [A table, separately sent as Annex to question 30 gives more information on EC directives and years of implementation per vehicle category and ‘Euro class’]”. Presented ELVs per Cat. (as used in the table) A:” 0.56 (0.03 from 2005/06) 0.05 (0.025 from 2005/06)”; Cat. B: “0.66 (0.46 from 2005/10) 0.1 (0.02 from 2005/10)”; Cat. C: “1.0 -1.5 depending on power. See note on EU directives. 0.2-0.8 depending on power.”.	<i>2005 IDR: c.                      States that standards in force comply with values as recommended in annex VII.                      Further indicates in the table for Cat. A: application of 3-way catalyst and filter and for Cat. B: use of filter and turbo charging.                      Diesel fuel parameters are dealt with under Q.58.</i>	In compliance
<b>Norway</b>	“The recommended limit values for mobile sources given in Annex VII, are already implemented through requirements in national regulations. National regulations implement requirements to PAH in fuels regulated in directive 2003/17/EC amending directive 98/70/EC relating to the quality of petrol and diesel fuels. National requirements for vehicles fulfill requirements in EU	<i>2005 IDR: c.                      States, like in 2004, that the recommended LV for mobile sources given in annex VII are already implemented through national legislation. Refers</i>	In compliance

Party	Response to Q. 30	Comments	Conclusion
	directive 98/69/EC relating to measures to be taken against pollution by emissions from motor vehicles and amending council directive 70/220/EEC.”.	<i>further to national legislation implementing EU Directives relating to quality of petrol and diesel fuel.</i>	
<b>Republic of Moldova</b>	No answer	<i>2005 IDR: c.</i>	No evaluation possible
<b>Romania</b>	Indicates (table) ELVs for all three mobile source categories: Cat. (as used in the table) A: HC + NO <sub>x</sub> : 0.3 g/km, particulates: 0.025 g/km; Cat. B: particulates: 0.02 g/kWh (ESC) and 0.03 g/kWh (ETC); Cat. C: HC + NO <sub>x</sub> : 7.5 – 4.0 g/kWh, (depending on power) and particulates: 0.2–0.6 g/kWh (depending on power). A note to the table indicates: “for heavy-duty vehicles, the NO <sub>x</sub> and HC values are expressed separately”; no values provided. <b>Additional information:</b> adjusted table presented; Cat. B: NO <sub>x</sub> : 3.5 g/kWh, HC: 0.46 g/kWh (ESC and ELR), HC: 0.55 g/kWh NMHC + 1.1 g/kWh CH <sub>4</sub> (ETC)	<i>2005 IDR: n.e.p. (no reply) ELVs are presented for HC + NO<sub>x</sub> and PM, except for HC from heavy duty vehicles. Diesel fuel parameters are dealt with under Q.58. Additional information given on HC for Cat. B vehicles</i>	In compliance
<b>Slovakia</b>	“Slovakia has applied the limit values for PAH emissions according to the Ministerial Decree No. 53/2004 on requirements to the quality of fuels. This Decree fully transposed the Directives 98/70/EC, 2003/17/EC, 1999/32/EC and 2005/33/EC. Fuel quality is checked by the Slovak Environmental Inspectorate regularly”. Indicates in the table for each of the three vehicle categories: “11% m/m”.	<i>2005 IDR: c. Gives quality standards for diesel fuel, but no ELVs for motor vehicles. However, ELVs for mobile sources are dealt with under Q51-54.</i>	In compliance
<b>Slovenia</b>	“Control on emissions from mobile sources is regulated in Technical specifications for motor vehicles and trailer vehicles (OJ RS, No. 33/2003, 61/2004, 142/2004, 75/2005) and the Technical Specifications for Agricultural and Forestry Tractors (OJ RS, No. 13/2004, 75/2005). Limit values are given in table 14 (see also A.51-54 and tables 26-29).” Indicates (tables added to this answer and to A.54) LVs for all three mobile source categories and refers to national legislation: Cat. (as used in the table) A: HC: 0.1 g/km, NO <sub>x</sub> : 0.25 g/km, particulates: 0.025 g/km; Cat. B: HC: 0.46 g/kWh, particulates: 0.02 g/kWh (ESC) and HC: 0.55 g/kWh, particulates: 0.03 g/kWh (ETC); Cat. C: HC: 1.0–1.5 g/kWh (depending on power), particulates: 0.2–0.8 g/kWh (depending on power).	<i>Reference is made to national legislation and ELVs are presented for all three categories, for HC and PM. Diesel fuel parameters are dealt with under Q.58.</i>	In compliance
<b>Sweden</b>	Indicates (table) ELVs for particulates for all three mobile source categories: Cat. (as used in the table) A: 0.025 g/km; Cat. B: 0.03 g/kWh; Cat. C: 0.2–0.6 g/kWh. Reference is made to Q.51, 53 and 54, where ELVs for HC are presented: Cat. A (HC + NO <sub>x</sub> ): 0.30 g/km; Cat. B (HC): 0.55 g/kWh; Cat. C (HC + NO <sub>x</sub> ): 4.0 – 7.5 g/kWh (depending on power). Further it is stated that Sweden is controlling PAH-limit for diesel fuel to maximum: 11%”.	<i>2005 IDR: c. ELVs are presented for all three categories, for HC, HC + NO<sub>x</sub> and PM. In addition a PAH-limit for diesel fuel is mentioned.</i>	In compliance
<b>Switzerland</b>	“Emission limit values according to EURO standards are applied in Switzerland. See details in the enclosed table.”. Indicates (tables added to this answer and to A.54) ELVs for all three mobile source categories: Cat. (as used in the table) A: HC + NO <sub>x</sub> : 0.3 g/km, particulates: 0.025 g/km (since 1-1- 2005); Cat. B: HC: 0.46 g/kWh, particulates: 0.02 g/kWh (ESC) and HC: 0.55 g/kWh, particulates:	<i>2005 IDR: c. ELVs are presented for all three categories, for HC, HC + NO<sub>x</sub> and PM. Diesel fuel parameters are dealt with under Q.58.</i>	In compliance

Party	Response to Q. 30	Comments	Conclusion
	0.03 g/kWh (ETC) (since 1-10-2005); Cat. C: HC: 4.0–7.5 g/kWh (depending on power), particulates: 0.2–0.6 g/kWh (depending on power).		
<b>United Kingdom</b>	Indicates (table) ELVs for all three mobile source categories: Cat. (as used in the table) A: HC + NO <sub>x</sub> : 0.30 g/km, PM: 0.025 g/km; Cat. B: HC: 46 g/kWh, NO <sub>x</sub> : 3.5 g/kWh, PM: 0.02 g/kWh; Cat. C: Stage IIIA (c.2007) HC + NO <sub>x</sub> : 4.0-7.5 (g/kWh), ) PM: 0.2-0.6 (g/kWh); Stage IIIB (c.2012) HC: 0.19 (g/kWh), NO <sub>x</sub> : 2.0-3.3 (g/kWh), PM: 0.025 (g/kWh); Stage IV (c.2014) HC: 0.19 (g/kWh), NO <sub>x</sub> : 0.4 (g/kWh), PM: 0.025 (g/kWh).	<i>ELVs are presented for all three categories, for HC, HC + NO<sub>x</sub> and PM. Diesel fuel parameters are dealt with under Q.58.</i>	In compliance
<b>EC</b>	No answer	<i>2005 IDR: c.</i>	No evaluation possible

**Table 10: Compliance with article 3.8.**

“Each Party shall develop and maintain emission inventories for the substances listed in annex III, and shall collect available information relating to the production and sales of the substances listed in annexes I and II, for those Parties within the geographical scope of EMEP, using, as a minimum, the methodology and the spatial and temporal resolution specified by the Steering Body of EMEP, and, for those Parties, outside the geographical scope of EMEP, using as guidance the methodologies developed through the work plan of the Executive Body. It shall report this information in accordance with the reporting requirements set out in article 9.”.

