



Northern Ireland  
Assembly

Windsor Framework Democratic  
Scrutiny Committee

# OFFICIAL REPORT (Hansard)

Regulation (EU) 2024/1157 of the European  
Parliament and of the Council of 11 April  
2024 on Shipments of Waste

16 May 2024

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of 11 April 2024 on Shipments of Waste

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**Members present for all or part of the proceedings:**

Mr Philip McGuigan (Chairperson)  
Mr David Brooks (Deputy Chairperson)  
Dr Steve Aiken  
Mr Jonathan Buckley  
Ms Joanne Bunting  
Mr Declan Kearney  
Ms Emma Sheerin  
Mr Eóin Tennyson

**Witnesses:**

Mr Shane Doris	Department of Agriculture, Environment and Rural Affairs
Mr Steven Leckey	Department of Agriculture, Environment and Rural Affairs
Mr Philip McMurray	Department of Agriculture, Environment and Rural Affairs

**The Chairperson (Mr McGuigan):** I welcome, from DAERA, Shane Doris, director of environmental resources policy division; Steven Leckey, principal scientific officer; and Philip McMurray, environmental resources policy division. Two of you were here last week.

**Mr Steven Leckey (Department of Agriculture, Environment and Rural Affairs):** Yes, we were.

**The Chairperson (Mr McGuigan):** Fáilte ar ais. Welcome back. I invite you to make your presentation.

**Mr Shane Doris (Department of Agriculture, Environment and Rural Affairs):** Thank you, Chair. I appreciate the introductions. As you mentioned, I am joined again by Steven and accompanied this time by Philip, principal in the waste and single-use plastics branch in the environmental resources policy division.

As you noted in your introduction, we are here to discuss further the published replacement act, regulation (EU) 2024/1157 on shipments of waste. I am grateful to the Committee for allowing us to present our initial assessment last week. I acknowledge the request for further inquiry into the regulation. You may be pleased to hear that I do not intend to repeat the briefing from last week, but I will summarise some of the key points before we address the queries that were raised.

The act, in summary, establishes procedures and control regimes for shipments of waste, depending on the origin, destination and route of the shipment, the type of waste and the type of treatment to be applied to the waste at its destination. The regulation applies to shipments of waste between member

states, with or without transit through third countries, and shipments of waste imported to the EU from third countries, exported from the EU to third countries and in transit through the EU on their way to or from third countries.

The aim of the replacement regulation is to prohibit the export of plastic waste to non-OECD countries. Other waste suitable for recycling will be exported from the EU to non-OECD countries only when they ensure that they can deal with it sustainably. It also implements an EU digital tracking system for waste shipments.

The Department for Environment, Food and Rural Affairs (DEFRA) is the lead Department on international waste shipments, as that is a reserved policy matter. However, the Northern Ireland Environment Agency (NIEA) is the named competent authority of enforcement for destination and dispatch.

A previous point to note is that, as it is a replacement regulation, much of its content already exists and applies. Part of the update also reflects updates to the UN Basel convention on transboundary shipments of waste. The UK is party to that convention and will have to adhere to the rules on international shipments of waste. Separately, a new UK-wide digital tracking system is being developed to tackle waste trafficking and enhance the development of a circular economy for waste. It is expected that the UK system will be compatible with the new EU digital requirements.

I previously advised that UK Government officials were working to update the current explanatory memorandum (EM), which is from the proposal stage. That work is still ongoing and an updated EM will be forwarded to the Committee when it is available.

I thank the Committee for providing follow-up questions to the meeting last week to request further information on the breakdown of the type of waste that makes up the one million tons exported from Northern Ireland annually; the classifications of waste and any change to those on implementation of the act; and the breakdown of the potential costs to local authorities as a result of the changes. If you are content, we will address those now, pausing after each of the questions to address any further comments or queries that you may have. Apologies, we had hoped to get the answers to the Committee in advance, but, certainly, we can follow them up in writing afterwards in the detail required.

I hand over to Steven to address the first question, which is on the breakdown of the type of waste that makes up the one million tons exported from Northern Ireland annually.

**Mr Leckey:** You are aware that, in 2023, we exported just under one million tons of waste. Waste is exported under the EU regulations on waste shipments and consists of two main types: notifiable waste and green list waste. Notifiable waste generally consists of refuse-derived fuel (RDF), mixed waste and hazardous waste. Green list waste generally consists of single-stream waste, such as metal, paper and plastics.

