

CORRESPONDENTS' GUIDELINES No 4

Subject: Classification of waste electrical and electronic equipment and fly ash from coal-fired power plants according to Annex IV part I note (c) of Regulation (EC) No 1013/2006 on shipments of waste

1. These correspondents' guidelines represent the common understanding of all Member States on how Regulation (EC) No 1013/2006 on shipments of waste should be interpreted. The guidelines were agreed by the correspondents at a meeting on 14/15 June 2007 organised pursuant to Article 57 of Regulation (EC) No 1013/2006. They are not legally binding. The binding interpretation of Community law is the exclusive competence of the European Court of Justice. The guidelines apply from 12 July 2007 and should be reviewed at the latest five years from the above date and, if necessary, revised.

2. Annex IV part I note (c) of Regulation (EC) No 1013/2006 states that Basel entries A1180 and A2060 do not apply and OECD entries GC010, GC020 and GG040 in Annex III, Part II apply instead when appropriate.

3. The possible entries for waste electric and electronic equipment (WEEE) are shown in Table 1.

Table 1: Possible entries for WEEE according to Annexes III and IV of Regulation (EC) No 1013/2006

GC010	Electrical assemblies consisting only of metals or alloys
GC020	Electronic scrap (e.g. printed circuit boards, electronic components, wire, etc.) and reclaimed electronic components suitable for base and precious metal recovery
A1180	Waste electrical and electronic assemblies or scrap ¹ containing components such as accumulators and other batteries included on list A, mercury-switches, glass from cathode-ray tubes and other activated glass and PCB-capacitors, or contaminated with Annex I constituents (e.g. cadmium, mercury, lead, polychlorinated biphenyl) to an extent that they possess any of the characteristics contained in Annex III (note the related entry on list B, B1110*) ²

4. The possible entries for fly ash from coal-fired power plants are shown in Table 2.

¹ This entry does not include scrap assemblies from electric power generation.

* B1110 reads as follows:

Electrical and electronic assemblies:

- Electronic assemblies consisting only of metals or alloys
- Waste electrical and electronic assemblies or scrap¹ (including printed circuit boards) not containing components such as accumulators and other batteries included on list A, mercury-switches, glass from cathode-ray tubes and activated glass and PCB-capacitors, or not contaminated with Annex I constituents (e.g. cadmium, mercury, lead, polychlorinated biphenyl) or from which these have been removed, to an extent that they do not possess any of the characteristics contained in Annex III (note the related entry on list A, A1180)
- Electrical and electronic assemblies (including printed circuit boards, electronic components and wires) destined for direct re-use² and not for recycling or final disposal³

¹ This entry does not include scrap from electrical power generation.

² Re-use can include repair, refurbishment or upgrading, but not major reassembly.

³ In some countries these materials destined for direct re-use are not considered wastes.

² PCBs are at a concentration level of 50 mg/kg or more.

Table 2: Entries concerning fly ash from coal-fired power plants referred to in Annexes III and IV of Regulation (EC) No 1013/2006

GG040	Coal fired power plants fly ash
B2050	Coal-fired power plant fly-ash, not included on list A (note the related entry on list A, A2060)
A2060	Coal-fired power plant fly-ash containing Annex I substances in concentrations sufficient to exhibit Annex III characteristics (note the related entry on list B, B2050)

5. *It is unclear how to interpret Annex IV part I note (c) of Regulation (EC) No 1013/2006.* There is a need to achieve a Community-wide approach in order to ensure that different competent authorities in Member States interpret this note in the same way.

6. *As a common understanding of the correspondents* it was agreed that the words “instead when appropriate” apply to the whole first phrase of note (c) in Part I of Annex IV meaning that any of the entries A1180, GC010, GC020 and A2060 and GG040 may apply when appropriate.

7. It was also agreed that hazardous WEEE according to the European list of wastes³ (see Table 3 for the main applicable codes at the date that these guidelines were agreed) should, for the purposes of Regulation (EC) No 1013/2006, be classified as hazardous WEEE by using the Basel entry A1180, unless another entry contained in Annex IV applies, and that hazardous WEEE cannot be classified appropriately as either GC010 or GC020. Non-hazardous WEEE may be classified by using OECD entries GC010 or GC020. In some cases, hazardous and non-hazardous WEEE may not be listed in Annexes III, IIIA, IIIB, IV or IVA of Regulation (EC) No 1013/2006.

Table 3: Hazardous WEEE explicitly listed in the European list of wastes

16 02 10*	discarded equipment containing or contaminated by PCBs other than those mentioned in 16 02 09
16 02 11*	discarded equipment containing chlorofluorocarbons, HCFC, HFC
16 02 12*	discarded equipment containing free asbestos
16 02 13*	discarded equipment containing hazardous components ⁴ other than those mentioned in 16 02 09 to 16 02 12
16 02 15*	hazardous components removed from discarded equipment
20 01 21*	fluorescent tubes and other mercury-containing waste
20 01 35*	discarded electrical and electronic equipment other than those mentioned in 20 01 21 and 20 01 23 containing hazardous components ⁵

8. Furthermore, it was agreed that coal-fired power plants fly ash for which only one entry exists in the European list of wastes at the date that these guidelines were agreed, namely entry 10 01 02 coal fly ash, should, for the purposes of Regulation (EC) No 1013/2006, be classified by using the OECD entry GG040. However, if, in exceptional cases, coal-fired power plants fly ash is hazardous and the first sentence of Annex III of Regulation (EC) No 1013/2006 applies, it should be classified by using Basel entry A2060.

³ Commission Decision 2000/532/EC as amended.

⁴ Hazardous components from electrical and electronic equipment may include accumulators and batteries mentioned in 16 06 and marked as hazardous, mercury switches, glass from cathode ray tubes and other activated glass etc.

⁵ Hazardous components from electrical and electronic equipment may include accumulators and batteries mentioned in 16 06 and marked as hazardous, mercury switches, glass from cathode ray tubes and other activated glass, etc.