*Question 31: With reference to [article 3, paragraph 8](#), please provide the [available (historical) information][information you have collected] relating to the production and sales of the substances listed in annexes I and II to the Protocol. Please complete the table [...].*

**Note: Discrepancy between the Word document (which contains the 1<sup>st</sup> bracketed text) and the Internet version ( which contains the 2<sup>nd</sup> bracketed text).**

Party	Response to Q. 31	Comments	Conclusion
<b>Austria</b>	“The substances listed in Table 15 have neither been produced nor sold in Austria in the past few years. Only lindane may have been used as a public health and veterinary insecticide until 2007; information about sales is not available.”.	<i>2005 IDR: c. No production or sales of annex I and II substances. No quantitative information on sales available.</i>	In compliance
<b>Belgium</b>	“L’arrêté royal du 14/1/2004 régit les modalités de contributions environnementales pour la mise sur le marché des biocides / pesticides. L’inventaire des biocides / pesticides est disponible sur le site internet”. <b>Additional information:</b> “The substances listed under this question have neither been produced nor sold in Belgium in the last years.”.	<i>Additional information shows no production or sale of annex I and II substances</i>	<u>In compliance</u>
<b>Bulgaria</b>	“Please, see the answer of Q19”.	<i>2005 IDR: c. (based on the reply to the 2004 Questionnaire that ‘the substances in annex I and II are neither produced nor traded’) In Q.19 it is stated that Bulgaria is gathering information about production and use of HBB and about use of chlordecone. Production and use of the other annex I substances never occurred or is banned.</i>	In compliance

<b>Party</b>	<b>Response to Q. 31</b>	<b>Comments</b>	<b>Conclusion</b>
		<i>No information given on production and sales of HCH and Lindane. Conclusion partly bases on the 2005 IDR</i>	
<b>Canada</b>	States for Lindane: production not known – used in human shampoo; sold but quantity unknown. States for the other annex I and II substances: not produced and not sold in Canada.	<i>2005 IDR: c. No production or sales of annex I and II substances. No quantitative information available.</i>	In compliance
<b>Croatia</b>	Indicates (table): production, None. <b>Additional information:</b> "...no production or use of any substances listed in Annexes I and II, except use of PCB in closed system. Since there is no manufacturing of either PCBs or equipment with PCBs (capacitors and transformers with PCBs) in Croatia, the country does not export goods containing PCBs. The only export of PCBs relates to waste containing PCBs for final disposal, done in accordance with the Basel Convention. Since 1994 Croatia has exported 267.7 t of waste containing PCBs.". Followed by description of legislation on management of PCB/PCT and PCB containing equipment.	<i>No reply with respect to sales. In the additional information no reflection on sale either.</i>	No evaluation possible
<b>Cyprus</b>	"There is no production or use of any of the substances listed in Annexes I and II."	<i>2005 IDR: c. (no assessment) No production or sales of annex I and II substances.</i>	In compliance
<b>Czech Republic</b>	States for HCH: "Not produced and used, only very limited use of gamma isomer (lindane) in health care – Jakutin – imported from Federal Republic of Germany." Indicates for the other annex I and II substances when production, if any, was terminated. No sales.	<i>2005 IDR: c. No production or sales of annex I and II substances. No quantitative information.</i>	In compliance
<b>Denmark</b>	"See answer to question 18 and 19".	<i>2005 IDR: c. (Based on the additional answer that there has not been any production or sales of annex I and II substances for many years) Answers to Q.18 and Q.19 show that annex I substances were never produced and are not used.</i>	In compliance
<b>Estonia</b>	"No production, no sale".	<i>No production or sales of annex I and II substances.</i>	In compliance
<b>Finland</b>	States in the table for each of the annex I and II substances: no production or sale. Indicates, where applicable, the last year of use.	<i>2005 IDR: c. (Based on information (March 2005) including historical data on production and sale) No production or sales of annex I and II substances.</i>	In compliance
<b>France</b>	No answer	<i>2005 IDR: c. (Based on statement that production and sales of annex I and II substances are prohibited except for some restricted usage of Lindane)</i>	No evaluation possible
<b>Germany</b>	"Substances listed in annexes I and II are neither produced nor sold in Germany".	<i>2005 IDR: c. (Based on information that only for Lindane there is some sale, but no specific data on volume is available) No production or sales of annex I and II substances.</i>	In compliance

Party	Response to Q. 31	Comments	Conclusion
<b>Hungary</b>	“Production and sales of all substances listed in annex 1 and 2 to the Protocol are prohibited with a special exception for production and using of dicofol (DDT) as an intermediate product until 1 January 2014. In Hungary there is no dicofol production.”.	<i>2005 IDR: (no assessment)</i> <i>No production or sales of annex I and II substances, with one exception. The explanation to that exception: “production and using of Dicofol (DDT) as an intermediate product until 2014”, etcetera, is unclear and cryptic.</i>	In compliance
<b>Iceland</b>	“The substances in annex I and annex II have never been produced in Iceland. Sales of the substances are forbidden.”.	<i>2005 IDR: n.e.p. (no reply)</i> <i>No production or sales of annex I and II substances.</i>	In compliance
<b>Italy</b>	“Italian companies don’t produce anymore substances listed in Annexes I and II.” <b>Additional information:</b> “The sales of the those substances is not allowed following the Regulation 850/2004/EC on persistent organic pollutants. Furthermore, since the entry into force of the Regulation (EC) No 304/2003 concerning the export and import of dangerous chemicals, repealed by Regulation 689/2008/EC, no authorization has been released.”.	<i>No information about sales.</i> <i>According to additional information no production of annex I and II substances sales are not allowed.</i>	In compliance
<b>Latvia</b>	No answer	<i>2005 IDR: (no assessment)</i>	No evaluation possible
<b>Liechtenstein</b>	No answer	<i>2005 IDR: n.e.p. (no reply)</i>	No evaluation possible
<b>Lithuania</b>	States in the table for all substances that production and sales are banned with the exception of minor amounts (less than 1 g) of aldrin, dieldrin, endrin and HCB, imported from EU countries as laboratory standard.	<i>No production or sales of annex I and II substances.</i>	In compliance
<b>Luxembourg</b>	No answer	<i>2005 IDR: n.e.p. (no reply)</i>	No evaluation possible
<b>Netherlands</b>	States in the table for each of the annex I and II substances that production and sales are forbidden. Refers also for further information to the answer to question 19.	<i>2005 IDR: c.</i> <i>No production or sales of annex I and II substances.</i> <i>No additional information in Q. 19</i>	In compliance
<b>Norway</b>	“There is no production or sales of the substances listed in annexes I and II in Norway.”.	<i>2005 IDR: c.</i> <i>No production or sales of annex I and II substances.</i>	In compliance
<b>Republic of Moldova</b>	No answer	<i>2005 IDR: c.</i>	No evaluation possible
<b>Romania</b>	States in the table that the annex I and II substances are not produced (DDT and Heptachlor banned since 1985) with the exception of Lindane and regarding sales, that no information is available (chlordecone and HBB), or that the substances are prohibited at the export with the exception of HCH and Lindane. 12 tonnes of Lindane are produced and 12 tonnes are sold to Spain. Sales of HCH: “restricted under the Annex III of the Rotterdam Convention. Is notified at the export/import – PIC”.	<i>2005 IDR: n.e.p. (no reply)</i> <i>No production and sales of annex I and II substances, except for some production and sales of Lindane and sales of HCH. Quantifies the production and sales of Lindane.</i>	In compliance

