

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 29th March 2019.

Please note that a number of notices have been prepared by the Commission on Brexit, including the following link on waste:

https://ec.europa.eu/info/sites/info/files/file_import/waste_law_en_0.pdf

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 documentary requirements and logistical checks put in place post Brexit but these will need to be confirmed separately with Customs.

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. This is further enhanced by the provisions of the WSR which states ‘*all exports of waste from the Community destined for disposal shall be prohibited*’.

An exemption is in place for certain wastes shipped from Ireland destined for High Temperature Incineration (HTI). However, **this exemption will expire on 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.

An exemption is also currently in place for shipments of hazardous waste for D5, D9 and D10 disposal operations between the Republic of Ireland and Northern Ireland. However, **this exemption will also expire on 29th March 2019 so prior notifications to and from Northern Ireland will become void after this date. The NTFSO will contact the notifiers concerned individually.**

The content of this advisory notice may change subject to the ongoing Brexit negotiations.