

FINAL INTERNSHIP REPORT

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1. INTRODUCTION

As a part of my Master studies in Sustainable Development I did a 16-week internship (18 July – 7 November, 2011) at the Environment Protection Agency that was established in 2003 as an institution subordinate to the Ministry of Environment of the Republic of Lithuania. Currently there are four departments at the Agency (Environment Protection State Control Department, Marine Research Department, Environmental Status Assessment Department and Environmental Research Department) and each one of them comprises of several divisions. I was doing my internship at the Waste and Polluted Territories Management Control Division within the Environment Protection State Control Department. My main duty was to assist in implementing the goals of the Division, which included various tasks depending on the daily activities of my colleagues and the head of the Division. However, the foremost area I specialized in was transboundary waste shipment.

I started my internship by reading a bunch of national and international legislation, since it lays foundation for the work that my colleagues and I do. The most important is the Regulation (EC) No 1013/2006 of the European Parliament and of the Council on shipments of waste, as well as its amendments, the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal and several national laws that set rules and procedures for waste shipment and related documentation.

2. TASKS / DAILY ACTIVITIES

Most of my daily tasks could be divided into the following categories:

- Notifications for transboundary waste shipment. Generally it involves receiving required documentation (notification and movement forms, route, a list of carriers, contract between the notifier and the consignee and financial guarantee, if necessary), checking whether it complies with specific requirements, forwarding it to other competent authorities concerned and making the decision to either grant consent to waste shipment or not. Sometimes, even though all documents seem to be fine, we still cannot approve the intention to ship waste, for example if waste importer does not have the required technical capacity or necessary facilities to dispose

of / recover the waste in an environmentally sound manner or it is intended to transport a mixture of waste that, according to the Regulation (EC) No 1013/2006 on shipments of waste, cannot be mixed.

- Financial guarantees for transboundary waste shipment. According to the EU Regulation, all shipments of hazardous waste are required to hold a financial guarantee or equivalent insurance that would cover the cost of transport, recovery / disposal (as well as any interim operation, if necessary) and storage for 90 days in case the shipment or waste recovery / disposal cannot be completed as intended or is illegal. Environment Protection Agency as the competent authority of dispatch has to approve the financial guarantee or equivalent insurance (including its form, wording and the amount covered) and holds the document until a certificate, stating that the waste has been recovered / disposed of, is issued.
- Movement forms for transboundary waste shipment. Firstly, movement form copies are sent to every competent authority concerned at least 3 days prior to the commencement of each shipment, showing the planned date of dispatch. Secondly, waste importer signs the form in an appropriate box to confirm its arrival and notes the exact amount of waste received. Lastly, the movement form is signed one more time after the recovery / disposal of waste. Every competent authority concerned receives copies of each movement form at every one of these three steps so that it can keep track of all waste shipments to, from and through the territory of its country.
- Illegal waste shipment cases. Proliferation of legislation regarding waste management has led to an increase of illegal waste trafficking driven by relatively low risks and high profits. Sometimes waste is shipped illegally in order to save money and avoid the procedure of prior written notification that can take up to several months, while other cases involve shipment and dumping of waste in remote areas unfit for this purpose and can have negative effects on the environment and human health. Illegal waste trafficking is also a time-consuming problem for competent authorities that put a lot of effort in detection and analysis of such cases (from what I have seen so far, such cases last from few months up to a few years), as well as a financial burden associated with the take-back procedure of waste to the country of dispatch.

Examples of illegal waste shipment that Environment Protection Agency has encountered include transportation of end-of-life vehicles, used car accumulators, asphalt granules, etc. During the internship I witnessed only few cases like that and my main task was to help communicate with other competent authorities concerned (usually those include respective

Regional Environment Protection Department in Lithuania and the competent authorities of the country of dispatch, destination and transit) regarding the course of events, exchange of related information and documentation.

- Reports. I had to do a couple of reports – one for the Ministry of Environment regarding illegal waste shipment during 2010 and one for the director of the Agency on waste transportation to and from Latvia and Estonia.
- Complaints. Every once in a while we receive complaints regarding waste management violations (for example, waste containing asbestos dumped on a private property, illegal decomposition of end-of-life vehicles in the woods, etc.), but most of the time Environment Protection Agency is merely a mediator between people that make complaints and other institutions (usually Regional Environment Protection Departments) that do check-ups, apply sanctions, etc.
- Emails and phone calls. Almost everyday people would contact me asking various questions related to waste transportation (e.g. what documents they need, what's the whole procedure like, is it allowed to ship certain kind of waste to a certain country, etc.) and such things would take quite a lot of time, especially in the beginning, when I was yet to learn about transboundary waste shipment myself.