Party	Response to Q. 31	Comments	Conclusion
<b>Slovakia</b>	“Slovakia does not produce or sell any substances listed in annexes I and II”.	<i>2005 IDR: c. No production or sales of annex I and II substances.</i>	In compliance
<b>Slovenia</b>	“According to Article 3 of Regulation (EC) No. 850/2004, production and sales of substances listed in Annexes I and II of the Protocol are prohibited. This requirement is fully implemented; there is no production or sales of the substances listed in Annexes I and II in Slovenia.”.	<i>No production or sales of annex I and II substances.</i>	In compliance
<b>Sweden</b>	“There is no production, nor any sale in Sweden.”.	<i>2005 IDR: c. No production or sales of annex I and II substances.</i>	In compliance
<b>Switzerland</b>	“None of the intentionally produced substances listed in the annex I, II and III has been produced or sold in the past few years in Switzerland. Only lindane may have been used as pharmaceuticals for public health and veterinary topical insecticide purpose but no sales indication are available.”.	<i>2005 IDR: c. With the exception of Lindane, no production or sales of annex I and II substances. No information on Lindane sales.</i>	In compliance
<b>United Kingdom</b>	States in the table for all substances that there is no UK production and that sales are banned. Mirex and Toxaphene are never approved.	<i>No production or sales of annex I and II substances.</i>	In compliance
<b>EC</b>	No answer	<i>2005 IDR: c.</i>	No evaluation possible

**Table 11: Compliance with article 7.1.**

“Each Party shall, no later than six months after the date on which the Protocol enters into force for it, develop strategies, policies and programmes to discharge its obligations under the Protocol.”.

*Question 18: With reference to article 7, paragraph 1, please provide details of the national strategies, policies and programmes your country has developed to discharge its obligations under the Protocol.*

Party	Response to Q. 18	Comments	Conclusion
<b>Austria</b>	“The substances of Annex I and II of the Protocol have been eliminated in Austria. Restrictions and bans had entered into force at national level in the early 1990ies. Nowadays the substances are banned according to Regulation (EC) 850/2004 on persistent organic pollutants. Regulations for the disposal of equipment containing PCBs in an environmentally sound manner are in force. As far as substances of Annex III are concerned, regulations for industrial installations, for mobile sources and for domestic heating have led to a reduction of emissions. For new or modified industrial installations a permit is required according to the Industrial Code [33] (1994) and the Clean Air Act for Steam Boilers [1] (1989). Emission limit values and/or measures according to best available technology have to be determined in the licensing procedure; these provisions have been introduced in the 1980s. Permits for large installations had to be adapted to	<i>2005 IDR: c. -Annex I and II substances have been restricted or banned on a national level in the early 1990ies. The ban is completed through EC Regulation 850/2004. Environmentally sound disposal of waste PCBs is provided for by regulation. -Has introduced a system of permits through which ELVs and BAT are determined. Emissions from residential combustion are regulated at provincial level, e.g. through type approval for stoves and boilers. -National emission standards for motor vehicles have been introduced in the 1980ies. Tax incentives for extra</i>	In compliance

Party	Response to Q. 18	Comments	Conclusion
	<p>technical progress according to Council Directive 96/61/EC. For several categories of (new and existing) stationary emission sources explicit emission limit values and BAT requirements have been set by ordinance (see Q.27–28). National emission standards for vehicles have been introduced in the 1980s. These standards have been improved and extended at EU-level, emission standards for off-road mobile sources have been introduced. A tax incentive for cars equipped with particel filters has been introduced. In 2008 car registration tax will be reduced for cars with emissions below the mandatory standards. Emissions from domestic heating are regulated at the level of the federal provinces. Common limit values for the type approval of domestic stoves and boilers have been laid down in an formal agreement between the federal provinces in the 1990ies; an update of that agreement is under preparation. Exeedances of air quality limit values are the driving force for regional measures to reduce emissions from stationary and mobile sources; the new air quality target value for BaP is also expected to give rise to emission reduction measures. The national strategy for achieving the Kyoto target contains several measures that also contribute to reducing emissions of particulate matter (e.g. reduced energy consumption of buildings, modal shift from road to rail transport, replacement of old domestic stoves and boilers).</p> <p>Whereas most of the emissions of Annex III substances result from combustion processes, it should be noted that also minor sources have been tackled, which are mainly of local relevance: As it turned out that clay pigeons consist to a significant amount of PAHs, the PAH content of clay pigeons has been limited by ordinance. Further reduction measures are part of the National Action Plan according to the Stockholm Convention on Persistent Organic Pollutants. The plan is under preparation and has already been subject to public review.</p> <p>From 1987 (reference year) to 2006, emissions of PAHs, Dioxins and HCB have dropped by 68, 77 and 60 percent respectively.</p>	<p><i>emission reduction for cars are introduced.                      -In addition some minor sources of emissions have been tackled.</i></p>	
<p><b>Belgium</b></p>	<p>The <u>Federal government</u> refers to an eco-label award scheme, which include restrictions on HM for specific products. Further reference is made to the Rotterdam Convention and EU legislation (implemented in federal legislation (date mentioned) or implementation in progress), in particular for products.</p> <p><u>Flemish region</u>: “In 2003 a new Flemish Environmental Policy Plan (2003-2007, MINA 3) has been approved by the Flemish government. In 2007 this plan was updated and prolonged to 2010 (approval by the Flemish Government on 21 December 2007). It fixes inter alia the general strategy of the air pollution policy. This plan carries out the implementation of reduction programs concerning some POPs of the Protocol: PAHs, dioxins/furans, hexachlorobenzene and pesticides. It contains the following actions to control, eliminate or reduce discharges, emissions and losses of persistent organic pollutants:</p> <ul style="list-style-type: none"> <li>*implementation reduction program dioxins : -follow up reduction measures</li> </ul>	<p><i>Provides information on strategies and measures at the federal level (eco-label for products) and at the level of the regions with regard to stationary sources and PCBs. Residential combustion and pesticides are included only for Flanders. Reference is further made to EC Regulation 850/2004 (which is binding in its entirety and directly applicable in all member states). No specific information is given on strategies or programmes with respect to annex I and II substances (apart from PCBs) and to mobile sources. However, regarding these substances and mobile sources, policies are described under Q.19, Q.22 and Q.30.</i></p>	<p>In compliance</p>

Party	Response to Q. 18	Comments	Conclusion
	<p>major point sources; -awareness campaigns and 'reglementation' concerning diffuse sources (domestic wood and waste burning); -measures concerning dioxin-laden residual streams from thermal and metallurgical processes; - development of target values for dioxin deposition and incorporating these values in the Flemish Environmental Legislation (VLAREM);</p> <p>•implementation reduction program PAHs: -implementation of reduction measures concerning PAH-containing products; -implementation of reduction measures concerning industrial emissions to air and water;</p> <p>•implementation reduction program pesticides: -measures to reduce the use of pesticides by public sector; -study the feasibility of imposing a levy on the use of pesticides; -awareness campaign concerning the use of pesticides; -yearly evaluation of the reduction program;</p> <p>•removal plan PCBs: -supervising the compliance with the existing removal plan for PCB containing equipment and the PCB's present in this equipment (further details, see answer to Q.22)".</p> <p><u>Walloon region:</u> "As far as air is concerned and up until now, we use to impose limit values through permits, for example within the framework of directive IPPC (dioxins &amp; furans - PCDD/Fs, PCBs "dioxin like" - "total" PCBs - estimated by the sum of the 6 PCB of DIN standard multiplied by 5) - polycyclic aromatic hydrocarbons PAHs, hexachlorobenzene, pentachlorophenol". Followed by a list with regional legislation, concerning the environmental permit in general and wastes.</p> <p><u>Brussels-Capital region:</u> The Protocol was implemented in an Ordinance (2006). A description is given of issues regarding POPs the region is dealing with. This includes: an Order (2007) on ambient air quality (e.g. regarding PAH), application of EC Regulation 850/2004 concerning POP and a permitting system as instrument for measures to reduce emissions from annex III substances. A new inventory, covering 38 POPs coming from the main industrial sources will be finalized end 2008. Some new Orders to regulate or prohibit substances like PCB/PCT are being considered.</p>		
<p><b>Bulgaria</b></p>	<p>"In pursuance of article 7 paragraph 1, Republic of Bulgaria adopted a National Strategy for the Environment and Action plan (Decree of CM No. 445/2001). In 2003 a Strategy plan for decreasing emissions of particular pollutants until 2020 was developed. The strategy envisages measures for decreasing emissions of PCBs, PCDD/F, PAHs and PCP. Bulgarian legislation referring to PCBs/PSTs was harmonized in 2006 by transposing of Directive 1996/59/EC. The prognostic decrease in emissions in 2010, in comparison with 1990, is as follows: - PCDD/F - by 23%; - PAH - by 9%; - HCB - by 80%. In 2005 a National Implementation Plan on POPs management under the Stockholm convention on POPs was developed. The plan includes measures pointed at the reduction and elimination of the unintentionally produced POPs, PCDD/F, PCBs and HCB."</p>	<p><i>2005 IDR: c. (Based on the presented strategy for reduction of emissions of annex III substances)</i>  <i>The answer is identical to the one given to the equivalent question in the 2004 Questionnaire; the information provided is only related to total national emissions of annex III substances.</i>  <i>However, with respect to annex I and II substances and BAT and ELVs for stationary and mobile sources, policies are described in Q.19, Q.22, Q.25 and Q.30.</i></p>	<p>In compliance</p>

