

## **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.

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](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, Articles 38 (Exports), 43 (Imports), and Chapter 6 (Transit) of the WSR will apply to waste shipments destined for recovery once the UK leaves the EU.

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*’.

The agreement to allow for imports of hazardous wastes for disposal via high temperature incineration (HTI) from Ireland to the UK was last renewed in August 2017 and was to expire on 29<sup>th</sup> March 2019. Whilst the expiration date of 29<sup>th</sup> March 2019 was intentionally aligned with the date that the UK was due to leave the EU, this agreement is standalone to any UK withdrawal from the EU. Therefore, **there is now no agreement in place to allow for exports of hazardous wastes to be sent to the UK for disposal via HTI from Ireland.**

There is currently an exemption 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 expire on the day the UK leaves the EU, currently set at 31<sup>st</sup> October 2019. Notifications for disposal to and from Northern Ireland will become void after this date.**

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