

Transfrontier shipment of waste update for Rig Owners

European legislation governing the transfrontier shipment of waste is implemented in the UK by the Transfrontier Shipment of Waste Regulations 2007. These Regulations were set up to prevent shipments of waste leaving the UK if they are not in accordance with the Secretary of State's Waste Management Plan.

The Regulations apply to waste that originates in the European Community, and is either brought into the UK or is destined for another member State. A person transporting such waste must notify the competent authority (Scottish Environment Protection Agency (SEPA) in Scotland) in accordance with the Regulations.

Under the Regulations, SEPA must object to any shipment notified in accordance with the Regulations which the plan indicates should not be dispatched from the UK. This happened to three rigs that were stacked in the Port of Cromarty Firth: SEPA were advised by a Belgian NGO of their imminent departure and their suspicions that the rigs were to be decommissioned. They were subsequently prevented from leaving the Port and SEPA are now in discussions with the owners to agree the available options.

In order to clarify the regulations and provide reassurance to customers using Scottish Ports, Port of Cromarty Firth has put together this guidance following discussions with SEPA's Transfrontier Shipment Team.

Waste is defined as:

- Any substance or object which the holder discards or intends or is required to discard.

How SEPA determine if a vessel is waste:

- Speak to owners regarding their intentions;
- Paperwork which demonstrates the intentions;
- Age of vessel;
- Work required to make the vessel fit for purpose;
- Whether the vessel is cold or hot stacked; and
- Length of time the vessel has been stacked.

If a vessel is defined as waste:

- Any movement needs to comply with the Transfrontier Shipment of Waste Regulations;
- Any export needs a formal application, which is considered and approved by SEPA and other relevant countries;
- Movements outwith the OECD cannot contain hazardous waste; and
- Once approved, the shipment needs to be pre-notified and evidence of recovery/recycling provided when the waste is dealt with.

If you want to undertake Transfrontier shipment, we recommend that you contact SEPA for advice at Transfrontier@sepa.org.uk.