Party	Response to Q. 18	Comments	Conclusion
Canada	<p>“Existing strategies, policies, programmes and measures include: • the federal Toxic Substances Management Policy and the Canadian Council of Ministers of the Environment Policy for the Management of Toxic Substances, which require the virtual elimination from the environment of toxic substances that are persistent, bioaccumulative and predominantly anthropogenic. • the Canada-wide Standards process under the Canada-Wide Accord on Environmental Harmonization which establishes a common vision, objectives and principles to inform the partnership of environmental management between the federal, provincial-territorial governments • federal legislation and associated regulations, such as the Canadian Environmental Protection Act, 1999 (CEPA 1999), the CEPA persistence and bioaccumulation regulations, the CEPA Virtual Elimination List, the Pest Control Products Act and the Fisheries Act which regulate toxics and pesticides in Canada • provincial-territorial legislation and regulations which regulated the release of toxics to air, water and soil in their jurisdictions, while implementing the Policy for the Management of Toxic Substances. • regional and ecosystem strategies, including the Northern Contaminants Programme, the North American Regional Action Plans, the Great Lakes Water Quality Agreement, the Great Lakes Binational Toxics Strategy, the Canada-Ontario Agreement Respecting the Great Lakes Basin Ecosystem, the Fraser River Action Plan and St-Laurent Vision 2000, targeting persistent, bioaccumulative and toxic substances. • CEPA 1999 required the Minister of the Environment and the Minister of Health to categorize the 23 000 substances listed on the Domestic Substances List (DSL). This was completed in September 2006 as required by the Act. The substances on the DSL have been categorized according to the following criteria: greatest potential for human exposure; persistent or bioaccumulative and inherently toxic to non-human organisms; or persistent or bioaccumulative and inherently toxic to humans. Following this categorization exercise, Environment Canada and Health Canada jointly initiated the federal government’s Chemical Management Plan in order to effectively assess and manage the risks associated with the categories of substances.”.</p>	<p><i>2005 IDR: c.                  Lists specific strategies, policies, programmes and measures, as an update of the information provided for answering the 2004 Questionnaire</i></p>	<p>In compliance</p>
Croatia	<p>“Croatia became Party of the Stockholm Convention on POPs at the end of 2006. One of the obligations for Parties is to prepare National Implementation Plan with Action Plan. In 2007 Croatia ratified LRTAP Protocol on persistent organic pollutants. In 2005 the first draft of National Implementation Plan (NIP) for implementation of the Stockholm Convention in the Republic of Croatia is developed within the framework of the project [...] (UNIDO project GF/CRO/02/007). The Project is financed by GEF in co-operation with UNIDO as the implementation agency. In this document draft Developed action plans and strategies are mentioned. Those plans and strategies are reflecting national priorities, such as phasing out and replacing PCB equipment, reducing or eliminating release of unintentional by-products, introducing the systemic</p>	<p><i>A draft implementation plan for the Stockholm Convention is mentioned. An updated version of this draft is scheduled for the 1<sup>st</sup> half of 2008. Plans and strategies regarding PCB equipment and unintentionally produced by-products (only PCDD/F, or PAH and PCB included?) are mentioned. No plans are indicated yet for policies or strategies regarding POPs included in the Protocol but not in the Convention, such as chlordecone, HCB, HCH/lindane.</i></p>	<p><u>Not applicable</u></p>

Party	Response to Q. 18	Comments	Conclusion
	<p>monitoring of POPs compounds, identification of contaminated sites and their remediation, education, raising of public awareness and improving the level of information. As Croatia need to send this NIP with Action Plan to the Secretariat of Stockholm Convention on POPs updated version need to be made in first half of 2008.”.</p>	<p><i>The obligation under art. 7.1 to develop strategies, etcetera, came into force for Croatia only on 5 June 2008.</i></p>	
<p><b>Cyprus</b></p>	<p>“The import in Cyprus of the substances listed in Annexes I and II is prohibited. Regarding Annex III, an inventory of dioxin emissions, PAH and PCBs has been completed. Since most of the dioxin emissions in Cyprus come from non industrial sources such as uncontrolled burning of waste, an action plan has been prepared to raise public awareness regarding the emissions from uncontrolled combustion. Regarding uncontrolled combustion of waste at open landfills, this will be eliminated by the construction of sanitary landfills which started and will be completed by 2009. For industrial sources, financial incentives are provided by the government, including grants, to implement the best available techniques to minimize the emissions of POPs.”.</p>	<p><i>2005 IDR: no assessment</i>  <i>-Production and use of annex I and II substances is prohibited (see also the answers to Q.19 and Q.22).</i>  <i>-In the answer to Q.25 a strategy to dispose PCBs is mentioned.</i>  <i>- For industrial sources financial incentives to implement BAT are mentioned. Measures dealing with ELVs and BAT are dealt with under Q.26 and 27. An action plan has been prepared regarding uncontrolled combustion</i>  <i>- In Q.30 are periodic vehicle inspections mentioned; measures with respect to ELVs for mobile sources are dealt with in Q.51-54..</i></p>	<p>In compliance</p>
<p><b>Czech Republic</b></p>	<p>“The State Environmental Policy of the Czech Republic’ is the basic document for the national strategy, policy and programs for meeting the international commitments of the Czech Republic; this document is periodically updated according to the Government Resolution of January 10, 2001. The last updating was performed in 2004 through Government Resolution No. 235 of March 17, 2004. In the area of persistent organic pollutants, this document stipulates, amongst other things, the continuity of dealing with urgent high emissions of benzene and polycyclic aromatic hydrocarbons, problems: inventories and control of equipment containing polychlorinated biphenyls and terphenyls (PCB/PCT), their decontamination and disposal according to the "Plan of decontamination and disposal of equipment in inventories and PCB contained reduction of the burden on the environment and the population bytherein", toxic organic pollutants through reducing the production and use of these substances, reducing the use of local coal-burning heating units, where there is a tendency to also burn municipal waste, regulation of placing these substances on the market on the basis of the results of their hazardousness, effective responsible management of monitoring and updating of the legal regulations, hazardous wastes. The targets of the State Environmental Policy are achieved through legal, economic and also voluntary instruments, research and development instruments, forms of international cooperation and instruments of education, enlightenment and public awareness, together with information systems. Another fundamental</p>	<p><i>2005 IDR: c. (Based on reference to the 2003 update of the ‘State Environmental Policy’, in particular Ch. 3.1. ‘Reducing the Burden on the Population from Heavy Metals and Organic Pollutants’)</i>  <i>The last update (2004) of this policy document adds plans related to PAH and PCB disposal. Reference is also made to the ‘National Program to Reduce Emissions’ (2007), offering basic principles.</i></p>	<p>In compliance</p>

