

Terms of Reference for the Classification of Waste in accordance with the European List of Waste

Below please find the necessary steps, in brief, for the correct classification of waste as hazardous or non-hazardous in accordance with the European List of Waste.

If the waste in question falls under the scope of the Waste Framework Directive (2008/98/EC) and the Waste Regulations (S.L. 549.63), an EWC code from the European List of Waste (LoW) established by Commission Decision 2000/532/EC should be assigned according to the origin of the waste. If the LoW entry proposed is an absolute hazardous/absolute non-hazardous entry (i.e. entries which cannot be allocated to alternative entries) the classification of the waste is complete.

If however, the LoW entry proposed is a mirror entry (i.e. two similar entries, one which is hazardous and one which is non-hazardous), further assessment is necessary to confirm whether the waste displays any hazardous properties or is non-hazardous.

Such further assessment includes obtaining knowledge on the composition of the waste through:

- Information on the 'waste-generating' manufacturing process/chemistry;
- Information from the original producers including Safety Data Sheets and CLP classification ([Regulation \(EC\) No 1272/2008](#)); and
- Sampling and chemical analysis of the waste.

Once the composition of the waste has been established, it becomes possible to assess if the identified substances are classified as hazardous i.e. if the waste displays any of the hazardous properties listed in Annex III of Directive 2008/98/EC and Schedule 3 of S.L. 549.63.



If the waste does not display any of the abovementioned hazardous properties (HP1 – HP15), then the presence of Persistent Organic Pollutants (POPs) in the waste needs to be determined. If the waste does not contain the relevant POPs or the POP content is below the concentration limits indicated in Annex IV to Regulation (EC) No 850/2004, then the waste may be assigned the Mirror Non-hazardous entry. Otherwise, the Mirror Hazardous entry is assigned.

