

OEWG-I/4. Decision VI/23 – Preparation of technical guidelines on the environmentally sound management of persistent organic pollutants as wastes

The Open-ended Working Group,

Noting decision VI/23 of the Conference of the Parties at its sixth meeting and decision INC-6/5 of the Stockholm Convention on Persistent Organic Pollutants Intergovernmental Negotiating Committee for an International Legally Binding Instrument for Persistent Organic Pollutants,

Noting with appreciation that Canada is serving as lead country for the draft technical guidelines on PCBs, PCTs and PBBs,

1. Agrees that the following separate technical guidelines for the environmentally sound management of persistent organic pollutants as wastes should be developed:
 - (a) A general technical guideline;
 - (b) Specific technical guidelines on each of the five persistent organic pollutants or groups of persistent organic pollutants: PCBs (including PCTs and PBBs); dioxins and furans; DDT; HCB;¹ and the eight pesticides aldrin, chlordane, dieldrin, endrin, HCB, heptachlor, mirex and toxaphene;
2. Agrees that at least the elements contained in the appendix to the present decision should be contained in those technical guidelines, whereby emphasis should be given to issues which might be included in national legislation and/or adopted under the Stockholm Convention;
3. Agrees that documents UNEP/CHW/OEWG/1/INF/6 and UNEP/CHW/OEWG/1/INF/6/Add.2, as well as other relevant materials, should be used for the preparation of the technical guidelines mentioned in paragraph 1 above, taking into account the need to avoid duplication. General issues with regard to all persistent organic pollutants (such as the methodology for further definition of low persistent organic pollutant content after the seventh meeting of the Conference of the Parties) should be addressed in the general technical guidelines, and issues with regard to specific persistent organic pollutants or groups of persistent organic pollutants (such as provisional definitions for low persistent organic pollutant content) should be addressed in the specific guidelines;
4. Agrees to aim to include in the draft technical guidelines referred to in subparagraph 1 (b) above to be considered by the Conference of the Parties at its seventh meeting:
 - (a) Provisional definitions for low persistent organic pollutant content (with reference to subparagraph 2 (c) of article 6 of the Stockholm Convention) for each persistent organic pollutant;
 - (b) Levels of destruction and irreversible transformation;
5. Invites Parties and others to submit to the secretariat by 30 June 2003 with respect to the six technical guidelines referred to in paragraph 1 above:
 - (a) Proposals on provisional definitions of low persistent organic pollutant content for each persistent organic pollutant, taking into account that the situation may differ for differing forms of waste (such as liquids and foams) and that analytical methods should be available;

¹ HCB features twice in the list to reflect its status as both an industrial chemical and a pesticide (fungicide).

(b) Suggestions for a methodology for defining low persistent organic pollutant content on a more scientifically sound basis for possible later revision of the provisional definitions referred to in subparagraph 4 (a) above;

(c) Proposals on levels of destruction and irreversible transformation;

(d) Other comments on the elements contained in the appendix to the present decision and on other issues raised in documents UNEP/CHW/OEWG INF/6 and UNEP/CHW/OEWG/INF/6/Add.2, taking into account the comments reproduced in document UNEP/CHW/OEWG/INF/6/Add.1, other comments available on the web site of the secretariat and other relevant materials made available at the first session of the Open-ended Working Group;

6. Invites Parties to serve as lead countries and to inform the Secretariat accordingly by 31 May 2003;

7. Requests the secretariat and the lead country or lead countries to prepare revised draft technical guidelines for the environmentally sound management of persistent organic pollutants as wastes for consideration by the Open-ended Working Group at its second session;

8. Agrees the following tentative timetable:

(a) Comments from Parties and others on the drafts referred to in paragraph 9 below are due by the end of 2003;

(b) New revised draft technical guidelines are to be produced for consideration by the Open-ended Working Group at its third session;

9. Agrees to establish a small intersessional working group to monitor and assist in the preparation of revised draft technical guidelines, working in particular with electronic means;

10. Invites Parties and others to nominate participants for the small intersessional working group to the secretariat by 31 May 2003, whereby at least one participant from each United Nations region should be nominated;

11. Requests the secretariat to put new draft technical guidelines and comments by Parties and others on its web site as soon as they are available;

12. Requests the secretariat to also put on its web site:

(a) The unformatted January 2003 draft persistent organic pollutants technical guidelines showing also tracked changes compared to the October 2002 draft as contained in document UNEP/CHW/OEWG/INF/6/Add.1;

(b) The September 2002 draft guidelines on PCBs, PCTs and PBBs and comments from Parties and others on that draft;

(c) Comments from Parties and others not yet available on the web site;

13. Invites experts of the Stockholm Convention Intergovernmental Negotiating Committee:

(a) To participate in the preparation of the technical guidelines, e.g. in meetings of the Open-ended Working Group and/or in the small intersessional working group;

(b) To submit comments on the issues referred to in paragraph 5 above to the secretariat of the Basel Convention.

Appendix

Elements to be addressed in technical guidelines on the environmentally sound management of persistent organic pollutants as wastes

Notes: The order of the elements is arbitrary. The articles refer to the Stockholm Convention. The paragraphs of the text of the guidelines should be numbered.

1. Definition of the low persistent organic pollutant content referred to in article 6, paragraph 1 (d) (ii) (cf. article 6.2 (c))
2. Methods that constitute environmentally sound disposal referred to in article 6.1 (cf. article 6.2 (b)), including monitoring and assessment (Note: More emphasis should be put on economic considerations)
 - 2.1 Destruction or irreversible transformation (cf. article 6.1 (d) (ii), first part)
 - 2.2 Other disposal in an environmentally sound manner (cf. article 6.1 (d) (ii), second part)
 - 2.2.1 Other disposal when the persistent organic pollutant content is low
 - 2.2.2 Other disposal when destruction or irreversible transformation does not represent the environmentally preferable option
Note: Cases where this option may be used as well as disposal operations to be addressed
 - 2.3 Pre-treatment before destruction/irreversible transformation or before other disposal
3. Establishment of levels of destruction and irreversible transformation (cf. article 6.2 (a))
4. Handling, collection, transportation and storage (cf. article 6.1 (d) (i))
5. Identification of wastes consisting of, containing or contaminated with persistent organic pollutants (cf. article 6.1 (a) (ii))
6. Remediation of sites contaminated by persistent organic pollutants (cf. article 6.1 (e)), including monitoring and assessment.
7. Analytical methods
8. Public awareness
9. Environmental levels and hazards
10. Waste prevention and minimization
11. Health and safety
12. Emergency response
13. Regulatory oversight