Party	Response to Q. 18	Comments	Conclusion
	<p>document is the “National Program to Reduce Emissions of the Czech Republic”, which was approved in Government Resolution No. 630 of November 11, 2007. This program is a supplementing element for other national programs: in addition to the State Environmental Policy, also the State Energy Policy, the Transport Policy of the CR, the National Program of Sound Energy Management and Use of Renewable and Secondary Energy Sources, the State Program to Support Energy Savings and the Use of Renewable Energy Sources. The program is supported in achieving its targets primarily by the Act on Protection of the Air (No. 86/2002 Coll.) and its regulations for implementation and other legal regulations (amongst other things, in the area of waste management). It should be pointed out that the legal regulations in the area of the environment, and thus also in the area of protection of the air, were fully harmonized with European Union law in the process of accession of the Czech Republic to the European Union. The program to reduce emissions respects the basic principles of environmental policy based on the documents of the European Community and on international agreements or obligations to reduce air pollution.”.</p>		
<b>Denmark</b>	<p>“Denmark applies various prohibitions and regulations for the substances in Annexes I, II and III: The use of Annex I substances has been banned since December 1995. The use of HCH and DDT has been banned since December 1995. Sale and import of PCB have been banned since October 1986, and since December 1998 the prohibition also includes instruments etc. containing PCB. The emissions from waste incineration plants are regulated by Air Pollution Control Guidelines for waste incineration plants. Before 2004 all Danish waste incineration plants are to be equipped with flue gas treatment installations which will retain all emissions of dioxins/furans. For HCB's the main source is assumed to be incineration plants. The HCB emissions are estimated to be negligible. The Industrial Air Pollution Control Guidelines contains specific prohibitions relating to PCPs. As to emissions of PAH wood burning stoves and boilers are responsible for the largest part and the Ministry has submitted a Statutory Order regulating the emissions of particulate matter from stoves and boilers. In addition the Danish EPA has initiated a long row of information campaigns on how to improve the firing habits.”.</p>	<p><i>2005 IDR: c. (Based on information on prohibitions and regulations, including guidelines for waste incineration, considered to be the only significant source of dioxins/furans)</i></p> <p><i>Same answer as to the equivalent question in the 2004 Questionnaire, with the addition of proposed measures regarding PAH emissions from wood burning stoves and boilers. Various prohibitions and regulations for annex I, II and III substances are mentioned. Information on measures for mobile sources is dealt with under Q.30.</i></p>	In compliance
<b>Estonia</b>	<p>“Estonia has adopted following strategies and programs which will lead to the emission reduction of several pollutants (e.g. POPs): Environmental strategy until 2030 (<a href="http://www.envir.ee/2959">http://www.envir.ee/2959</a>), Environmental action plan until 2013 (<a href="http://www.envir.ee/2851">http://www.envir.ee/2851</a>), National emission reduction program for mobile and stationary sources (incl. LCP, NEC measures) 2006-2015 (<a href="http://ec.europa.eu/environment/air/nationalprogr_dir200181.htm">http://ec.europa.eu/environment/air/nationalprogr_dir200181.htm</a>), Greenhouse gases emissions reduction program 2003-2012”.</p>	<p><i>Has adopted strategies and programs to reduce emissions of pollutants, e.g. POPs, from mobile and stationary sources. With respect to annex I and II substances and disposal of wastes in answers to Q.19, Q. 22 and Q.25, reference is made to EU Regulation 850/2004 (which is binding in its entirety and directly applicable in all member states).</i></p>	In compliance
<b>Finland</b>	<p>“Protocol has been originally implemented with President Act N:o 880 on 23</p>	<p><i>2005 IDR: c.</i></p>	In compliance

Party	Response to Q. 18	Comments	Conclusion
	<p>October 2003. The provisions of the Protocol have been included in the EC Regulation 850/2004 on persistent organic pollutants amending Directive 79/117/EEC. National strategies and programmes have been developed in accordance with the Stockholm Convention national implementation plan (NIP) preparation. The related National Action Plan (NAP) provides a basis and a plan for the future activities to reduce the emissions of Annex III. The actions related to PCDD/F reductions (such as improvements in wood combustion) also contribute to PAHs reduction. Both the NIP and NAP are available [...]”.</p>	<p><i>Provides an update of the answer to the equivalent question in the 2004 Questionnaire, with reference to EU Regulation 850/2004 (which is binding in its entirety and directly applicable in all member states) and to a National Action Plan, providing a plan for future activities related to annex III substances. The reply to Q.30 describes the policy for mobile sources.</i></p>	
<p><b>France</b></p>	<p>Gives a division of 2006 emissions of PAH, dioxins and HCB, into emissions of main source categories and an overall reduction percentage compared to the base year emissions. Developments that caused these reductions are mentioned. Reference is made to national legislation prohibiting production and use of most annex I substances. In addition reference is made to EC Regulation 304/2003, with respect to import and export of annex I substances except for chlordecone, hexabromobiphenyl and mirex, and to EC Regulation 850/2004. For PCB national measures are described as well as a national plan (2003) for decontamination and elimination of PCB containing equipment, to be finalized in 2010. With regard to dioxins reference is made to EC Directives on waste incineration, implemented in national legislation through Orders (1991, 1996 and 1997), the content of which is explained. The revised EC Directives (2000) on waste incineration is implemented through two Orders (2002) one for hazardous wastes and one for non-hazardous wastes. Further the ‘Plan National Santé Environnement’ (PNSE) is described in relation to dioxins. Part of the plan are, an inventory for priority action of sectors in industry, development of objectives and targets (2010) and action programs for emission reduction in the industrial sectors concerned. All sectors mentioned are included in annex V.</p>	<p><i>2005 IDR: c. Strategies, plans and measures are described and reference is made to national legislation and to EC Regulations 304/2003 and 850/2004 (which are binding in their entirety and directly applicable in all member states). Most annex I substances are dealt with. For annex III the strategies and measures focus on dioxins. No strategies, programs or measures are presented on PAH or HCB. These substances, however, are dealt with under Q.26. The annex I substances chlordecone, HBB and Mirex are not mentioned. But EC Directive 850/4002, referred to, also includes these substances. Measures with regard to annex II substances, HCH and Lindane in particular, are dealt with under Q.22.</i></p>	<p>In compliance</p>
<p><b>Germany</b></p>	<p>“National strategies, policies and programmes on POPs are developed to eliminate production and uses of intentionally produced POPs and to minimize emissions from unintentional sources. Control activities are governed under three regulations as follows the European Regulation on Prohibitions and use restrictions in the Ordinance on the Prohibition of Chemicals Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (REACH, Article 57 and 68) with its implementation under the Chemicals Act [...] (2005) and the Ordinance on Bans on the Placing on the Market and the Use of Plant Protecting Agents Containing Particular Active Substances [...] (2005) under the Plant Protection Act [...] (1986). The relevant</p>	<p><i>2005 IDR: c. Gives an update of its answer to the equivalent question in the 2004 Questionnaire, including the statement that it had transposed in 2002 all provisions of the Protocol. The reply to Q.30 describes the policy for mobile sources. (See further comments Q.22 and Q.25).</i></p>	<p>In compliance</p>

