

International Waste Shipments

Export of Plastic wastes

29 July 2021

1. Background

On 1 January 2021, the Basel Convention was amended to strengthen the controls for the export of waste plastics. The changes mean that only plastic wastes which are destined for recycling, consist almost exclusively of one of type of plastic and are almost free from contamination can be described as B3011 plastics (commonly referred to as 'green listed wastes'). These wastes can currently move from Great Britain to non-OECD countries under the system of prior informed consent. New legislation that comes into force on the 29 July 2021 will alter the controls for the export of B3011 from Great Britain to non-OECD countries. It has no impact on the controls for B3011 to OECD countries. (For a list of OECD Countries see <https://www.oecd.org>)

2. What is B3011?

The existing code for non-hazardous waste plastics B3010 has been replaced by B3011. B3011 only applies to plastic waste destined for recycling in an environmentally sound manner that is almost free from contamination and other types of waste. The specific categories of waste plastic in B3011 are:

- Non-halogenated polymers
- Cured resins/Condensation products
- Fluorinated polymers
- Mixtures of separated polyethylene, polypropylene and polyethylene terephthalate that will be separately recycled and are almost free of contamination and other wastes.

These plastics must be destined for recycling at a plant that is permitted as an R3 activity – recycling/reclamation of organic substances that are not used as solvents. Recycling facilities permitted or licensed under an R5 activity only cannot accept B3011 wastes. The list of R and D codes can be found at <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32008L0098#d1e32-23-1>

3. Controls for B3011 waste exported from England

The new regulations introduced on 29 July 2021 amend the Annex to Regulation (EC) No 1418/2007 to set out export control procedures for B3011 waste. The regulations are published here : <https://www.legislation.gov.uk/ukxi/2021/785/contents/made>

Annex 1 is a summary of controls that we believe will apply but is not legally binding – please refer to the regulations for the legal position.

There are 4 different controls that could apply to this waste:

- 1) Prohibited – These wastes cannot be exported to these countries
- 2) Prior informed consent – Waste can only move under notification controls
- 3) National Controls – Exporters should check with destination country on specific controls that apply
- 4) Green List controls – No prior consent needed, but waste must ship with Annex VII documentation

Our 'Waste Exports Control Tool' [Waste exports control tool - GOV.UK \(www.gov.uk\)](https://www.gov.uk/waste-exports-control-tool) has been updated to reflect these changes.

Further information on complying with the different waste export controls can be found at [Waste: import and export - GOV.UK \(www.gov.uk\)](https://www.gov.uk/waste-import-and-export)

4. Additional Controls

Defra undertook a 'write around' consultation process to agree the controls required by non-OECD competent authorities. As part of this process competent authorities could indicate if they wished to apply additional local controls.

The Malaysian Authorities in particular requested specific local controls, some of which must be completed in GB before export. Other countries may already have specific controls or choose to implement additional local controls at any time on any or all waste materials. The new regulations do not supersede any current local controls.

It is the responsibility of the person arranging the export to check with the overseas competent authority of any local controls that may apply. These may be implemented or changed without warning. It is not the responsibility of the Environment Agency to inform operators of any amendments to controls overseas.

5. Malaysian Controls

The Malaysian Authorities require national control measures **in addition to the normal Green List Waste (GLW) controls** which must be adhered to in order to directly export B3011 plastic waste to Malaysia from England as GLW.

The additional national conditions are that:

- the waste must be separated plastic waste / without a mixture of plastic resins,
- any plastic or non plastic containments should not exceed 5% by weight,
- 95% of the amount of imported plastic waste is recyclable by weight,
- the exporter must be approved in writing by the Department of National Solid Waste Management to supply the plastic waste.

Please note that these additional national controls set by the Malaysian authorities detailed above do not impact the de minimis level of contamination as required by UK law. We regulate to the requirements of UK legislation and will take action, including inspecting, stopping and returning loads and / or more formal action where we consider the waste to not meet the GLW controls in England, even if it complies with the Malaysian Government's requirements.

For EACH Shipment (or where a shipment consists of multiple containers, each container):

- a) There must be a pre-shipment inspection carried out by CCIC (London) Ltd or Baltic Control Group Ltd – this is for the exporter to organise.
 - a. The inspection must cover the aspects stated on the pre-shipment inspection report template (see annex 2)
 - b. The report from the pre-shipment inspection must be forwarded by the person arranging the export (as detailed in Block 1 of the Annex VII) to the planned consignee in Malaysia (please cc intelligence@environment-agency.gov.uk)
 - c. It must then be forwarded by the planned consignee in Malaysia, together with an e-permit request to the Ministry of Environment in Malaysia for approval, thereby tying together the pre-shipment inspection report and e-permit **prior to the export**.

Export of the proposed consignment from the UK must not proceed unless the e-permit had been granted by the relevant Malaysian Government Department and this is available for inspection.

