

Waste Disposal - Frequently Asked Questions

Q: Will all waste (recycling or disposal) that is currently able to travel, from UK to EU and vice-versa, still be able to travel?

A: For waste exports to the EU from the UK, there are no changes to the processes that control the export of waste for recycling and export of waste for disposal:

Green-list controls (e.g. non-hazardous waste sent for recycling) are not changing, and the documentary requirement of an Annex VII document that provides a description of the waste and information on the importer, exporter and how the waste will be recovered remain the same.

For hazardous wastes that require prior written notification and consent, the project has received confirmation from all EU member state competent authorities that existing approvals will roll over even in a No Deal scenario. The one process change for this type of pre-notified waste is that UK carriers bringing waste to the EU need to provide a copy of the waste movement document to the EU customs office of Entry (as well as the EU customs office of Exit, if relevant).

For waste imports from the EU, there will be no changes to the Green-list controls i.e. imports of waste for recovery will be able to continue as normal (and as above, the competent authorities have agreed to roll over approvals beyond Day One). The key change to movements between the UK and the EU is that EU law prohibits the shipment of waste for disposal to non-EU countries, and so that will be the main change.

Q: Is there anything specific that exporters of waste will need to do at the border to get across?

For example, some believe that waste holders have to notify in advance for an application to export waste and that this application only lasts 72 hours. What should the exporter do if they are stuck in the queue and their application expires?

A: The only change to the at-border process for waste exporters is that for notified waste (or amber list waste) (which requires pre-notification and the issuing of a movement document), the waste carrier would have to deliver a copy of this movement document to the customs office of entry in to the EU community, unlike current procedure where the movement document just travels with the waste.

Amber list waste have a notification procedure where an agreement to ship a specific type and quantity of waste between two handlers is reviewed and consented to by all competent authorities involved prior to the shipment (country of import, export and transit).

Other than changes to customs declarations that would apply now that we are a third country, the documents required and the procedure for receiving approvals for a waste shipment does not change.

Q: Waste has not been categorised as a high priority for the UK Government on Day 1. Are DEFRA confident that this won't cause any problems on Day 1? If there are any potential problems, is there a contingency plan ready to address them?

A: DEFRA are confident that there is no requirement in the EU legislation that governs waste shipments that mandates checks at borders. The EU regulation will be retained in the Withdrawal Act and the UK regulation, and the UK is party to the key international agreements (e.g. the Basel Convention) in its own right and so there are limited process changes on Day One.

*Green list controls on waste are "light-touch" and so save for an accompanying document describing the waste and the treatment process, there are no waste-specific POE requirements or checks. Waste that moves under the amber list procedure which requires prior written notification and consent has stronger controls in so far as the competent authorities in the country of import, export and transit must provide written approval, however this happens away from the POE and is standard procedure. 100% of notified shipments have already been agreed to carry over beyond Day One, and the only change for UK exporters is the need to provide the movement documentation to the EU customs office of import and if relevant the EU Customs office of Exit.**

**HMG are still awaiting confirmation about the mechanism to provide the form, although the Dutch Government think this may be as simple as the waste carrier having the movement document with them in case they are asked for it.*