

# International Waste Shipments: advice for notifiers who need to change the route of a shipment

16 December 2021

## Purpose

This note sets out our approach when customers request a change to the route their notified waste will take. It is primarily focussed on exports, but the principles can also be applied to imports into England where we are contacted by a customer or competent authority of dispatch regarding routing changes. This note clarifies how we will approach requests to route changes from **1 January 2022**.

You also need to check what approach the other competent authorities involved in your shipment take to route changes. All authorities have to agree to any change you request.

## The relevant regulations

The retained Waste Shipment Regulations (Regulation (EC) No 1013/2006) (WSR) and its amendments set out the controls that must be followed to transport waste into and out of England. **This guidance relates to shipments under notification controls**. You can find more information about the different waste controls at <https://www.gov.uk/guidance/importing-and-exporting-waste>

## Our expectations for 'right first time' applications

WSR requires that you apply for consent from the competent authorities involved to transport notified waste across international borders. When you apply to export notified waste from England, you must submit an application to the Environment Agency as the competent authority of dispatch and we send the details to the other relevant authorities.

We expect the information in a notification to be correct when it is submitted as requests to amend any information within the application, including the route shipments may not be possible. You should ensure your application includes a realistic route to the final destination and that it is available to you. This is especially important if you plan to send several shipments under a notification. You need to take all reasonable steps to make sure every shipment made under a single notification will be the same each time, including using the same route.

We accept that there may be times when a shipment cannot use the route that was originally submitted. We will consider a request for a route change on a case by case basis, as long as there is an essential reason for it, and you can show us that you have taken all reasonable steps to use the route set out in the original notification application. We will not allow multiple changes of route.

If we do not agree to change the route on your notification and you still wish to move the waste on the new route, you will need to submit a new application and pay the relevant fee.

## When you can request a change to the route

Our approach will depend on whether you have requested a route change before we have transmitted your notification to the other competent authorities. We aim to transmit within three days of receiving a fully completed application.

1. **Before we have transmitted the notification to other authorities involved:** we will consider a change to the route if you can show why it is necessary and that you have taken all reasonable steps to use the route you originally submitted.
2. **After we have transmitted the notification to other authorities:** we will only accept changes to the route for exceptional circumstances. This generally means that it is no longer possible to use the route that was included in your original application. You will need to show evidence that this is the case. The other authorities involved also need to agree to the new route.

If your new route involves a competent authority that was not involved in the original route then **we cannot accept it** and you will need to submit a new application. This applies even if other competent authorities agree to a change.

## Other things to note

- Requesting any changes will delay your application
- You must explain the reasons as fully as possible when requesting a change to your route and provide as much evidence as you can as to why you cannot use the route originally submitted.
- All requests for a change to a route will be made on a case by case basis. It is not possible to provide a list of circumstances which would lead to a change being agreed.
- If your shipment does not follow the specified route, any of the competent authorities involved, including transit authorities may deem the shipment to be illegal and request its return to England at your own cost.

## More information

- Read our guidance on importing and exporting waste at <https://www.gov.uk/guidance/importing-and-exporting-waste>
- Check the Basel Convention website to see which countries have submitted more information about their definition of 'transit' and any exceptions that apply. The most recent submissions of information can be found at <http://www.basel.int/Implementation/LegalMatters/Compliance/GeneralIssuesActivities/Activities202021/Transittransboundarymovements/tabid/8182/Default.aspx>