3. SUPERVISION

My supervisor, Audrius Zelvys, is the head of our Division and has been working in waste management control for many years now. I consider myself lucky to have had him as my supervisor, since he would always find time for my questions and be willing to help. In addition, there were two more people who played important roles during my internship – Vytautas Krusinskas, the director of our Department, and Saulius Tuska, one of my colleagues who I was working with on a daily basis (he was the one I learned most of the things from). Finally, I cannot skip the fact that all my co-workers are very nice people and they all contributed towards the ambience at work and who made me feel welcomed from the very first day of my internship.

4. INTERNSHIP AND SUSTAINABLE DEVELOPMENT

Large quantities of waste can have negative effects on human health, pollute the environment, create aesthetic problems, etc. The possibility to ship waste to other countries offers a wider variety of recovery or disposal facilities where waste can be treated in a more environmentally sound manner and

where the usage of recovered waste is more effective. On the other hand, transboundary waste shipment also offers an opportunity to earn more money, therefore environmental as well as human health is quite often pushed aside. Moreover, high profits, just like anywhere else, encourage circumventing and breaking of laws, consequently, this system needs further improvement, including more effective implementation and enforcement of environmental law. Consequently, one of the key roles here is played by IMPEL (EU Network for the Implementation and Enforcement of Environmental Law) that is an international association of environmental authorities in Europe and whose activities are highly important in terms of environmental protection on a European level. One of IMPEL clusters, TFS (transfrontier shipment of waste), was established in 1992 as an informal network whose main aims are to promote compliance with the European Regulation on shipments of waste, carry out joint enforcement projects, promote exchange of knowledge, experience and best practices (IMPEL, 2011)¹.

Raising awareness and building capacity are key issues to good enforcement. As a result, IMPEL TFS puts a lot of effort towards expert training through seminars, as well as work-shops (for example joint inspections) that provide hands-on experience and the possibility to learn from one another. Such trainings involve experts from a range of different fields (road inspectors, customs officers, border guards, police officers, etc.) and promote their cooperation in order to better track illegal waste shipments.

All waste shipment inspections by road, water, rail and port areas include information gathering, physical inspection of the cargo and verification of all the available data to see if it is correct and whether there is compliance with the Basel convention, EU Regulation on shipments of waste and any other legislation involved. When inspecting the documents, the most important things to be checked are the description and amount of waste, destination and companies involved. It is also very important to see whether this information is consistent with the one obtained from other authorities, driver of the vehicle and private companies (for example transporting companies). Any inconsistencies can indicate that the shipment is involved in a criminal act.

It is impossible to check all ships and all containers due to the fact that inspections involve high costs and are time-consuming for both, companies and authorities. Detection and prevention of illegal shipments are highly facilitated by risk assessment and intelligence models that inform about threats, help identify potential criminals, allow gathering, storage and analysis of information, intelligence sharing among different institutions, etc.

¹ IMPEL, 2011. Cluster 2. [online] Available at: <<http://impel.eu/cluster-2>> [Accessed 22 February, 2012].

What is more, IMPEL TFS highly promotes collaboration among European competent authorities. They are encouraged to share adopted procedures, guidelines and best practices with each other. A special online forum of contact people from all EU competent authorities is set up to facilitate their communication. Recommendations can be made to other countries as well.

5. THOUGHTS ON IMPROVEMENT

Since illegal waste trafficking is one of the major problems here and the main reason that gives rise to such actions is money, it is highly important to toughen up penalties for such violations. To this day in Lithuania offenders find the risks to be very low. Moreover, inspections at our frontiers should be carried out on a wider scale and officers should be better trained in order to efficiently detect and deter illegal waste shipments. In connection with that, my internship supervisor has been giving lectures to customs officers on transboundary waste shipment. He covers both, theoretical information about the Regulation and practical aspects that come in handy during inspections – which information provided in the documents is most important, what things to pay attention to, what are most common criminal offences regarding waste shipment, what to look for when examining the cargo, etc. In addition, Environment Protection Agency is now working on two projects that should shed some more light on the issue and facilitate the work of various officers, including the people that work at our Division. The first project is the preparation of a manual on managing illegal shipments of waste, based on IMPEL TFS guidelines. It is intended for Regional Environment Protection Departments, but could as well be of service for other officers that are involved in this matter. Another thing our Division is working on is an act of law that will determine conditions for end-of-life vehicles.

