

Waste Tyres Internal Review

Environment Agency's regulation of waste pneumatic tyres
and their export

31 July 2025



Environment
Agency

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Acronyms and abbreviations

CAR Form	Compliance Assessment Report Form
CPCB (India)	Indian Central Pollution Control Board
Defra	Department for Environment, Food, and Rural Affairs
DSA	Directed Surveillance Authorisation
DWTS	Digital Waste Tracking System
E&B	Environment & Business Team (Environment Agency)
EFTA	European Free Trade Association countries
EM&R Team	Environmental Markets and Regulation Team
EPR	Environmental Permitting Regulations
ESM	Environmentally Sound Manner
EU	European Union
EU WSR	EU Waste Shipment Regulations (applies to both 1013/2006 and as amended 1157/2024)
FCDO	Foreign, Commonwealth, and Development Office
GiA	Grant in Aid funding
HMRC	His Majesty's Revenue and Customs
IRO	Intelligence Research Officers
IWE Team	Illegal Waste Exports Team
MoEFCC	Indian Ministry of Environment, Forest, and Climate Change
MoRiLE	Management of Risk in Law Enforcement
NCAD	National Compliance Assessment Database

NECU	National Environmental Crime Unit
NIRS	National Incident Recording System
OECD	Organisation for Economic Co-Operation and Development
PIC	Prior Informed Consent
RIPA	Regulation of Investigatory Powers Act 2000
SPCB (India)	Indian State Pollution Control Board
TFS Regulations	Transfrontier Shipment of Waste Regulations 2007
UK WSR	UK Waste Shipment Regulations 2006 (1013/2006)
WFD	Waste Framework Directive 2008/98/EC under retained EU law
WEEE	Waste Electrical and Electronic Equipment

Glossary of terms

Annex VII	The movement form which details the person arranging the shipment, the description of the waste, the carriers involved in moving the waste, the intended waste operation and the destination recovery facility name and address. The form is set out in Annex VII of the UK Waste Shipment Regulations 2006 ¹ .
Article 18 contract	A written contract detailed in Article 18 of the UK Waste Shipment Regulations. It is between the person who arranges the shipment and the consignee for the recovery of the waste and shall be effective when the shipment starts. It must include that, if the shipment cannot be completed as planned, or is found to be illegal, the person who arranges the shipment (or the consignee) will take the waste back or recover it in an alternative way and provide for its storage in the meantime. Copies of the contract must be retained for 3 years, and competent authorities can ask to see them. ²
B3140	Waste code for waste pneumatic tyres, excluding those destined for Annex IVA operations ³
Broker	A waste broker is any person, business or organisation that arranges waste transportation and management of waste on behalf of another party, such as organisations contracting out waste collection services - for example, local authorities, supermarkets and producer responsibility compliance schemes ⁴ .
Buffings	Tyre buffing is a process of shaving a portion of tread from a tyre, producing the 'buffings' usually as a result from the retreading industry.
Carrier	A waste carrier is any person, who normally and regularly collects, carries or transports waste in the course of any business or with a view to profit, including those that produce

¹ [Regulation \(EC\) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste](#)

² [Waste: export and import - GOV.UK](#)

³ [Regulation \(EC\) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste](#)

⁴ [Waste duty of care: code of practice \(accessible version\) - GOV.UK](#)

