

# **Waste: elimination of polychlorinated biphenyls PCB and polychlorinated terphenyls PCT**

1988/0161(SYN) - 27/11/1995 - Council position

The common position takes account of developments since the submission of the amended proposal, as regards both international and Community instruments and technical progress on the elimination of dangerous substances. In September 1992, the contracting parties to the Paris Convention decided to eliminate PCBs by the end of 1999 in the case of states with coastlines on the North Sea and by the end of 2010 in the case of other states party to the Convention. In addition, several other aspects of the proposal have been resolved through a number of Community acts (e.g. directive on the transfer and incineration of PCBs). The Council agreed that the common position should incorporate Parliament's amendments seeking to: - ensure that there were sufficient installations in the Community for disposing of PCBs; - add monomethyl-polychloro-diphenyl methanes to the definition of PCBs and the idea of cumulative limits on the various substances defined as PCBs; - ban incineration of PCBs on incinerator ships; - ban recycling or, in other words, separation of PCBs from other substances so that PCBs can be re-used; - isolate PCBs from any flammable products in order to prevent the risk of fire; - require any undertaking which decontaminates and/or disposes of used PCBs and equipment containing PCBs to obtain a licence; - require that, when PCBs are replaced in a transformer after it has been decontaminated, the substitute fluid is much less hazardous than PCBs; - ensure that the competent authorities monitor the quantities of PCBs notified on the inventory; - add PCBs to compulsory decontamination and/or disposal plans for inventoried equipment ; - accept other methods of disposal apart from incineration. The Council also strengthened certain aspects of the amended proposal, such as: - the compilation of inventories, where it is made mandatory for every quantity exceeding 5 dm<sup>3</sup> to be inventoried within a shorter period than laid down originally. The checking of inventories has also been made stricter; - the topping up of transformers with PCBs, which will be prohibited; - more flexibility in the interpretation of the principle of proximity in order to allow certain Member States with no disposal capacity to comply with the directive; Finally, the Council also made other important changes, mainly involving: - the introduction of a deadline by the end of the year 2010 for the elimination of PCBs, which does not prevent Member States which have undertaken to eliminate their PCBs earlier from doing so; - the revision and simplification of the conditions governing the decontamination of equipment and a derogation from the deadline of 2010 for transformers with low concentrations of PCBs so that they may be disposed of at the end of their useful lives; - the conferral on the Commission of additional implementing powers such as the fixing of technical standards for other methods of disposing of PCBs, a list of the production names of capacitors and other less hazardous substitutes.