- b) The person arranging the shipment must (in addition to the pre-shipment inspection report) submit the following documents to the Malaysian Authorities via email to sy@doe.gov.my, cc to fenny@doe.gov.my and nurhidayah@doe.gov.my. The information can also be submitted by hand:
 - a. Company profile of the waste generator
 - b. Contractual agreement between waste generator and importer - The contract should be between waste generator and importer. However, it can be between waste exporter and importer if the waste is from the waste exporter (trader/collector).

- c. Pro-forma invoice
- d. Photos of the waste to be exported
- e. Description of the waste (characteristic, waste composition, source of waste, reason for export)
- f. Approved permit from the Department of National Solid Waste Management
- g. Certificate of liability insurance / bank guarantee - Certificate of liability insurance/Bank Guarantee is imposed on the importer/consignee to cover the movement of the wastes. If the waste does not comply with the domestic law upon the arrival, the costs of storage, take-back and/or costs of abandoned container must be covered in the Certificate of liability insurance/Bank Guarantee.

These documents do not need to be sent to the Environment Agency, but operators should ensure they are available for inspection on request.

6. Additional Malaysian Controls for the importer

The consignee or importer must also comply with the following requirements:

- They must have written approval with consent to import plastic waste B3011 (Annex IX)
- The pre-shipment inspection report confirms the compliance to the criteria of B3011
- The consignee / importer is approved by the Department of National Solid Waste Management to import plastic waste
- The consignee / importer complies with the Environmental Quality Act 1974 and the proposed plastic waste will be managed in Environmentally Sound Manner, ESM.

Any queries relating to sections 5 and 6 of this guidance should be directed to the Malaysian Department for the Environment at <https://www.doe.gov.my/>

Please contact us if you have any further questions on the rest of the guidance at askshipments@environment-agency.gov.uk

Operators exporting from Scotland, Wales or Northern Ireland should check with the relevant regulator:

SEPA: Transfrontier@sepa.org.uk

NRW: waste-shipments@naturalresourceswales.gov.uk

NIEA: TFS@daera-ni.gov.uk.

Annex 1 Summary of new controls (this list is not legally binding – you should refer to the regulations for the legal position)

Country	New B3011 Controls				Responded to Defra	Change in Controls from B3010
	1) Non-halogenated polymers	2) Cured resins/ Condensation products	3) Fluorinated polymers	4) Non hazardous mixtures of PE, PP and/or PET		
Hong Kong	National Controls				Y	N
Malaysia	National Controls				Y	N
Indonesia	National Controls	Prohibited	Prohibited	National Controls	Y	Y
India	National Controls	Prohibited	Prohibited	Prohibited	Y	Y
Taiwan	National Controls				Y	N
China	Prohibited				Y	Y
Pakistan	PIC				N	Y
Ukraine	PIC				N	Y
Thailand	National Controls	Prohibited	Prohibited	Prohibited	Y	Y
Philippines	PIC				N	Y
Egypt	National Controls				Y	Y
UAE	Prohibited				Y	N
Morocco	PIC and National Controls				Y	Y
Vietnam	National Controls	Prohibited	Prohibited	National Controls	Y	Y
Singapore	No Controls				Y	Y
Brazil	PIC				Y	Y
Russia	PIC				N	Y
Tunisia	PIC				N	Y
Kuwait	PIC				N	Y
Nigeria	Prohibited				Y	Y
Bangladesh	PIC				N	Y
Serbia	PIC				N	Y
Lebanon	PIC				N	Y
Afghanistan	PIC				Y	N
Albania	Prohibited				Y	Y

Algeria	PIC	N	Y
Andorra	PIC	Y	N
Angola	PIC	Y	N
Anguilla	PIC	N	Y
Antigua and Barbuda	PIC	N	N
Argentina	PIC	N	Y
Armenia	PIC	N	N
Azerbaijan	PIC	N	N
Bahamas	PIC	Y	N
Bahrain	PIC	N	N
Barbados	PIC	N	N
Belarus	National Controls	Y	Y
Belize	PIC	N	N
Benin	PIC	Y	N
Bermuda	PIC	N	Y
Bhutan	PIC	N	N
Bolivia (Plurinational State of)	PIC	N	Y
Bosnia and Herzegovina	PIC	N	Y
Botswana	PIC	N	N
Brunei Darussalam	Prohibited	Y	Y
Burkina Faso	PIC	N	N
Burundi	PIC	N	Y
Cabo Verde	PIC	Y	Y
Cambodia	Split - PIC and Prohibited	Y	Y
Cameroon	Prohibited	Y	Y
Central African Republic	PIC	N	N
Chad	PIC	N	N
Chile	PIC	N	Y
Colombia	National Controls	Y	Y
Comoros	PIC	N	N
Congo (Republic of)	Prohibited	Y	Y
Cook Islands	PIC	N	N
Costa Rica	National Controls	Y	Y
Côte d'Ivoire	PIC	Y	N
Cuba	PIC	N	Y
Curaçao	PIC	N	N
Democratic People's Republic of Korea	PIC	N	N
Democratic Republic of the Congo	PIC	N	Y