	and transport their own waste - for example, builders and landscape gardeners. ⁵
Dealer	A waste dealer is any person, business, or organisation that buys waste with the aim of subsequently selling it, including in circumstances where the dealer does not take physical possession of the waste. ⁶
Environmentally Sound Management	Environmentally Sound Management means taking all practicable steps to ensure that waste is managed in a manner that will protect human health and the environment against adverse effects which may result from such waste ⁷ .
Extended Producer Responsibility (EPR)	This is an environmental policy approach in which a producer's responsibility for a product is extended to the waste stage of that product's life cycle. In practice, EPR involves producers taking responsibility for the management of products after becoming waste, including collection; pre-treatment, e.g. sorting, dismantling or de-pollution; (preparation for) reuse; recovery (including recycling and energy recovery) or final disposal. EPR systems can allow producers to exercise their responsibility either by providing the financial resources required and/or by taking over the operational aspects of the process from municipalities. They assume the responsibility voluntarily or mandatorily. EPR systems can be implemented individually or collectively ⁸ .
Free rider	An individual or company that benefits from a regulated activity or service without contributing to the costs of compliance associated with it. For example, an exporter of a waste which should be moved under the system of prior informed consent, but who is illegally moving it under article 18 controls.
Pyrolysis	The process by which waste pneumatic tyres are heated at high temperatures in an anaerobic atmosphere to break them down

⁵ [Waste duty of care: code of practice \(accessible version\) - GOV.UK](#)

⁶ [Waste duty of care: code of practice \(accessible version\) - GOV.UK](#)

⁷ Regulation (EC) No 1013/2006 of the European Union and the Council. Article 2 (8). [Regulation \(EC\) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste](#)

⁸ <https://www.basel.int/Portals/4/download.aspx?d=UNEP-CHW-IMPL-CLI-ESM-Toolkit-12-20190430.English.pdf>

	into various secondary products or constituent components, including gas, oil, steel, and char.
R1 waste code	An R1 code is used to describe waste that is for ' <i>use principally as a fuel or other means to generate energy</i> ' ⁹ . This may be used for tyre derived fuel, which is incinerated in facilities which generate energy, but could also be used to signify pyrolysis facilities. Where R1 codes are used, further information may be needed to confirm the type of waste operation.
Shred	The result of mechanical processes by which waste pneumatic tyres are fragmented, ripped, or torn into irregular pieces.
Shredding	Any mechanical process by which waste pneumatic tyres are fragmented, ripped, or torn into irregular pieces. Primary shredding usually refers to the processing of waste pneumatic tyres by shredding, crushing, or fragmenting, whilst maintaining in the resulting material, a composition similar to a waste tyre.
S2 Exemption	The S2 exemption allows for the storage of specific waste types, including waste pneumatic tyres at an intermediate site before they are sent for treatment elsewhere ¹⁰ .
T8 Exemption	The T8 Exemption allows individuals to mechanically treat small amounts of waste pneumatic tyres for recovery through baling, shredding, peeling, shaving, or granulating without the requirement for an environmental permit. It applies to waste pneumatic tyres or shredded or granulated tyres only.
T8 Operator	A legal person who holds a registration for a T8 exemption under the Environmental Permitting (England and Wales) Regulations 2016 as amended.
Waste pneumatic tyre	A pneumatic tyre is a ring-shaped component to transfer the load from a vehicle to the ground surface travelled over, which requires inflation. They may be fitted to motorised or non-motorised vehicles. Tyres can be made of natural and / or

⁹ [Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives \(Text with EEA relevance\)](#)

¹⁰ [The Environmental Permitting \(England and Wales\) Regulations 2016](#)

	<p>synthetic rubber. They do not include the wheel rim, or spokes of a wheel.¹¹</p> <p>A waste pneumatic tyre is one that is disposed of, or intended to be disposed of, or is required to be disposed of by the provisions of national law.</p>
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¹¹ Adapted from UNEP/CHW.17/INF/10/Rev.1 Technical guidelines on the environmentally sound management of [used and] waste pneumatic tyres.

Executive summary

This report sets out the findings of the internal review into the Environment Agency's regulation of waste pneumatic tyres and their export, with a focus on the export of this waste to India.

The Environment Agency actively promotes confidence in our regulatory work through openness and continual improvement. Accordingly, we undertook a review of our regulation of waste pneumatic tyres and their export to:

- Ensure appropriate action was being taken to protect people and the environment from the risk of harm arising from the export of waste pneumatic tyres throughout the period of their shipment and recovery.
- Assess whether exports of waste pneumatic tyres were compliant with UK legislation and international controls.
- Examine the effectiveness of the Environment Agency's regulatory approaches and consider any amendments that might be needed.

