

ANNEX IX

ADDITIONAL QUESTIONNAIRE FOR REPORTS BY MEMBER STATES

PURSUANT TO ARTICLE 51(2)

REFERENCE YEAR: 2017

REPORTING COUNTRY: FINLAND

Article 11(1)(a)	<p>Information on the measures taken to prohibit generally or partially shipments of waste between Member States In order to implement the principles of proximity, priority for recovery and self-sufficiency at Community and national levels in accordance with Directive 2006/12/EC</p> <p>Has this provision been applied? Yes No <i>(please tick ✓ as appropriate)</i> <input checked="" type="checkbox"/> <input type="checkbox"/></p> <p>If yes, please provide details of the measures taken:</p> <p style="margin-left: 20px;">The national bans and restrictions concerning the export and import of waste are regulated by the Waste Act (646/2011). The criteria for waste shipments for disposal from or to Finland are in Sections 109 and 110 of the Waste Act.</p> <p>Additional remarks:</p> <p>-----</p> <p>-----</p> <p>-----</p> <p>-----</p> <p>Information on the measures taken to object systematically to shipments of waste between Member States In order to implement the principles of proximity, priority for recovery and self-sufficiency at Community and national levels in accordance with Directive 2006/12/EC</p> <p>Has this provision been applied? Yes No <i>(please tick ✓ as appropriate)</i> <input type="checkbox"/> <input checked="" type="checkbox"/></p> <p>If yes, please provide details of the measures taken:</p> <p>-----</p> <p>-----</p> <p>-----</p> <p>-----</p> <p>Additional remarks:</p> <p>-----</p> <p>-----</p> <p>-----</p> <p>-----</p>
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Article 11(1)(e)	<p>Information on the prohibition of the import of waste</p> <p>Has this provision been applied? Yes No <i>(please tick ✓ as appropriate)</i> <input type="checkbox"/> <input checked="" type="checkbox"/></p> <p>If yes, please provide details of the measures taken:</p> <p>-----</p> <p>-----</p> <p>-----</p> <p>-----</p> <p>-----</p>
Article 11(3)	<p>Information on exceptions to the implementation of the principle of proximity, priority for recovery and self-sufficiency</p> <p>In the case of hazardous waste produced in a Member State of dispatch in such a small quantity overall per year that the provision of new specialised disposal installations within that State would be uneconomic</p> <p>Have you asked any Member State to apply this exception? Yes No <i>(please tick ✓ as appropriate)</i> <input checked="" type="checkbox"/> <input type="checkbox"/></p> <p>If yes, please complete Table 1 and give details below of any bilateral solution found pursuant to Article 11(3):</p> <p>The waste shipments have been carried out based on Section 109 (1) and (3) of the Waste Act:</p> <p>1) Finland lacks the required technical or financial resources or the necessary facilities for disposing of the waste in an acceptable manner;</p> <p>3) the waste will be disposed of in a manner that, in terms of environmental protection, would be acceptable in Finland and that, in terms of cost, is significantly cheaper than disposal in Finland;</p> <p>Have you received any request from Member States to apply this exception? Yes No <i>(please tick ✓ as appropriate)</i> <input type="checkbox"/> <input checked="" type="checkbox"/></p> <p>If yes, please complete Table 1 and give details below of any bilateral solution found pursuant to Article 11(3):</p> <p>Finland has annually imported waste for final disposal from other Member States (see the Basel report for the year 2017). A prior written notification and consent has been given for each case according to Waste Shipment Regulation article 3. Referral of the matter to the Commission has not been asked.</p>
Article 11(1)(g)	<p>Information on objections to planned shipments or disposal on the basis of their not being in accordance with Directive 2006/12/EC</p> <p>Has this provision been applied? Yes No <i>(please tick ✓ as appropriate)</i> <input type="checkbox"/> <input checked="" type="checkbox"/></p> <p>If yes, please complete Table 2.</p>