Djibouti	PIC				N	N
Dominica	PIC				N	N
Dominican Republic	PIC				N	Y
Ecuador	Prohibited	No Controls	Prohibited	Prohibited	Y	Y
El Salvador	National Controls				Y	Y
Equatorial Guinea	PIC				N	N
Eritrea	PIC				N	N
Eswatini	PIC				N	N
Ethiopia	PIC				Y	Y
French Polynesia	PIC				N	Y
Gabon	PIC				N	Y
Gambia	PIC				N	Y
Georgia	National Controls				Y	N
Ghana	PIC				N	Y
Guatemala	National Controls				Y	Y
Guinea	PIC				N	Y
Guinea-Bissau	Prohibited				Y	Y
Guyana	Prohibited				Y	N
Haiti	PIC				N	N
Honduras	Prohibited				Y	N
Iran (Islamic Republic of)	PIC				N	N
Iraq	Prohibited				Y	Y
Jamaica	PIC				N	N
Jordan	PIC				N	N
Kazakhstan	PIC				N	N
Kenya	PIC				N	Y
Kiribati	PIC				N	N
Kyrgyzstan	PIC				N	Y
Lao People's Democratic Republic	PIC				N	N
Lesotho	PIC				N	N
Liberia	PIC				Y	N
Libya	Prohibited				Y	Y
Macau (China)	PIC				N	Y
Madagascar	Prohibited				Y	N
Malawi	PIC				Y	Y
Maldives	Prohibited				Y	N
Mali	PIC				N	N
Marshall Islands	Prohibited				Y	Y
Mauritania	PIC				N	N
Mauritius	PIC				N	N

Micronesia (Federated States of)	Prohibited				Y	Y
Moldova (Republic of)	PIC				N	Y
Monaco	PIC				N	N
Mongolia	PIC				N	N
Montenegro	PIC				Y	Y
Montserrat	PIC				N	Y
Mozambique	Prohibited				Y	Y
Myanmar	Prohibited				Y	Y
Namibia	PIC and National Controls	Prohibited	Prohibited	PIC	Y	Y
Nauru	PIC				N	N
Nepal	Prohibited				Y	N
Nicaragua	PIC				N	N
Niger	PIC				N	Y
North Macedonia	PIC				Y	N
Oman	PIC				Y	Y
Palau	PIC				N	N
Panama	No Controls				Y	Y
Papua New Guinea	PIC				N	Y
Paraguay	PIC				N	Y
Peru	National Controls				Y	N
Qatar	PIC				N	Y
Rwanda	PIC				N	Y
Saint Kitts and Nevis	PIC				N	N
Saint Lucia	Prohibited				Y	N
Saint Vincent and the Grenadines	Prohibited				Y	N
Samoa	PIC				N	N
Sao Tome and Principe	Prohibited	No Controls	No Controls	No Controls	Y	Y
Saudi Arabia	PIC				N	N
Senegal	PIC				N	Y
Seychelles	PIC				Y	Y
Sierra Leone	PIC				N	N
Somalia	PIC				N	N
South Africa	PIC				Y	N
Sri Lanka	PIC				Y	N
State of Palestine	PIC				N	N
Sudan	PIC				Y	N
Suriname	Prohibited				Y	Y
Syrian Arab Republic	PIC				N	N
Tajikistan	Prohibited				Y	Y

Togo	PIC	N	Y
Tonga	PIC	N	N
Trinidad and Tobago	No Controls	Y	Y
Turkmenistan	PIC	N	N
Tuvalu	PIC	N	N
Uganda	PIC	N	N
United Republic of Tanzania	PIC	N	Y
Uruguay	PIC	N	N
Uzbekistan	PIC	N	Y
Vanuatu	PIC	N	N
Venezuela (Bolivarian Republic of)	PIC	N	N
Wallis and Futuna	PIC	N	Y
Yemen	PIC	N	N
Zambia	PIC	N	Y
Zimbabwe	Prohibited	Y	N

**Annex 2 Information that must be provided in the PRE SHIPMENT INSPECTION REPORT
(You can use your own template if all of the necessary information is included)**

Application Number:

Applicant		Supplier	
Importer's name and address		Waste Producer	
Commodity Declared		Quantity	Container/s
Commodity Inspected		Bales Sampled	Bale/s
Date of Inspection		Place of Inspection	
Weather Condition			
Record and result of on-site inspection			
Source of waste	<input type="checkbox"/> Commercial <input type="checkbox"/> Domestic <input type="checkbox"/> Combined		
Type of waste packaging	<input type="checkbox"/> Loose <input type="checkbox"/> Baled		
Cargo Storage Conditions	<input type="checkbox"/> Indoor <input type="checkbox"/> Outdoor <input type="checkbox"/> Combined		
Type and Proportion of Contamination Based on Sampling (w/w%)			
Percentage of Packaging Waste Based on Sampling (w/w%)		% Recyclable rate: % Contaminants:	
Conclusion (Is the material fit for export)		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Basel Code		<input type="checkbox"/> B3011 <input type="checkbox"/> Y48 <input type="checkbox"/> A3210	
HS Code			
Inspection Time		From: to:	
Description (if applicable):			
Signature of Inspector:			

- **There must be Inspection photos attached to the report:**