The review audited relevant complaints and concerns, including stakeholders' allegations that:

- Waste pneumatic tyres exported from England are being diverted from legal recovery routes and brokered into illegal pyrolysis operations in India, some of which may be unlicensed, and not operating in an environmentally sound manner.
- Permitted sites overseas are receiving tyre volumes well above their licensed limits, with excess waste entering the illegal pyrolysis market.
- A proportion of exported waste pneumatic tyres are being reused for their original purpose, despite being declared as waste in the UK.
- Operators in England are breaching the limits allowed under the T8 exemption. Further, business holding T8 operators in England are knowingly exporting these tyres for pyrolysis operations.
- Domestic waste movement documents are not being completed.
- The low cost of exporting waste pneumatic tyres is undermining legitimate recovery operations in the UK and restricting growth in the sector.

The Environment Agency focussed this review on waste tyre exports to India as 89% of the UK's waste rubber is exported to India for recovery into secondary products. We have also received numerous stakeholder enquiries related to the environmentally sound management of waste pneumatic tyres in India.

These exports fall under Article 18 (Green List) controls, as confirmed by India's Ministry of Environment in 2021. This means that movements require an Annex VII form but no prior

permission. The Environment Agency is not routinely notified or provided with Annex VII forms, as this requirement currently only applies to Scotland and Northern Ireland.

In the longer term, the Environment Agency is working with Defra on reforms to Article 18 waste exports. This will include mandatory submission of Annex VII forms prior to shipment, and the introduction of a charging scheme for Article 18 wastes.

Summary: Actions

There are 4 actions we will now take following this review:

- The Environment Agency will implement enhanced verification checks for exports of waste pneumatic tyres going to India.
- We will provide additional training to our staff about the requirements of the UK Waste Shipment Regulations (UK WSR) and how they apply to waste pneumatic tyres.
- We will enhance research and horizon scanning to support regulation of waste pneumatic tyre exports.
- We will prioritise our partnership working and engagement, with the Indian environmental authorities on waste pneumatic tyres.

The Environment Agency will take a phased approach, to ensure that tyres exported to India are managed in an environmentally sound manner, prioritising Action 1 (enhanced export verification checks) from 1 October 2025. This includes staff training and process development ([Appendix 10](#)).

Implementation plans for the remaining actions will be completed by 31 December 2025, aiming for rollout in early 2026.

We will monitor the impact of the verification checks and are confident these actions will strengthen our regulatory response and tackle illegality.

Support to Government

Opportunities for changes to legislation include:

Reform of the regulatory requirements for Article 18 (Green List) wastes

The Environment Agency is working with Defra on the opportunity to introduce more fundamental changes to exports of all Article 18 (green list) wastes, whereby Annex VII information will be required in advance of shipments, with associated charges to support compliance activity. The Annex VII will need to be supported by information evidencing that the destination sites will operate to broadly equivalent human health and environmental protection standards to those established in UK law.

Removal of the T8 exemption

In July 2025, the Government committed to removing the T8 exemption due to widespread non-compliance, with businesses handling tyres in volumes far beyond permitted limits.

Requiring operators to hold environmental permits will strengthen regulatory control by introducing operator competence standards, management systems, fire prevention plans, and mandatory waste reporting. This will enhance our oversight of waste tyre movements, including exports.

We support the removal of the T8 exemption and have helped businesses to prepare by publishing standard rules permits for tyre storage and treatment. These offer a quicker, more cost-effective transition for current T8 operators compared to bespoke permits.

Action 1 - We will implement enhanced verification checks for waste pneumatic tyres going to India

The review has identified that the Environment Agency should take further steps to ensure we are fulfilling our legal obligations under the UK WSR when exporting waste pneumatic tyres to India and deliver against our objectives under the UK Waste Shipments Inspection Plan.