Article 12(5)	<p>Information on objections to planned shipments or recovery on the basis of their not being in accordance with Article 12(1)(c)</p> <p>Has this provision been applied? Yes No <i>(please tick ✓ as appropriate)</i> <input type="checkbox"/> <input checked="" type="checkbox"/></p> <p>If yes, please complete Table 3.</p>
Article 14	<p>Information on decisions by competent authorities having jurisdiction over specific recovery facilities to issue pre-consents to such facilities</p> <p>Has there been any case? Yes No <i>(please tick ✓ as appropriate)</i> <input type="checkbox"/> <input checked="" type="checkbox"/></p> <p>If yes, please complete Table 4.</p>
Article 33	<p>Information on the Member States' system for the supervision and control of shipments of waste exclusively within their jurisdiction</p> <p>Is there a system for the supervision and control of shipments of waste within the jurisdiction? Yes No <i>(please tick ✓ as appropriate)</i> <input checked="" type="checkbox"/> <input type="checkbox"/></p> <p>If there is such a system, do you apply the system provided for in Titles II and VII of the Regulation? Yes No <i>(please tick ✓ as appropriate)</i> <input type="checkbox"/> <input checked="" type="checkbox"/></p> <p>If you apply a different system from that provided for in Titles II and VII of the Regulation, please give details of the system applied:</p> <p>According to the Waste Act (646/2011) Section 29 waste may only be delivered to an approved party.</p> <p>According to the Waste Act Section 94 anyone intending to engage in waste transport or act as a dealer of waste on a professional basis must submit an application for approval of activity in a waste management register referred to in section 142(1)(2).</p> <p>According to the Waste Act Section 121 the waste holder shall draw up a shipping document on hazardous waste, sludge in cess pools and septic tanks, sludge in sand and grease interceptors, construction and demolition waste and contaminated soil that is shipped and delivered to a consignee referred to in section 29. The shipping document shall contain information, necessary to monitoring and supervision, on the type, quality, quantity, origin, delivery site and date, and waste carrier.</p> <p>The waste holder shall ensure that the shipping document accompanies the waste during shipment, and that it is submitted to the waste consignee after shipment. The document shall be signed by the consignee to confirm receipt of the waste and the quantity of waste received.</p> <p>The waste holder and consignee shall retain the signed shipping document or a copy thereof for three years following the signing of the document.</p>
Article 24 and Article 50(1)	<p>Information on illegal shipments of waste</p> <p>Has there been any case? Yes No <i>(please tick ✓ as appropriate)</i> <input checked="" type="checkbox"/> <input type="checkbox"/></p> <p>If yes, please complete Table 5.</p> <p>Please provide information on how illegal shipments of waste are prevented, detected and penalised under national legislation:</p> <p>According to the Environmental Protection Act (257/2014) chapter 3, section 21 the Centre for Economic Development, Transport and the Environment steers and promotes the execution of duties referred to in provisions issued in this Act and under it, enforces these provisions and exercises its right to defend public environmental interests in decision-making based on this Act.</p> <p>According to the Waste Act (646/2011) section 22 The Finnish Environment Institute</p>

