

**In response to some questions sent by 360 to the EA on the requirements for a packaging waste exporter when using an overseas interim site, the following was received from James Fleming, Principle Technical Officer at the EA's Waste Regimes Operational Services (WROS) on 18th January 2024**

1. *Can you confirm the position on B3011 and one interim storage facility and whether this only applies to a mix of polymers (limited to PE, PET and PP) or also applies to single polymer exports?"*

The waste can pass through a single interim site and this is not specific to the single polymer or polymer mix. A single polymer export could pass through an interim site and remain B3011. However, unless this is for R13 storage only, any movement via an R12 site will potentially raise some questions around the quality and nature of the load, since there should be no reason for the waste to go through an interim treatment site. This is clearly set out here: [Importing and exporting waste plastic - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/importing-and-exporting-waste-plastic) and here [Plastic Waste Amendments FAQs \(basel.int\)](https://www.basel.int/faq/waste-amendments)

2. *Can you advise the Agency's position on the use of overseas interim sites and the evidence required in relation to the onward movement to Part C sites?*

We refer you in the first instance to the following condition of accreditation:

#### **Interim Sites ((Schedule 5(1)(q)(iii))**

16. If you export via interim sites which sort, partially treat, or bulk up the waste prior to onward supply to an approved final recovery site

(i) you must provide the names and addresses of any interim sites you use throughout the year in writing to the Environment Agency before the waste is exported

(ii) you must have the final reprocessing site(s) approved

(iii) PERNs can only be issued against the weight of the packaging waste accepted for reprocessing at the final reprocessing site

3. *Generally, an interim site will be used to either sort mixed polymers or to apply some quality control eg to separate coloured PE from clear PE. It would be unusual to send the material to an interim site for it to just be sent on to a Part C site without some form of treatment. It would therefore be extremely difficult to relate an onward movement to a Part C site directly to the material received from the UK exporter as often, that material would be mixed with other material prior to onward movement.*

An accredited exporter must retain the relevant documentation demonstrating an audit trail, showing the interim site receiving the exported waste and evidence of the waste being subsequently transported for final treatment into non-waste product at the end destination.

Where the waste is exported via an interim site, PERNs can only be issued against the weight of the packaging waste accepted for reprocessing at the final reprocessing site. If this cannot be accurately established a PERN should not be issued.

4. *What does the Agency therefore expect from the exporter as evidence of onward movement to the Part C site where the exporter has the Annex VII for the export to the interim site but would not have an Annex VII showing the Part C site?*

The exporter must have the Annex VII to demonstrate the waste was transported and received at the final recovery site. The following is a non-exhaustive list:

- Article 18 contract for interim site
- Article 18 contract for final recovery site
- Fully completed Annex VII for the journey from UK to interim site.
- Fully completed Annex VII or equivalent from interim site to final recovery site.
- CMRs and other relevant transit paperwork
- Relevant weighbridge records for entry to and exit from the interim site.
- Permit documentation for interim site
- Permit documentation for final recovery site.
- Any import licences and other relevant documentation for interim site, demonstrating compliance with the overseas countries local controls and waste export law.
- Any import licences and other relevant documentation for final recovery site.
- Evidence and confirmation from the final recovery site the waste has been recycled into a non-waste product.

It's also worth remembering the more generic list which is found on all Accreditation letters:

You must also provide and keep details and proof of:

- the packaging waste being UK sourced
- the type of business it comes from
- the weight you export such as by load or container
- where you'll export from
- who owns the material at time of export
- nature of the material such as type and form
- who you are exporting it to
- the end product having a beneficial use and meeting the end of waste test
- how you intend to keep your records
- compliance with a national or site specific protocol if applicable
- compliance with an Agency Agreed Industry Grade (AAIG) if applicable
- compliance with the Waste Shipments Regulations