Notifiable waste exports in 2023 totalled approximately 300,000 tons. Over 90% of that was RDF for R1 operations, which is the use of fuel to generate energy. That included exports to, among others, Sweden, Norway and Denmark. The next largest proportion was waste oils at 2% for R9 recovery, which is used for oil re-refining. There were no notifiable waste exports to non-OECD countries, and associated export fees totalled approximately £78,000.

The fees and refunds associated with the notifiable waste movements are not determined by the new EU regulations. NIEA has a specific policy that details the necessary fees for notifiable waste movements. That policy is scheduled for review by NIEA and has not been updated since 2014. As mentioned last week, the other UK regulators are doing some work on their fees and refunds policy, but we have not started that work yet.

As mentioned, the other type of waste that we export is green list waste. In 2023, that totalled approximately 700,000 tons. Metal accounted for around 50% of those exports, followed by paper at around 30% and then plastic and tyres. Green list exports can be broken down further into those going to OECD countries and those going to non-OECD countries. In 2023, NIEA exported approximately 500,000 tons of green list waste to 16 OECD countries and approximately 200,000 tons to eight non-OECD countries. The majority of the exports to non-OECD countries consisted of metal, paper and tyre waste, and there were only 300 tons of plastic waste, which equals about 10 to 12 shipments. That was exported to two non-OECD countries: Malaysia and India. Those are the only countries that would be affected by the introduction of the ban on plastic to non-OECD countries, and there are other

outlets in the EU and OECD member countries for plastic waste. Therefore, we do not believe that the ban on plastic exports to non-OECD countries will have a significant impact on NI stakeholders. There are no fees associated with the movement of green list waste.

That is a breakdown of the first question. If members have questions, I am happy to answer.

**The Chairperson (Mr McGuigan):** Does anybody have any questions on that issue?

**Mr Brooks:** Obviously, there will be other considerations, but will the shift from using the likes of Malaysia and India to other countries in the EU, for instance, mean a considerable rise in cost?

**Mr Leckey:** It is not something that we are aware of, because there are other outlets. Waste plastic is currently going to countries in Europe and the OECD, so we do not believe that there will be a significant issue with that.

**Mr Brooks:** OK. Thank you.

**The Chairperson (Mr McGuigan):** OK. Do you want to go on to the next one?

**Mr Doris:** Thanks for the follow-up questions. Again, I pass to Steven to run through question 2.

**Mr Leckey:** Question 2 was about the classifications of waste and any change to that on implementation of the act. The Basel convention has added two new e-waste codes to annex II and annex VIII of the convention. The new annex II code — Y49 — is for non-hazardous e-waste, and the new annex VIII code — A1181 — is for hazardous e-waste. In paragraph 44 and article 39 of the new EU 2024/1157 regulations, annex II and annex VIII are referred to as being prohibited from export to non-OECD countries. That would, effectively, result in a ban on the export of any e-waste from the EU, including Northern Ireland, to non-OECD countries. In 2023, we exported only one load, which was 27 tons, of non-hazardous e-waste to Pakistan. Again, we do not believe that there will be a significant impact in relation to that type of waste for NI stakeholders.

**The Chairperson (Mr McGuigan):** Any questions here? No.

Do you want to take the third one?

**Mr Doris:** I will come in on the third one, which is the breakdown of potential costs for local authorities. In the new regulation on waste shipments, there is an EU requirement for a digital waste tracking system, but no direct fees are detailed in the regulations. As was mentioned in the introduction, the UK is independently developing its own waste tracking system that will eventually feed into the EU system. The fees and charges associated with the UK digital waste tracking system are yet to be determined; work on that is ongoing by the team that is involved in that process. For digital waste tracking, a separate NIEA-specific policy would have to be introduced once any fees and charges have been agreed, but that will be outside the scope of the regulation on waste shipments. Notifiable waste charges need to be reviewed, but they are separate to the new 2024/1157 regulation, so fees will remain unchanged.

That is as much detail as we have at this point. As I mentioned, the digital waste tracking fees have not been determined as yet, but we do not expect them to be significant.

**The Chairperson (Mr McGuigan):** Any questions? No.

Gentlemen, thank you very much.