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**United Nations
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**Conference of the Parties of the Stockholm
Convention on Persistent Organic Pollutants**
First meeting

Punta del Este, Uruguay, 2–6 May 2005
Item 6 (c) of the provisional agenda*

**Matters for consideration or action by the Conference
of the Parties: measures to reduce or eliminate releases from wastes**

**Technical guidelines for the environmentally sound management
of persistent organic pollutant wastes****

Note by the secretariat

I. Introduction

1. The Conference of Plenipotentiaries on the Stockholm Convention on Persistent Organic Pollutants adopted Resolution 5 on issues related to the Basel Convention, in paragraph 3 of which it invited

“the bodies of the Basel Convention to cooperate closely on the items referred to in paragraph 1 (d) of article 6 of the Stockholm Convention on Persistent Organic Pollutants, and in particular to prepare appropriate technical guidelines for the environmentally sound management of persistent organic pollutant wastes.”

2. The issues referred to in paragraph 1 (d) of Article 6 are further addressed in paragraph 2 of the same article, which stipulates:

“The Conference of the Parties shall cooperate closely with the appropriate bodies of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal to, inter alia:

Establish levels of destruction and irreversible transformation necessary to ensure that the characteristics of persistent organic pollutants as specified in paragraph 1 of Annex D are not exhibited;

* UNEP/POPS/COP.1/1.

** Stockholm Convention, Article 6, paragraphs 1 (d) and 2; Conference of Plenipotentiaries on the Stockholm Convention, resolution 5; report of the Intergovernmental Negotiating Committee on its sixth session (UNEP/POPS/INC.6/22), annex I, decision INC-6/5 and on its seventh session (UNEP/POPS/INC.7/28), annex I, decision INC-7/6.

Determine what they consider to be the methods that constitute environmentally sound disposal...; and

Work to establish, as appropriate, the concentration levels of the chemicals listed in Annexes A, B and C in order to define the low persistent organic pollutant content referred to in paragraph 1 (d) (ii).”

3. At its sixth session, the Intergovernmental Negotiating Committee for an Internationally Legally Binding Instrument for Implementing International Action on Certain Persistent Organic Pollutants adopted decision INC-6/5 in which it requested

“the Secretariat to prepare a report for the Conference of the Parties to the Stockholm Convention on such guidelines relating to persistent organic pollutants as may be adopted by the Conference of Parties to the Basel Convention, including an analysis of implications of those guidelines for the Stockholm Convention and an indication of elements that might be considered suitable for adoption under paragraph 2 of Article 6 of the Stockholm Convention.”

4. At its seventh meeting, the Conference of the Parties to the Basel Convention, in decision VII/13, adopted general technical guidelines for the environmentally sound management of wastes consisting of, containing or contaminated with persistent organic pollutants. It also adopted technical guidelines for the environmentally sound management of wastes consisting of, containing or contaminated with polychlorinated biphenyls (PCBs), polychlorinated terphenyls (PCTs) or polybrominated biphenyls (PBBs). The two sets of guidelines as adopted by the Conference of Parties to the Basel Convention, as well as decision VII/13, are reproduced in document UNEP/POPS/COP.1/INF/12.

5. For both low persistent organic pollutant content and levels of destruction and irreversible transformation, provisional definitions have been recommended in the general technical guidelines for various reasons (see sections III A and III B of the guidelines). The Conference of the Parties to the Basel Convention has agreed that that convention’s Open-ended Working Group should carry out further work regarding the methodology for further definition of the low persistent organic pollutant content and levels of destruction and irreversible transformation and should prepare proposals for updating the guidelines (see paragraphs 5 and 8 of decision VII/13).

6. In addition, the Conference of the Parties to the Basel Convention has invited the bodies of the Stockholm Convention to consider the development of information on best available techniques and best environmental practices with respect to unintentionally produced persistent organic pollutants, including the more recent technologies for destruction and irreversible transformation listed in the general technical guidelines (see paragraph 6 of decision VII/13).

7. It is anticipated that the Conference of the Parties to the Basel Convention will in due course, after such guidelines have been developed by the Convention’s Open-ended Working Group, also consider adopting additional specific technical guidelines on wastes consisting of, containing or contaminated with the following categories of persistent organic pollutants: the pesticides aldrin, chlordane, dieldrin, endrin, heptachlor, hexachlorobenzene (HCB), mirex and toxaphene; HCB as an industrial chemical; DDT¹; and unintentionally produced persistent organic pollutants² (see paragraphs 9 to 16 of decision VII/13).

II. Analysis of the implications for the Stockholm Convention of the guidelines on persistent organic pollutant wastes adopted under the Basel Convention

8. The general technical guidelines developed under the Basel Convention address matters related to all three of the outstanding definitional issues raised in paragraph 2 of Article 6 of the Stockholm Convention.