Party	Response to Q. 18	Comments	Conclusion
	stationary sources of POP emissions are all subject to licensing. Requirements on POP emission prevention and control are based on best available technologies and regulated in a system of ordinances and technical instructions under the Federal Immission Control Act (1974). Germany has transposed in 2002 all provisions of the UNECE POP protocol and of the Stockholm Convention on POPs into national law. For a documentation of laws and regulations see the attachment to this questionnaire.”.		
<b>Hungary</b>	“Hungary ratified the POPs Protocol in 2004. Hungary prepared a detailed emission inventory for stationary source categories, and assessed emission of POPs generated by traffic and pesticides used in agriculture. For the ratification process the Ministry of Environment and Water elaborated a strategy program, which listed all measures necessary to meet requirements of the Protocol. Hungary has just ratified the Stockholm Convention in February 2008. The National Implementation Plan for elimination and reduction of emissions and using of POPs is under preparation which includes all measures needed to fulfill the requirements of Geneva and Stockholm Convention as well as EU obligations relating to POPs.”.	<i>2005 IDR: c. (no assessment)(Based on a strategy program (2004), which listed all measures necessary to comply) Refers to a strategy program, developed prior to ratification and to a National Implementation Plan, which is under preparation and includes all measures needed to fulfil the requirements “of Geneva and Stockholm Convention” relating to POP. Confusing information as the obligation to develop strategies and policies came into force for Hungary on 6 October 2004. Despite this, compliance is assumed, based on the 2005 IDR..</i>	In compliance
<b>Iceland</b>	“Measures have been made to eliminate the substances in annexes I and II by implementing regulation banning the uses of the substances. Efforts have been made to minimize emissions of unintentionally produced POPs, listed in annex III, by making the requirement that installations apply the principle of using best available techniques (BAT) and by setting emission limits.”.	<i>2005 IDR: n.e.p. (no reply) States that annex I and II substances have been banned and that emissions of annex III substances are minimized by setting emission limits and requiring use of BAT</i>	In compliance
<b>Italy</b>	“Italy's policy to discharge its obligations under the Protocol consist in implementing the Regulation (EC) No 850/2004 of the European Parliament and of the Council of 29 April 2004 on persistent organic pollutants.”.	<i>Refers to implementation of EC Regulation 850/2004 (which is binding in its entirety and directly applicable in all member states). Measures for mobile sources are dealt with in Q.30.</i>	In compliance
<b>Latvia</b>	No answer	<i>2005 IDR: no assessment</i>	No evaluation possible
<b>Liechtenstein</b>	No answer	<i>2005 IDR: n.e.p. (no reply)</i>	No evaluation possible
<b>Lithuania</b>	“Programmes and plans developed: - National Programme of Management of Persistent Organic Pollutants (POPs) for 2006-2015 years was adopted by the Government Resolution No 970 of 4 October 2006. The Programme includes Action Plan of Management of Persistent Organic Pollutants (POPs) for 2006-2015. Objectives of the Programme: 1) to better control the implementation of the provisions of the Regulation (EC) 850/2004 of the European Parliament and of	<i>Refers to programmes and plans and EC Regulation 850/2004 (binding in its entirety and directly applicable in all member states), covering all issues, except for mobile sources, dealt with in the Protocol. Describes the objectives of these programmes and plans. The</i>	In compliance

Party	Response to Q. 18	Comments	Conclusion
	<p>the Council on Persistent Organic Pollutants and amending Directive 79/117/EEC in Lithuania; 2) to reduce the hazard posed to environment and human health by the used POPs and POPs waste; 3)to reduce the emission of POPs from unintentional production into the environment; 4)to identify sites polluted with POPs, assess their level of pollution and handle them; 5)to receive information on the distribution of POPs in the environment, biota, foodstuffs; 6)to disseminate knowledge on POPs and prevention of their generation to the public and interested parties. - National Strategic Waste Management Plan, adopted by the Government Resolution No 519 of 12 April 2002 (last amended on 10 October 2004 by the Government Resolution No 1252). The objective of the Plan is to protect nature and human health from pollution impacts, create a rational waste management system and set waste management targets, measures and actions. - National Hazardous Waste Management Programme, adopted by the Government Resolution No 19 of 11 January 2006, implements measures of the National Strategic Waste Management Plan in the area of hazardous waste management.”.</p>	<p><i>reply to Q.30 describes the policy for mobile sources.</i></p>	
<b>Luxembourg</b>	<p>No answer</p>	<p><i>2005 IDR: n.e.p. (no reply)</i></p>	<p>No evaluation possible</p>
<b>Netherlands</b>	<p>“The Netherlands pursues active engagement in international agreements. The Convention on Long Range Transboundary Air Pollution (LRTAP), the Persistent Organic Pollutants Protocol (UNECE POP Protocol), the Stockholm Convention, the Basel Convention, the Rotterdam Convention and the OSPAR Convention are the most relevant. In 1999 the Dutch Ministry of Housing, Spatial Planning and Environment, in close cooperation with the industrial sector and social organisations, started the modernisation of the national hazardous substances policy. Salient feature of the new policy is that the business sector bears responsibility for the collection and provision of information on human and environmental health hazards and risks of substances. Business sector moreover is responsible for the implementation of communication strategies concerning chain responsibility. The result of this was The Dutch policy memorandum ‘Hazardous Substances Management Strategy’ (SOMS). SOMS aimed at clean environment and safe and healthy working/environmental conditions. On a practical level, this means ensuring that potential risks and hazards associated with the use of substances in each stage of their life cycle are sufficiently controlled so as to remove, or to reduce to negligible level, any harmful effects on man or environment. In addition, safety and health hazards in working environment must be minimized. The new policy provides concrete input for the development of the Registration, Evaluation, Authorisation and Restriction of Chemicals Regulation (REACH Regulation, 2006/1907/EC), which entered partly into force on June 1st 2007. With this SOMS ended. In February 2004 the Dutch Substances Covenant was signed and ended on December 31, 2006. This Covenant put the Dutch substances policy into effect. On the basis of action plans</p>	<p><i>2005 IDR: c.                      Refers to strategies and policy documents and legislation (including an act on plant protection products and biocides (2007), which replaced the 1962 Act on Pesticides). Further reference is made to replies to Q.26 – Q.29 regarding ELVs and BAT. This information covers all issues dealt with in the protocol, except for mobile sources. The reply to Q.30 describes the policy for mobile sources.</i></p>	<p>In compliance</p>

