

Brexit & its impact on the movement of waste

Brexit will pose some unique challenges for the EU and Ireland. The impacts on waste movements between Ireland to Northern Ireland and mainland United Kingdom are discussed below.

The Waste Shipment Regulation (WSR), Regulation (EC) No. 1013/2006, on transfrontier shipments of waste, sets out the procedures to be followed when moving waste within, into and out of the EU. The WSR already includes those procedures to be followed when sending materials to “third countries”, i.e. those countries which are not part of the EU. The UK have indicated that it will exit the EU on the 29th March 2019.

Please note that a number notices have been prepared by the Commission on Brexit, including one on waste. They can be accessed via the following link:

https://ec.europa.eu/info/brexit/brexit-preparedness/preparedness-notices_en

What will still be allowed to move post Brexit ?

Any waste travelling to or from Ireland to Northern Ireland or the UK for recovery **will not be affected**.

In practical terms, there will be no change to current procedures or the paperwork used to organise shipments of waste. As the UK is both an OECD country and party to the Basel Convention, after the 29th March 2019 Articles 38 (Exports), 43 (Imports), and Chapter 6 (Transit) of the WSR will apply to waste movements destined for recovery.

There may be additional customs/logistical checks put in place post Brexit but these will need to be confirmed separately with the Revenue Commissioners.

What will not be allowed to move post Brexit ?

Under UK policy waste is not permitted to travel between Ireland and the UK for disposal, and this will continue to be the case after Brexit.

An exemption is in place for certain wastes shipped from Ireland destined for High Temperature Incineration (HTI), however **this exemption will expire on the 29th March 2019**. The National TFS Office has written to our customers who currently have notifications in place for HTI to advise them of this and to make them aware that alternative arrangements will need to be put in place for shipments planned after this date.

Shipments of hazardous waste for disposal are permitted between Northern Ireland and the Republic of Ireland. Such shipments are permitted in either direction provided that such waste is both generated and disposed of within Northern Ireland or the Republic of Ireland. Shipments made under this exception are restricted to those destined for the following disposal operations:

- **D 5** Specially engineered landfill (e.g. placement into lined discrete cells which are capped and isolated from one another and the environment, etc); for disposal
- **D 9** Physico-chemical treatment which results in final compounds or mixtures which are discarded by means of any of the operations above.
- **D 10** Incineration on land;

The NTFSO have not yet been advised if this exemption will remain in place after the 29th March 2019 and notifications will only be granted by the NTFSO and Northern Ireland Environment Agency for shipments taking place up to that date. The content of this advisory notice may change subject to the ongoing Brexit negotiations.