

Safer waste cleaner world
Exporting recyclable waste for
recovery in non-OECD countries



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Exporting recyclable waste for recovery in non-OECD countries

This guide provides information to help businesses identify the procedures they must follow when exporting waste to be recovered in countries outside the [OECD](#) ('non-OECD countries'). The focus is on exports that can be made under green list controls.

The guide also provides information for businesses on the control procedures for moving waste within the EU and between EU and OECD countries that are subject to green list controls.

The guide assumes a basic understanding of the different types of controls that can apply to moving waste between countries. If you are not familiar with these, please refer to 'An introduction to moving waste between countries' first.

If you are exporting waste that is subject to notification controls, please refer to 'Moving notified waste between countries – a guide' rather than this guide.

Both the above guides are available at:
www.environment-agency.gov.uk/wasteshipments.

Overview

This guide sets out the procedures that you must follow if you want to export waste under green list controls to be recovered in a non-OECD country. It also contains information to help you determine whether:

- the rules allow you to export the waste;
- your export can proceed under green list controls.

In summary, only certain specified non-hazardous waste can be exported to certain non-OECD countries under green list controls. All other exports are either prohibited or subject to notification controls.

To export waste under green list controls, you must:

- make sure the waste you want to export is 'green list' waste;
- check the recovery facility is located in a country that accepts imports of the type of green list waste being sent under green list controls;
- make sure the waste is going to a facility where it will be recovered in an environmentally sound manner;
- enter into a contract with the person you are sending the waste to for recovery. The contract must contain specified terms and be in place before you send the waste;
- complete and sign an Annex VII form before you move the waste, providing details about: the people involved with producing and moving the waste, the waste itself, the proposed recovery operation and the recovery facility;
- make sure a copy of the signed and completed form accompanies the waste on its journey to the receiving facility in the country it is going to;
- keep copies of the completed form sent with the waste for three years. UK regulators may ask for copies of the forms you have completed for shipments already made;
- if you are sending the waste from Northern Ireland or Scotland, you must send a copy of the completed form to the competent authority before you move the waste.

1. Is the waste to be exported 'green list'?

[Appendix 1](#) provides further guidance to help you find this out and [Appendix 2](#) contains detailed information to help you determine whether or not the export is permitted under green list controls.

2. Controls imposed by the destination country

Different non-OECD countries impose different controls on the different waste types listed in annex III and IIIA. You must find out what controls the proposed destination country imposes on the type of green list waste you are exporting. [Appendix 2](#) contains further guidance.

3. Can you show that the waste will be recovered in an environmentally sound manner?

You must know where the waste is going to be recovered before you export it. The proposed recovery facility must be capable of recovering the waste in an environmentally sound manner without putting people's health at risk.

Generally, the recovery facility should be licensed or permitted in some way by the relevant local regulatory authorities. Ideally, you should be able to show that it is operated according to human health and environment protection standards that are broadly equivalent to the standards within the UK.

You should get evidence to support your assessment of the proposed recovery facility. You will not need to routinely provide this information to the regulators, but you may be asked for it if a consignment of waste is inspected on route to the recovery facility.

As the UK's competent authorities, we must prohibit exports of waste to non-OECD countries if we believe the waste will not be managed in an environmentally sound manner. If we inspect a consignment of waste in transit and no evidence is available about the operating standards at the recovery facility, we may have to prevent the waste being exported.

4. Contract requirements

Before exporting the waste you must enter into a written contract with the consignee for the recovery of the waste. This contract must clearly state that the person sending the waste and the person receiving it have an obligation to deal with situations where the waste cannot be shipped or recovered as planned, or if the waste is an illegal shipment.

In these situations, the person who sent the waste must take the waste back or make sure it is recovered in an alternative way. The contract must also provide for storing the waste in the meantime.

5. Completing the Annex VII form

Waste being exported under green list controls must be accompanied by a completed Annex VII form. You can find a blank copy of this form at: www.environment-agency.gov.uk/wasteshipments. The person who arranges the shipment of the waste must complete and sign this form.

By signing the form, the person arranging the export certifies the information provided is correct and that the necessary contract has been entered into with the consignee (the person to whom the waste is being sent to be recovered) before the waste starts its journey.

[Appendix 3](#) contains further detailed information on the form and how to complete it.

Moving the waste

You must make sure the waste is appropriately packaged and only moved according to other relevant legislation. Within the UK, only registered waste carriers are allowed to transport waste.

The waste must be accompanied by the completed and signed Annex VII form referred to above. The person sending the waste must keep a copy of the form sent with the waste for three years from the date of sending the waste and make sure it can be inspected if necessary.

If you are sending the waste from Northern Ireland or Scotland, you must send a copy of the completed form to the competent authority before you move it.

Appendix 1

Is the waste 'green list'?

The [European legislation](#) setting out the rules on moving waste between countries includes a number of different annexes containing lists of waste. In this guide, we will mainly refer to annexes III, IIIA, IIIB, IV and IVA.

The annexes within the legislation are difficult to follow. So, we have provided a consolidated version of the waste lists that appear in each annex. This consolidated waste list is available at: www.environment-agency.gov.uk/wasteshipments.

In broad terms, annex III, IIIA and IIIB specify different types of non-hazardous waste, whilst annex IV and IVA specify different types of hazardous waste.

'Green list' waste is:

- a single type of waste that can be classified by a single entry in annex III, or;
- a mixture of wastes covered by a single entry in annex III, or;
- a mixture of wastes covered by a single entry in annex IIIA.

Annex IIIB comprises waste that is considered 'green list' when moving only between EU member states. Exports of waste in annex IIIB to non-OECD countries are subject to notification controls.