Party	Response to Q. 18	Comments	Conclusion
	<p>branches set out their policies for reducing health risks for employees, consumers and environment dealing with hazardous substances. The Substances Covenant was linked to the Programme Strengthening Working Conditions Policy Substances, which was an initiative of the Ministry of Social Affairs and Employment. [...]. The Netherlands considers dioxins, furans, hydrocarbons and PCBs as priority substances. This implies that the environmental policy is aimed at reducing emissions of these POPs to zero. This is done by banning products and processes that are sources of emissions, by enforcing strict emission limits on production processes where the use or emission of dioxins, furans, hydrocarbons and PCBs cannot be avoided and by applying BATs. In the early nineties in the Netherlands four municipal waste incineration installations were closed down. Other installations were adapted by adding emission abatement techniques aimed at reducing emissions of PCDD/F to concentration levels below 0,1 ng/m3 (TEQ). This resulted in close to zero dioxin emissions. PCB's are prohibited under the Hazardous Substances Act (1985). The Decree on Organic Halogen Content Fuels, under the Dutch Hazardous Substances Act carries out several EC directives concerning waste oils and limitations of organic halogen compounds or PCBs in fuels and fuel components. With regard to pesticides the Board for the Authorisation of Plant Protection Products and Biocides (Ctgb) is the competent authority. This is laid down in the Wet gewasbeschermingsmiddelen en biociden 2007. Products may not be put into the market before the Ctgb has decided that the possible risks of pesticides are acceptable. Pesticides not only include the crop protection products but also the biocides, such as products for disinfestation (including cooling water and flush water for drilling), wood preservation and antifouling (to protect ships) (see <a href="http://www.ctb.agro.nl">http://www.ctb.agro.nl</a>). The substances [<i>annex I and II pesticides/biocides mentioned</i>] are not permitted by the Ctgb (see also the answers to the questions 19 and 22). Emission Inventories The national Emissions Registration Office (MNP) makes annual emission inventories for some 170 policy-relevant substances and compound groups. Among others dust (PM10, PM2.5), PCBs, HCBs, PAHs, PCDDs, PCDFs [...]. For information on BATs of and limit values applied to substances emitted from combustion sources see answers to the questions 26-29."</p>		
Norway	<p>"The Pollution Control Act of 1981 and the Product Control Act of 1976 constitute the basic elements in Norway's policy to control and reduce pollution, including emissions of sulphur. The Pollution Control Act is a typical enabling act, meaning that the details (ELVs and other specific requirements) are outlined in individual discharge permits or regulations issued by the pollution control authorities. The main rule of the act is that pollution is forbidden, unless it is specifically permitted by law, regulations or individual permits. Regulations pursuant to the Pollution Control Act relevant to the implementation of the obligations under the Protocol are laid down by the Regulations relating to</p>	<p><i>2005 IDR: c. Refers to strategies, plans legislation, including the Pollution Control Regulation (2004) and the Product Regulations (2007), which apparently replace earlier legislation. The Product Regulations addresses restrictions on manufacture, import, export, sale and use of chemicals and other hazardous products. Further reference is made to a regulation (2004),</i></p>	In compliance

Party	Response to Q. 18	Comments	Conclusion
	<p>Pollution Control (the Pollution Regulation) of 2004. Regulations pursuant to the Product Control Act relevant to the implementation of the obligations under the Protocol are laid down by the Regulations relating to restrictions on the manufacture, import, export, sale and use of chemicals and other products hazardous to health and the environment (Product Regulations) of 2007. Emissions from vehicles are regulated by special laws and regulations. As a party to the Agreement on The European Economic Area (EEA) between the European Community, the EU member states and three EFTA member states, Norway has implemented in national legislation the provisions of all EU legislative acts regulating emissions from specific sources and products that are relevant to the implementation of the obligations under the Protocol. None of the pesticides covered by the protocol are used in Norway. All use of the substances in Annex I are currently banned through regulation no. 922 of 01.06.2004 on restrictions on the marketing and use of certain dangerous chemicals. New use of PCB was banned in 1980. A strategy and an action plan for phasing out large capacitors containing PCB was developed in 1986 and all remaining PCB-containing large capacitors and transformers were collected and the PCB incinerated before 1995. An action plan for identifying and collecting different types of products containing PCB other than large capacitors and transformers was developed during the period 1996-2000 (see also Q.25). PAH, HCB and dioxins are all substances nationally prioritised for action, with the target that the emissions shall be significantly reduced before 2010, and a plan to achieve this has been developed. For PAH figures for total yearly emissions to air from industrial processes and stationary and mobile combustion processes have been estimated for the period 1990-1999. For dioxins a project was carried out in 2001 to estimate emissions from all known sources, also smaller dioxin sources, based on emission factors and modelling. Procedures for yearly updating of the emission figures for PAHs and dioxins have been established.”.</p>	<p><i>following a similar regulation issued in 2002, which bans the use of all annex I substances, and to an action plan (1986) phasing out PCB containing equipment. The policy with respect to mobile sources is also described.</i></p>	
<b>Republic of Moldova</b>	No answer	<i>2005 IDR: c.</i>	No evaluation possible
<b>Romania</b>	<p>“The Romanian national strategies, policies and programmes are: •Law no 271/2003 for the ratification of the Convention on long-range transboundary air pollution Protocols, signed at Geneva on 13 November 1979, adopted at Aarhus on 24 June 1998 and at Gothenburg on 1 December 1999 (Romanian Official Journal no 470/01.07.2008); •Law no 261/2004 for the ratification of the Convention on persistent organic pollutants, adopted at Stockholm on 22 May 2001 (Romanian Official Journal no 638/15.07.2004); •Regulation (EC) no 850/2004 of the European Parliament and of the Council of 29 April 2004 on persistent organic pollutants and amending Directive 79/117/EEC; •Governmental Decision no 128/2002 on waste incineration, amended by the</p>	<p><i>2005 IDR: n.e.p. (no reply)                  Presents a list of national legislation, strategies and plans, dealing with issues related to obligations under the Protocol such as: waste incineration (2002 and 2004), disposal of wastes (2001 – 2007), waste management (2004 and 2006), control of PCBs. Further reference is made to EU Regulation 850/2004 on POPs and EU Regulation 1013/2006 on shipment of waste (each of them binding in its entirety and directly</i></p>	In compliance

Party	Response to Q. 18	Comments	Conclusion
	<p>Government Decision no 268/2005; Ministerial Order no 756/2004 for the approval of the Technical Normative on waste incineration; •Governmental Decision no 349/2005 on disposal of wastes, with amendments and Emergency Ordinance no 78/2000 on waste regimen, approved with amendments by Law no 426/2001, amended by Emergency Ordinance no 61/2006, approved with amendments by Law no 27/2007; •Law no 6/1991 for the adherence to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal; •Law no 265/2002 on the acceptance of the amendments to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal. •Regulation (EC) no 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste; •Government Decision no 788/2007 for the establishment of certain measures on the application of the Regulation (EC) No 1013/2006; •Government Decision no 1470/2004 on the approval of the Wastes Management National Strategy and of the Wastes Management National Plan, amended by Government Decision no 358/2007; •Ministerial Order no 1364/1499/2006 on the approval of the Wastes Management Regional Plans; •Governmental Decision no 173/2000 on the regulation of the special regime regarding the management and control of the polychlorinated biphenyls and others similar compounds, with amendments; •National Implementation Plan for Stockholm Convention; •Ministerial Order no 396/2002 on prohibition of the utilization on the Romanian territory of the plant protection products containing certain active substances; “.</p>	<p><i>applicable in all member states). Thus, all obligations are covered, except for mobile sources. The reply to Q.30 describes ELVs for mobile sources, although the HC limit values for heavy duty vehicles is missing. As the obligation to develop strategies and policies came into force for Rumania on 5 June 2004, part of the strategy seems not to have been developed on time. However, there seems to be compliance at the time of the present review.</i></p>	
Slovakia	<p>“Ministry of the Environment of Slovakia worked out the National Environment Policy in 1993. The National Environment Policy sets short-term, medium-term and long-term objectives for environment policy of Slovakia. There are set as well requirements for air protection – reduction of emissions of air pollutants (SO<sub>2</sub>, NO<sub>x</sub>, CO, PM), volatile organic compounds, persistent organic pollutants, heavy metals, CO<sub>2</sub>. The requirements for achievement of objectives are introduced in the first National environment action plan (NEAP I) and in the second National environment action plan (NEAP II). The objectives of the National Environment Policy are reached through several pieces of Slovak legislation: The Act No. 478/2002 (article 18, paragraph 3) on air protection and the Act No. 245/2003 on integrated pollution prevention and control (IPPC) set requirements for the application of BAT. The Ministerial Decree No. 706/2002 sets emission limit values for PCDD/F emissions. The Act No. 127/2006 on POPs sets obligations on POPs. The Act No. 163/2001 on chemical substances, as amended, is the basic regulation for import and export of chemicals, including substances in annexes to the POPs Protocol. The import of some chemical substances, including substances in annexes to the Protocol is prohibited according to the Ministerial Decree No. 33/1999 of Ministry of the Agriculture. The use of some chemical substances, including substances in annexes to the</p>	<p><i>2005 IDR: c. (Based on the statement that all requirements of the POP Protocol are implemented through relevant legislation and reference to EC Regulation 850/2004)</i>  <i>Refers to the National Environment Policy (1993) and two National Environment Action Plans. Further a list is given of national legislation dealing with issues under the Protocol, such as: legislation (2002 and 2003) for application of BAT and ELVs for PCCD/F emissions, specific obligations on POPs (2006), legislation (1999 and 2001) for import and export of chemicals, including annex I and II substances, legislation (2002) for use of chemical substances, including annex I and II substances. <u>Conclusion partly based on the 2005 IDR</u></i></p>	In compliance