9. In connection with levels of destruction and irreversible transformation, section III B of the general technical guidelines provides a provisional definition which refers to the persistent organic

¹ 1,1,1-trichloro-2,2-bis (4-chlorophenyl) ethane

² Polychlorinated dibenzo-p-dioxins and dibenzofurans (PCDD/PCDF), hexachlorobenzene (HCB) and polychlorinated biphenyls (PCB).

pollutant content of solid residues and the maximum acceptable atmospheric emissions of PCDDs and PCDFs from disposal operations, as well as examples of national legislation pertinent to atmospheric emissions and aqueous releases. In addition, section III B states that technologies for destruction and irreversible transformation should be operated in accordance with best available techniques and best environmental practices. It might also be noted that, in addressing emissions and releases, the guidelines go beyond the work envisaged in relation to Article 6 of the Stockholm Convention and touch on issues arising from Article 5 concerning unintentional production of persistent organic pollutants.

10. Methods that can be considered as constituting environmentally sound disposal for wastes consisting of, containing or contaminated with persistent organic pollutants are set out in section IV G of the general technical guidelines, including pre-treatment methods, destruction and irreversible transformation methods, other disposal methods to be used when destruction or irreversible transformation does not represent the environmentally preferable option, and other disposal methods to be used when the persistent organic pollutant content is low.

11. Provisional definitions of low persistent organic pollutant content are provided in section III A of the general technical guidelines for PCBs, PCDDs and PCDFs, as well as for the pesticides covered by the Stockholm Convention.

12. In view of the obligation stated in paragraph 1 (d) (ii) of Article 6 of the Stockholm Convention for Parties to take into account international guidelines developed pursuant to paragraph 2 of Article 6 of the Convention, it would appear to be unnecessary for the Conference of the Parties to the Stockholm Convention to consider formally adopting elements of the guidelines developed under the auspices of the Basel Convention. Instead, it would appear to be sufficient for the Conference of the Parties simply to note the Basel guidelines and to encourage Parties to implement them.

13. The Basel Convention's technical guidelines for the environmentally sound management of wastes consisting of, containing or contaminated with PCBs, PCTs or PBBs rely on the general technical guidelines on persistent organic pollutant wastes rather than addressing specifically for PCBs the issues of levels of destruction and irreversible transformation, methods of environmentally sound disposal and low persistent organic pollutant content raised in paragraph 2 of Article 6 of the Stockholm Convention. The guidelines on PCBs, PCTs and PBBs provide PCB-specific information on management aspects such as legislation, inventories, sampling, monitoring, handling, collection, packaging, labelling, transportation, storage, health and safety.

III. Possible action by the Conference of the Parties

14. The Conference of the Parties may wish:

(a) To welcome with appreciation the general technical guidelines for the environmentally sound management of wastes consisting of, containing or contaminated with persistent organic pollutants adopted by the Conference of the Parties to the Basel Convention at its seventh meeting and set out in annex I of document UNEP/POPS/COP.1/INF/12; and note:

- (i) The provisional definitions of low persistent organic pollutant content set out in section III A of the above general technical guidelines;
- (ii) The provisional definition in relation to levels of destruction and irreversible transformation set out in section III B of the above general technical guidelines;
- (iii) The methods that are considered to constitute environmentally sound disposal of wastes consisting of, containing or contaminated with persistent organic pollutants set out in section IV G of the above general technical guidelines;

(b) To welcome with appreciation the guidelines pertaining to polychlorinated biphenyls within the technical guidelines for the environmentally sound management of waste consisting of, containing or contaminated with polychlorinated biphenyls (PCBs), polychlorinated terphenyls (PCTs) or polybrominated biphenyls (PBBs) adopted by the Conference of the Parties to the Basel Convention at its seventh meeting and set out in annex II of document UNEP/POPS/COP.1/INF/12;

(c) To encourage Parties to implement the above technical guidelines;

(d) To welcome the continuing work of the appropriate bodies of the Basel Convention regarding the methodology for further definition of low POP content and levels of destruction and irreversible transformation;

(e) To welcome the continuing work of the appropriate bodies of the Basel Convention on additional specific technical guidelines regarding the environmentally sound management of wastes consisting of, containing or contaminated with categories of persistent organic pollutants other than PCBs;

(f) To encourage Parties to participate actively in the ongoing work under the Basel Convention mentioned in paragraphs (d) and (e);

(g) To note the invitation of the Conference of the Parties to the Basel Convention to the bodies of the Stockholm Convention to consider the development of information on best available techniques and best environmental practices with respect to unintentionally produced persistent organic pollutants, including the more recent technologies for destruction and irreversible transformation listed in the general technical guidelines for the environmentally sound management of wastes consisting of, containing or contaminated with persistent organic pollutants adopted by the Conference of the Parties to the Basel Convention.
