

NB: Unofficial translation; legally binding texts are those in Finnish and Swedish

Ministry of the Environment, Finland

No. 495
GOVERNMENT DECISION
ON THE PART OF THE NATIONAL WASTE PLAN CONCERNING TRANSFRONTIER WASTE
MOVEMENTS

July 2, 1998

Section 1

Scope of application

In addition to the provisions on waste movements laid down in the Waste Shipment Regulation referred to in section 45, paragraph 1, of the Waste Act, in the Waste Act itself, or what is prescribed under them, transfrontier movements of waste shall further be subject to what is prescribed in this Decision.

Section 2

Waste shipped for recovery in a country to which the OECD Decision applies

Waste other than that referred to in Annex II of the Waste Shipment Regulation can be shipped from Finland for recovery in a country to which the Decision of the Council of the Organization for Economic Cooperation and Development (OECD) on the control of transfrontier movements of wastes destined for recovery operations C(92)39 applies only if the waste is recovered efficiently and cost-effectively in compliance with the criteria stated in Article 7, paragraph 4, fifth indent, of the Waste Shipment Regulation.

Section 3

[Section 3 has been repealed. (14/2000)]

Section 4

Waste shipped for disposal in another country

Waste may only be shipped from Finland for disposal in another country on the condition that:

- 1) Finland lacks the technical and financial resources or the suitable facilities or sites to dispose of the waste in an acceptable manner;
- 2) the waste is disposed of in a manner which is superior from an environmental point of view compared with the methods available in Finland;
- 3) the waste is disposed of in a manner which would be acceptable in Finland but is essentially more profitable than in Finland;
- 4) the consignment of waste is small and is intended for testing a new disposal method or other trial procedure; or
- 5) the waste is not hazardous and its movement is agreed under municipal waste management cooperation between Finland and Sweden or Finland and Norway, and the movement does not conflict with regional development objectives for waste management.

Section 5

Waste shipped into Finland for recovery

Wastes other than those referred to in Annex II of the Waste Shipment Regulation may only be shipped into Finland for recovery on the condition that:

- 1) the waste is stored and recovered at a recovery facility or site in accordance with the conditions of its permit and other relevant obligations laid down for its operation;
- 2) the recovery operation is completed without unreasonable delay, and no later than 180 days after the waste is received; and
- 3) the waste is recovered efficiently and cost-effectively in compliance with the criteria stated in Article 7, paragraph 4, fifth indent, of the Waste Shipment Regulation.

Section 6

Waste shipped into Finland for disposal

Waste may only be shipped into Finland for disposal on the condition that:

- 1) the waste is stored and disposed of at a disposal facility or site in accordance with the conditions of its permit and other relevant obligations laid down for its operation;
- 2) the movement creates no delay or impediment to the disposal of waste generated in Finland; and

3) the waste is disposed of without unreasonable delay, and no later than 180 days after it is received.

Notwithstanding the above, waste shall not be shipped into Finland for disposal at the following sites or for the following operations referred to in Annex 6 of the Waste Decree (1390/1993):

1) for deposit into or onto land (D 1) or at a specially engineered landfill (D 5) or for the purpose of incineration (D 10) at a facility other than one intended for the specific purpose of incinerating hazardous waste, save where the movement of waste other than hazardous waste is agreed under municipal waste management cooperation between Finland and Sweden or Finland and Norway, and the movement does not conflict with regional development objectives for waste management;

2) for biological treatment (D 8) or physico-chemical treatment (D 9), if the further disposal of wastes arising from the disposal impedes the disposal of waste generated in Finland; and

3) for land treatment (D 2), deep injection (D 3), surface impoundment (D 4), release into a water body (D 6) or seas (D 7), incineration at sea (D 11) or permanent storage (D 12).

Section 7

Waste movements for certain recovery or disposal operations

In addition to what is provided in this Decision above, waste may only be shipped from and to Finland for recovery operations R 12 or R 13 referred to in Annex 5 of the Waste Decree, or for disposal operations D 13, D 14 or D 15 referred to in Annex 6 of said Decree, provided that information on the recovery operation R 1 - R 10 or the disposal operation D 1 - D 12 is supplied in the notification on the movement of the waste, and the movement of the waste for the stated purpose is permissible under currently valid legal provisions.

Section 8

Entry into force

This Decision comes into force on August 1, 1998.

This Decision repeals the Ministry of the Environment Decision of September 15, 1995 on the Interim National Waste Plan Concerning Waste Movements (1127/1995).

This Decision shall not apply to waste movements which the Finnish Environment Institute has approved or of which it has been notified before this Decision takes effect.