	<p>is the competent authority referred to in the Waste Shipment Regulation, and is responsible for cooperation with other competent authorities in the supervision of transboundary shipments of waste. Each Centre for Economic Development, Transport and the Environment (15 centres) directs and promotes the management of duties referred to in the Waste Act and in the provisions issued thereunder.</p> <p>According to the Waste Act section 25 the Finnish Environment Institute shall supervise compliance with provisions concerning transboundary shipments of waste. The role of customs is issued in section 117: Customs must, when necessary, stop any transboundary shipment of waste that is in violation of the requirements laid down in the Waste Shipment Regulation or the Waste Act, and must provide notification on the matter to the Finnish Environment Institute, which will decide on further measures.</p> <p>The liability to penalty is regulated both by the Criminal Code of Finland (39/1889, latest amended by 1211/2015) chapter 48, section 1(3) and section 2 and by the Waste Act section 147(18). Moreover according to the Waste Act sections 131 – 133 the supervisory authority may impose a penalty payment for negligence for certain acts of negligence.</p> <p>According to the Criminal Code of Finland chapter 48, section 1(3) a person who, intentionally or through gross negligence, imports or exports waste or transports waste through the territory of Finland in violation of the Waste Act or a provision or specific order based on the Waste Act or Regulation (EC) No 1013/2006 of the European Parliament and of the Council on shipment of wastes so that the act is conducive to causing contamination of the environment, other corresponding environmental despoliation or littering or a health hazard, shall be sentenced for impairment of the environment to a fine or to imprisonment for at most two years.</p> <p>If the offence is committed in violation of an order or a prohibition of an authority, as issued because of an illegal waste shipment and the offence is aggravated also when assessed as a whole, the offender shall be sentenced for aggravated impairment of the environment to imprisonment for at least four months and at most six years according to the Criminal Code chapter 48, section 2.</p> <p>According to Waste Act section 147 whosoever deliberately or through gross negligence, in a manner other than that described above (Criminal Code of Finland, chapter 48) imports to or exports waste from another country, or transfers waste, via Finnish territory in violation of this the Waste Act or a provision issued thereunder, or an order regarding an individual case, or the Waste Shipment Regulation, shall be fined for violation of the Waste Act, unless a more severe punishment is provided for elsewhere in law.</p>
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Article 50(2) ¹	<p>Summary information on the outcome of the inspections carried out pursuant to Article 50(2), including:</p> <ul style="list-style-type: none"> - number of inspections, including physical checks, of establishments, undertakings, brokers and dealers, related to shipments of waste: Finnish Environment Institute: 0 inspections Centres for Economic Development, Transport and the Environment: 44 inspections municipal authorities: 10 inspections total: 54 - number of inspections of shipments of waste, including physical checks: Customs and/or Finnish Environment Institute: 39 Harbour/boarder inspections: 327 total: 366 - number of supposed illegalities concerning establishments, undertakings, brokers, and dealers, related to shipments of waste: Centres for Economic Development, Transport and the Environment: 1 municipal authorities: 1 total: 2 - number of supposed illegal shipments ascertained during the inspections: Customs and/or Finnish Environment Institute: 18 Harbour/boarder inspections: 18 total: 36 <p>Additional remarks: Most illegal shipments reported have been minor offences and the exporters have not been prosecuted. In many cases the exporters have been given a chance to correct their procedures.</p>
Article 50(2a) ¹	<p>Information on the inspection plan(s)</p> <p>Number of inspection plan(s) for the entire geographical territory: 1 http://www.ymparisto.fi/fi-FI/Asiointi_luvat_ja_ymparistovaikutusten_arviointi/Luvat_ilmoitukset_ja_rekisterointi/Jatteiden_kansainvaliset_siirrot/Jatesiirtojen_valvonta_ja_tarkastukset</p> <p>The date of adoption of the inspection plan(s) and the period covered by them: adoption: 29.12.2016; period covered: years 2017 - 2019</p> <p>The latest review date of the inspection plan(s): -</p> <p>The authorities involved in inspections and the cooperation amongst those authorities: Following authorities are involved: The Finnish Environment Institute, customs authorities, the police and local environmental authorities (Centres for Economic Development, Transport and the Environment and municipal authorities). According to Waste Act Section 22 The Finnish Environment Institute is the</p>

¹ The link where the information made publicly available via the internet by Member States in accordance with Article 51(2) can be accessed electronically

	<p>competent authority referred to in the Waste Shipment Regulation, and is responsible for cooperation with other competent authorities in the supervision of transboundary shipments of waste.</p> <p>Indicate the persons or bodies to which concerns or irregularities can be reported: The Finnish Environment Institute.</p>
Article 6	<p>Information on a financial guarantee or equivalent insurance covering costs for transport, recovery or disposal and storage of waste, including cases referred to in Articles 22 and 24</p> <p>Please provide details on the provisions of national law adopted pursuant to this Article: The competent authority (Finnish Environment Institute) demands a financial guarantee according to Waste Shipment Regulation article 6 from the notifiers. According to Waste Act Section 116 financial guarantee or equivalent insurance means a guarantee, insurance or pledged deposit. The guarantee has to cover the costs of transport, storage and alternative recovery or disposal. The amount of the guarantee is determined case-by-case taken into consideration the waste in question, the waste amount and the possible value of the waste.</p>
Article 55	<p>Information on any customs offices designated by Member States for shipments of waste entering and leaving the Community</p> <p>Has there been any designation? Yes No (please tick <i>✓</i> as appropriate) <input type="checkbox"/> <input checked="" type="checkbox"/> If yes, please complete Table 6.</p>

Note for completion of the tables:

D-codes and R-codes are those referred to in Annexes II A and II B to Directive 2006/12/EC.