You must determine the code that best describes the waste being moved. To do this, you must consider the introductory text that appears at the start of each annex¹. In short, you must take into account any contamination that may either make the waste more hazardous or make it more appropriate to classify it by another code.

For example, if a batch of waste paper contained clinical waste such as used needles, the waste could not be moved under green list controls. Alternatively, the waste paper might be contaminated with broken glass, which would mean it could not be recovered in an environmentally sound manner. Again, this type of waste could not be moved under green list controls.

If you conclude that any waste you want to export is classified as hazardous waste within the UK, but you consider it can still be appropriately classified by a code in annex III or IIIA, please contact the relevant UK competent authority for further guidance.

If there is no appropriate code for the waste being moved, it is classed as 'unassigned'. Imports and exports of unassigned waste to be recovered are always subject to notification controls.

¹ Regardless of whether or not wastes are included on this list, they may not be subject to the general information requirements laid down in Article 18 if they are contaminated by other materials to an extent which; (a) increases the risks associated with the wastes sufficiently to render them appropriate for submission to the procedure of prior written notification and consent, when taking into account the hazardous characteristics listed in Annex III to Directive 91/689/EC; or (b) prevents the recovery of the wastes in an environmentally sound manner.

Appendix 2

Determining the controls – exports for recovery in non-OECD countries

The rules prohibit exporting almost all types of hazardous waste to non-OECD countries. Where the exports are not prohibited, the controls depend on the type of waste and which particular non-OECD country the waste is being exported to.

Prohibited exports

- Exports of waste listed in list A of part 1 and in part 3 of annex V to the [EU Regulation](#) are prohibited.
- Almost all waste considered to be hazardous waste within the UK not already covered by the entries mentioned above.

If you need further guidance to help you determine if the waste you are dealing with is likely to be classed as hazardous waste in the UK, please refer to:

For exports from England or Wales:
www.environment-agency.gov.uk/subjects/waste/1019330/1217981/1384307

For exports from Scotland:
www.sepa.org.uk/guidance/waste/hazardous/index.htm

For exports from Northern Ireland:
www.ehsni.gov.uk/waste/regulation-and-legislation/regulations_hw.htm

Potentially permitted exports

You must always first determine whether or not the export is prohibited as set out above. Exports not prohibited include:

• waste listed in annex III and annex IIIA

Controls are determined by the destination country. The EU Commission has written to every non-OECD country outside the EU, asking what controls they would like to be applied to each type of waste listed in annex III. In time, these responses will be included in a Regulation. In the meantime, you can find the responses received to date at:
http://ec.europa.eu/trade/issues/global/environment/waste_nr.htm

Where no response has been received, notification controls generally apply.

• waste listed in annex IIIB, waste not classified by a single entry in annex III and mixtures of waste not classified under a single entry in annex III or IIIA

Notification controls apply.

Appendix 3

Where can I get a copy of the green list form?

You can download a copy of the Annex VII form from: www.environment-agency.gov.uk/wasteshipments.

How should I complete the green list form?

The person responsible for arranging the shipment must complete the form for each shipment before moving the waste.

Block 1: insert the name and contact details of the person who arranges the shipment (exporter). If the exporter is a company, please make sure you enter the full registered company name. If you are acting as a waste broker or dealer, include your waste broker registration number.

Block 2: insert the name and contact details of the consignee/person receiving the waste (importer). You should provide the licence/permit number as appropriate.

Block 3: insert the actual quantity of waste to be shipped in tonnes (Mg) or (m³).

Block 4: the actual date of the waste shipment.

Block 5 (a): insert the name and contact details of the first waste carrier, including the type of transport (for example container/trailer numbers), date of transfer and signature.

Block 5 (b): insert name and contact details of second carrier (for example freight forwarder/shipping line), including the date of transfer from the first carrier and signature, where applicable.

Block 5 (c): insert name and contact details of last waste carrier in the country receiving the waste (where applicable), including the date of transfer of the waste and signature.

If there are more than three waste carriers, you should provide the details of other carriers in an annex.

Block 6: insert the name and contact details of the waste generator(s) (the original waste producer(s) or the person/facility generating the waste for export).

Block 7: the name and contact details for the disposal/recovery site, including site registration details (waste licence or permit number).

Block 8: insert the appropriate 'R' code for the proposed recovery operation.

Block 9: insert usual description of the waste.

Block 10: Block 10 must be completed with a number of codes in order to comply with domestic, EU and international rules on waste shipments. The required codes are dealt with in turn, providing information on where the codes may be sourced and any other rules, which apply to providing them.

1. **Basel annex IX code** – the main code used for classification under the Regulation. You can get a consolidated list of codes from www.environment-agency.gov.uk/wasteshipments. The ‘green list’ Basel annex IX codes start with a B followed by a four-digit number.
2. **OECD code** – only required when the relevant Basel code above has been replaced in the WSR by an OECD code. The ‘green list’ OECD codes are made up of two letters, starting with ‘G’, followed by a three-digit number.
3. **EWC code** – the main classification system for permits within the EU. The [EU website](#) provides the up to date list of codes.
4. **National codes** – not required by UK authorities – consult with other authorities to see whether they have a domestic classification system.

Block 11: insert the names and [country code](#) and points of departure or entry for each country through which the waste must travel from the person who arranges the shipment to the destination facility in line.

Block 12: print name, apply date and signature of the exporter, using permanent ink. In signing this block of the form, the exporter is confirming that a prescribed contract is in place with the importer.

Block 13: when the waste is received, print name, apply date and signature of the importer, using permanent ink.

Block 14: after the waste has been recovered, print name, apply date and signature of the exporter, using permanent ink.

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