5.1. MANUAL ON MANAGING ILLEGAL SHIPMENTS OF WASTE

Regional Environment Protection Departments are a part of the enforcement of the EU Regulation on shipments of waste in Lithuania. They keep a close contact with companies and do check-ups if violations are suspected. However, this is only one of their many functions, thus people that work in these departments are not exactly experts on EU Regulation. Consequently, it has long been planned to make a manual on managing illegal shipments of waste that would be really handy for Regional Environment Protection Departments, as well as customs officers and other officials. This manual is based on IMPEL TFS guidelines that provide assistance in illegal waste trafficking cases, facilitate cooperation among competent authorities in Member States and support a uniform interpretation and application of the Regulation.

First of all, the manual provides a sort of analysis of the Regulation regarding illegal shipments. The most important definitions and articles are pointed out and explanations are given, so that necessary information can be easily found and understood without having to read the whole piece of legislation. Further chapters focus on the procedure to be carried out once an illegal shipment is detected. There is investigation phase (document inspection, as well as waste and facility inspection, exchange of information among competent authorities involved, etc.) and action phase (all necessary measures to be taken in order to ensure safe storage of the shipment, arrange the notification procedure and the take-back of waste in question, etc.). Moreover, the manual contains algorithm-like flowcharts that make it a lot easier to understand all steps to be taken. Finally, various forms to be filled in and examples of letters to be written are presented in annexes.

Thus, this manual should facilitate the work of Regional Environment Protection Departments and other institutions and improve their performance regarding illegal shipments of waste (mostly in terms of detection of illegal shipments, investigations and temporary storage of waste). Plus, it will definitely be of service to Environment Protection Agency – it should help follow procedural requirements and keep up smooth communication with other competent authorities involved.

5.2. END-OF-LIFE VEHICLES

Discussions whether certain things should be considered as waste or as used goods arise quite often and in many cases it is quite difficult to make a unanimous decision, especially when it involves more than one country. Distinction between used vehicles and end-of-life vehicles was a hot topic recently and as a result, correspondents of EU Member States have compiled guidelines on what are the characteristics of an end-of-life vehicle. These guidelines divide all used vehicles into 5 different types – operational used vehicle, repairable used vehicle, vintage car and waste vehicle (non-hazardous, if depolluted, or hazardous waste) as well as provide a list of criteria for classification of each vehicle as waste or not (e.g. if a car needs a repair that costs more than its present value or if it poses risks to human or environmental health, then it should be considered as an end-of-life vehicle).

These guidelines are meant not only to make it easier to distinguish waste vehicles from operational vehicles in every Member State, but also to alleviate international disagreements that arise during transboundary shipment of used cars. When vehicles are transported to or from the third countries, that apply different criteria compared to EU Member States, a car should be categorized as waste even if only one of the countries (country of dispatch or country of destination) acknowledge it as waste. And in such case, of course, appropriate waste shipment procedure has to be followed.

Environment Protection Agency is now using these guidelines as the basis for the new piece of legislation on end-of-life vehicles. It is intended for persons arranging transboundary shipments of vehicles, dismantlers, recyclers, dealers, traders, customs officers and of course for authorities responsible for the enforcement of EU Regulation, i.e. Environment Protection Agency and Regional Environment Protection Departments.

6. INTERNSHIP EVALUATION

Before the internship my knowledge of waste management control on a state level was minimal and when it comes to transboundary waste shipment and related procedures, I knew nothing at all. Now that my 16-week internship is over, I feel I have really learned a lot. First of all, I became more familiar with the organization of environmental protection on a state level and the role of different institutions (the Ministry of Environment, Environment Protection Agency, Regional Environment Protection Departments, agencies on a city level, etc.). Secondly, I got acquainted with functions and responsibilities of the Environment Protection Agency in general and, of course, got highly involved in the daily life of our Division. I didn't just learn to do my daily tasks, but got an insight into the strengths of waste control management, as well as its weaknesses and the need for improvement.

On the other hand, I can't say that this internship was challenging and I had to put a lot of hard work. A few weeks after the beginning I started hoping for a wider variety of assignments to keep myself busy and motivated. What is more, I felt like my work did not matter that much and I could have put my potential to a better use, but that's just probably a matter of my ambitions.

Despite the fact that this internship didn't keep me as much interested as I wished, I admit that there still is quite a lot to learn, for example, I would like to know more about the types of wastes, what exactly renders them hazardous, specific effects on the environment they can have, as well as more about the operations of waste recovery and disposal. Another thing of great value would be to get more familiar with policy-making on an international level. First of all, I'd love to get involved in the work of IMPEL TFS as a national contact point – discuss daily issues and share experiences in the discussion forum, as well as participate in annual meetings. Secondly, as of July 2013 Lithuania will hold Presidency of the Council of the EU for six months and among numerous other issues waste management will be on the agenda as well. A group of specialists from several Ministries, Environment Protection Agency and other institutions will be formed to take lead. I think being a part of such group of people would be a unique and promising experience.