Waste identification codes are those referred to in Annexes III, IIIA, IIIB, IV and IVA to this Regulation.

Table 1

INFORMATION ON EXCEPTIONS TO THE IMPLEMENTATION OF THE PRINCIPLES OF PROXIMITY,
PRIORITY FOR RECOVERY AND SELF-SUFFICIENCY (Article 11(3))

Waste identification (code)	Quantity (kg/litres) tons	Country of destination (De)/ country of dispatch (Di)	Disposal operation D-code	Referral of the matter to the Commission (Yes/No)
unclassified (20 01 32)	27	FI => DE	D10	No
A4010	88	FI => DE	D10	No
A4010	77	FI => SE	D10	No
AC170	4525	FI => SE	D10	No
A4060	128	FI => DE	D10	No
A4070	120	FI => SE	D10	No
A4070	2290	FI => DE	D10	No
A4080	131	FI => SE	D10	No
A1010	38	FI => DE	D9	No
A4090	110	FI => SE	D9	No
unclassified (15 02 02*, 19 02 05*)	88	FI => DE	D10	No
Additionally imports from SE, AU, EE				

Table 2

OBJECTIONS TO PLANNED SHIPMENTS OR DISPOSAL (Article 11(1)(g))

Waste identification (code)	Quantity (kg/litres)	Country of transit (T)/ country of dispatch (Di)	Reasons for the objection <i>(please tick ✓ as appropriate)</i>			Facility	
			Article 11(1)(g)(i)	Article 11(1)(g)(ii)	Article 11(1)(g)(iii)	Name <i>(in case of Article 11(1)(g)(ii))</i>	Disposal operation D-code

Table 3

OBJECTIONS TO PLANNED SHIPMENTS OR RECOVERY (Article 12(1)(c))

Waste identification (code)	Quantity (kg/litres)	Country of destination	Reasons for the objection <i>and details of relevant national legislation</i>	Facility <i>(in the country of destination)</i>	
				Name	Recovery operation R-code

Table 4

INFORMATION ON DECISIONS BY COMPETENT AUTHORITIES TO ISSUE PRE-CONSENTS (ARTICLE 14)

Competent authority	Recovery facility				Waste identification (code)	Period of validity		Revocation (date)
	Name and No	Address	Recovery operation R-code	Technologies employed		From	To	

Table 5

INFORMATION ON ILLEGAL SHIPMENTS OF WASTE * (Article 24 and Article 50(1))

Waste identification (code)	Quantity (kg/litres)	Country of destination (De) and country of dispatch (Di)	Identification of the reason for illegality (possible reference to violated Articles)	Responsible for illegality (please tick ✓ as appropriate)			Measures taken including any penalties imposed
				Notifier	Consignee	Other	
not listed (16 01 04*)	2 vehicles	FI => CM	WSR Article 2 (35f); export prohibition	X			consideration of charges
not listed (17 09 03*); A1180	1,3 t; 2 pieces	FI => EE	WSR Article 2 (35a); no waste shipment permit	X			day-fine given by customs
not listed (16 01 04*)	2 vehicles	FI => NG	WSR Article 2 (35f); export prohibition	X			investigation on-going
not listed (17 09 03*)	20 t	FI => EE	WSR Article 2 (35c); shipment not according to the permit	X			preliminary investigation on-going
not listed (16 01 04*); A1160	11 halfcut vehicles; 5 batteries	FI => EG	WSR Article 2 (35f); export prohibition	X			preliminary investigation on-going
		NO => FI / SE	many cases, where “wrong” border crossing point or no transit permit through FI				returned back to NO / instructions

* Information on cases which have been closed during the reporting period.

Table 6

INFORMATION ON ANY SPECIFIC CUSTOMS OFFICES DESIGNATED BY MEMBER STATES FOR
SHIPMENTS OF WASTE ENTERING AND LEAVING THE COMMUNITY (Article 55)

Customs office		
Office	Location	Import/export countries controlled