Party	Response to Q. 18	Comments	Conclusion
	<p>Protocol is restricted according to the Ministerial Decree No. 67/2002 of Ministry of the Economy.”.</p>		
<p><b>Slovenia</b></p>	<p>“Fundamental Slovenian strategic document in the field of environmental protection is the National Environmental Action Plan 2005-2012 (OJ RS, No. 2/2006). Its basic goals are improvement of environment, quality of life and protection of natural resources. It addresses climate change, nature and biodiversity, waters, air, chemicals, noise, electromagnetic radiation, urban environment, waste, industrial pollution and related international commitments. For each of the above mentioned areas, targets, preferential tasks and measures to achieve the targets are set. Based on NEAP, policies for specific issues are developed. For POPs, the following three policy documents are relevant:                      •National Implementation Plan (NIP) as pursuant to article 7 of the Stockholm Convention on Persistent Organic Pollutants (in the governmental procedure for the adoption);                      •Action plan of reduction and minimization of releases of PAH, PCDD/DF and HCB (in the governmental procedure for adoption);                      •Operational program concerning management of PCB and PCT for 2003-2006 (adopted by the Government in 2003).”.</p>	<p><i>Refers to the National Environmental Action Plan, which formulates the basic strategy for relevant area like air, chemicals, waste, and industrial pollution. Specific policies exist or are being developed for POP, e.g. an action plan for emission of annex III substances and a program (2003) concerning management of PCBs. Policies and legislation regarding other major topics dealt with in the Protocol, are described in the replies to Q.19 (including reference to EC Regulation 850/2004), Q.20/21, Q22 (including reference to EC Regulation 850/2004), Q.26 (including a policy for residential combustion) and Q.30 (policy for mobile sources)</i></p>	<p>In compliance</p>
<p><b>Sweden</b></p>	<p>“The objectives of the Protocol is a part of the Swedish environmental quality objective "A non toxic environment". With POPs relation, Sweden is Party to the Basel, Rotterdam, Stockholm and Vienna Conventions including the Montreal Protocol as well as the UNECE LRTAP POPs Protocol, and also to the Helsinki Commission and the Oslo and Paris Conventions. Sweden has also played a part in the development of the Strategic Approach to International Chemicals Management and the adoption of the Dubai Declaration. In May 2006 Sweden submitted a national implementation plan (NIP) for the Stockholm Convention on Persistent Organic Pollutants prepared jointly by the Swedish Chemicals agency and the Swedish Environment Protection Agency, that can be found at www.pops.int. Sweden considers that it has fulfilled its obligations under the Protocol with regard to the produced POPs. Regarding the unintentionally produced substances, Sweden has introduced a range of measures to reduce their formation and release. Sweden intends to continue its efforts to achieve further reductions in environmental loads of these substances. For primary sources, it is necessary to collect measurement-based data which reliably show how large emissions of unintentionally produced substances are under varying conditions. Data showing how emissions vary over the different phases of entire processes, and in conjunction with disruptions, would provide a better basis for a more reliable determination of total emissions. In addition, sampling should be carried out in such a way as to reflect variations in pollutant levels, for example within a waste sample. In this respect, operator self-monitoring needs to be improved. The</p>	<p><i>2005 IDR: c. (Based on the strategy mentioned to phase out POPs , reference to a EEC Regulation (1992) concerning export and import of dangerous chemicals, a BAT strategy for annex III substances and the strategy to deal with POP stockpiles in an environmentally sound manner).                      Does not describe strategies and policies. Considers its obligations under the Protocol with regard to produced POPs, as being fulfilled. Regarding unintentionally produced substances a contemplative description is given of options for new and additional reduction measures in industry and for secondary sources like contaminated sites, small scale combustion, etcetera, and for further study. “Sweden will continue to contribute to international efforts”.  <u>Conclusion based on the 2005 IDR.</u></i></p>	<p>In compliance</p>

Party	Response to Q. 18	Comments	Conclusion
	<p>importance of self-monitoring is emphasised by the competent authorities in connection with supervision and licensing of operations. Guidance to operators on how to improve self monitoring may be provided by trade associations. There are some sectors where further measures to reduce releases may be necessary. One example is the metallurgical sector, where there is still reasonable scope to reduce releases to air, in particular of dioxins. Another area in which further measures may be necessary is the burning of biofuels and other alternative fuels. This is a growing sector which gives rise to large volumes of flue gases. This means that total emissions may rise to relatively high levels, even if the concentration of unintentionally produced POPs in the gases is low. There is also reason to study how the formation of unintentionally produced POPs can be reduced. Even though the concentrations of POPs in waste may be low, the total amounts are significant owing to the large quantities of residues arising. Secondary sources: As releases from industry have abated, secondary sources, such as contaminated sites and sediments, and diffuse sources, such as small-scale combustion, backyard burning and deposition arising from emissions in other countries, have increased in importance. At the present time, such sources are probably of most significance. Further studies need to be made of the contributions of secondary and diffuse sources to overall environmental loadings of POPs. Households: Information and guidance are key instruments, alongside general regulations and their enforcement. Above all, it is necessary to create an awareness of the fact that what people burn, and how they go about it, makes a major difference to emissions. There are on going information campaigns but they may need to be strengthened. Contaminated soils and sediments: Extensive work to identify and remediate contaminated soils in Sweden is undertaken. Long range transboundary air pollution: Projects are ongoing to estimate the loading from long-range atmospheric transport. Sweden will continue to contribute to international efforts. (...).”</p>		
<p><b>Switzerland</b></p>	<p>“Switzerland set out the principles of its air pollution control policy in the 1983 Federal Law relating to the Protection of the Environment. Its objective is to protect man and his environment using both source-oriented and effect-oriented approaches. It stipulates minimum economically feasible emissions, but controls are more stringent if harmful effects are expected. The Ordinance of 1986 on Environmentally Hazardous Substances (replaced by the Ordinance on Risk Reduction related to Chemical Products of 2005) regulates the import, production, supply, use and export of substances that may present a hazard to the environment. In addition to the general regulations, annexes to the Ordinances contain special regulations for particular groups of chemicals. Among them are measures regarding the emissions of hazardous substances to the atmosphere which may occur during production and use or during waste treatment (e.g. PCDD/F, PAH).”</p>	<p><i>2005 IDR: c.                  Update of the answer to the equivalent question in the 2004 Questionnaire. Refers to the principles of its air pollution policy and to national legislation.                  ELVs for motor vehicles are presented in Q.30, <u>the policy for residential combustion in Q.26.</u></i></p>	<p>In compliance</p>

Party	Response to Q. 18	Comments	Conclusion
<b>United Kingdom</b>	“The UK ratified the POPs Protocol in 2005. However the basic obligation of the Protocol to reduce emissions of POPs to below their 1990 levels has already been achieved. Implemented through a number of measures: European Community Regulation 850/2004 on persistent organic pollutants; implementation of IPPC Directive 96/61/EC.”	<i>States that one of the basic obligations already has been achieved. Refers to EU Regulation 850/2004, which is binding in its entirety and directly applicable in all member states. ELVs for motor vehicles are presented in Q.30.</i>	In compliance
<b>EC</b>	No answer	<a href="#">2005 IDR: c.</a>	No evaluation possible