



Notification Number: 2018/364/F

Order setting out the criteria for end-of-waste status for chemical products or items that have undergone a process of regeneration

Date received : 16/07/2018

End of Standstill : 17/10/2018

Issue of comments by : Commission

Message

Message 002

Communication from the Commission - TRIS/(2018) 01980

Directive (EU) 2015/1535

Translation of the message 001

Notification: 2018/0364/F

No abre el plazo - Nezhajuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - He ce предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201801980.EN)

1. Structured Information Line

MSG 002 IND 2018 0364 F EN 16-07-2018 F NOTIF

2. Member State

F

3. Department Responsible

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3. Originating Department

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4. Notification Number

2018/0364/F - C00C

5. Title

Order setting out the criteria for end-of-waste status for chemical products or items that have undergone a process of regeneration

6. Products Concerned

Regeneration of chemical items or substances

7. Notification Under Another Act

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8. Main Content

This order sets out the criteria according to which operators of facilities performing regeneration operations can attribute end-of-waste status to chemical items or substances they have treated. Regeneration is a waste recycling operation whereby the waste regains a performance equivalent to that of the chemical product or item from which it was derived, taking into account its intended use. It consists of extracting, destroying or transforming the impurities.

9. Brief Statement of Grounds

This draft order aims to terminate the 'waste' status for chemical items and products that have been designated as such because their former owners wished to dispose of them, taking into account the impurities accumulated by these chemical items and products throughout their use. This process may concern any chemical item or product with the exception of those containing any particularly dangerous and regulated contaminants, listed in Section 1 of Annex I (asbestos, PCB, persistent organic pollutants, etc.).

These chemical items and products must undergo various operations before they can lose their waste status:

- upstream inspection of the regeneration process;
- the regeneration operation;
- inspection of the flows regenerated through these processes.

The chemical items and products must then be labelled, packaged or repackaged and stored in line with similar practices for the distribution of primary manufactured chemical items and products. Their quality is sufficient that they may be reused for the same purpose as the original intended use, in terms of function, environmental impact and health. The operator must also implement a quality management system covering the various management operations for this waste.

If a chemical item or product complies with all criteria mentioned in the order, it will be able to achieve end-of-waste status and be reused as a second-hand item or product for the same purpose as the original intended use.

10. Reference Documents - Basic Texts



Reference(s) to basic text(s): • Regulation (EC) No 850/2004 of 29 April 2004 on persistent organic pollutants and amending Directive 79/117/EEC;
• Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC;
• Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006;
• The Environmental Code, particularly Articles L541-4-3 and D541-12-4 to D541-12-14 thereof;
• Order of 29 February 2012 establishing the content of the registers mentioned in Articles R541-43 and R541-46 of the Environmental Code;
• Order of 19 June 2015 on the quality management system referred to in Article D541-12-14 of the Environmental Code.

11. Invocation of the Emergency Procedure

No

12. Grounds for the Emergency

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13. Confidentiality

No

14. Fiscal measures

No

15. Impact assessment

-

16. TBT and SPS aspects

TBT aspect

No - the draft is neither a technical regulation nor a conformity assessment procedure.

No - the draft has no significant impact on international trade.

SPS aspect

No - the draft has no significant impact on international trade.

No - the draft is neither a sanitary nor phytosanitary measure.

European Commission



EUROPEAN COMMISSION
GROWTH DIRECTORATE-GENERAL

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