We believe now that it is highly likely that a proportion of UK waste pneumatic tyres are being diverted for illegal pyrolysis on arrival into India. We have a much clearer understanding of the information that we hold to make the assessment of whether waste pneumatic tyres exported from England are being handled in an environmentally sound manner.

Having fully considered this information against our legal duties, we accept there is a lack of sufficiently credible information which would entitle us to assume, for the purposes of Article 49(2) UK WSR, that waste pneumatic tyres exported to India are reaching the destination recovery facility named on the movement form (Annex VII), or are being treated for recovery in an environmentally sound manner.

We have an obligation to prohibit exports of waste under Article 49(2) of the UK WSR if we have reason to believe that the waste will not be managed in an environmentally sound manner. We may be entitled to assume environmentally sound management as regards the waste recovery or disposal operation concerned, if the notifier or the competent authority in the country of destination can demonstrate that the facility which receives the waste will be operated in accordance with human health and environmental protection standards that are broadly equivalent to standards to that in the UK, prior to the export.

We have not been able to verify that exported waste pneumatic tyres are arriving at their intended destination sites in India. This is in part because we do not routinely receive completed Annex VII forms. In the case of the Annex VII forms that accompanied the bales of waste pneumatic tyres tracked by industry, the forms appear to have been falsified to suggest the waste was received at the intended destination, when the tracker data showed that this was not the case.

We will implement a change to our regulatory response through the introduction of enhanced verification checks, planned to go live from 1 October 2025, for exports of all waste pneumatic tyres destined for India. We will implement these verification checks using powers available to us

under Articles 49 and 50 of the UK WSR and The Transfrontier Shipment of Waste Regulations 2007. This transitional period will provide us with time to recruit and train staff to manage this new process. It will also present us with an opportunity to work with stakeholders and partners to refine our amended approach.

A summary of an implementation plan, setting out the activities we will deliver between the publication of this review and 1 October 2025, is included as [Appendix 10](#).

These enhanced verification checks are intended to provide us with confidence that exports of waste pneumatic tyres are being managed in an environmentally sound manner, throughout the period of shipment and its recovery. This includes a demonstration that tyres are being received by appropriate recovery facilities.

Under this approach, all exporters of waste pneumatic tyres to India will be required to provide information to us that gives us confidence that waste is being recovered in an environmentally sound manner. This information will be requested through the issuing of Information Notices.

Once we have confidence that specific destination recovery facilities are acceptable and throughout the shipment waste will be handled in an environmentally sound manner, shipments will be allowed to move, subject to future permit changes, expiry, or revocation (or if concerns are raised).

If the requested information is not provided, or the information does not satisfy us that the waste will be recovered in an environmentally sound manner, officers will decide whether to stop that shipment using our powers to serve a Notice under Schedule 5, Part 1 the TFS Regulations 2007.

Provision of additional information by exporters will allow us to expand our current overseas recovery facility database. There is a longer-term plan to obtain similar information through regulatory reform and the introduction of the Digital Waste Tracking System (DWTS). However, in the interim, we will serve Information Notices on brokering organisations, and exporters directly involved in moving waste pneumatic tyres, to obtain this information.

Action 2 - We will provide additional training to our staff about the requirements of the UK WSR and how they apply to waste pneumatic tyres

We have identified a need for internal training and guidance on the Environment Agency's legal obligations under the UK WSR and TFS Regulations to ensure a consistent and shared understanding across teams. In the coming months, we will provide targeted training and resources to build capability and support confident implementation.

The training should encompass the following specific aspects:

- The requirements of the UK WSR and TFS Regulations in relation to waste pneumatic tyres. This should include our understanding related to the assessment and implementation of the requirements set out in Articles 36 and 49 of the UK WSR.

- The limitations of our powers in overseas jurisdictions – in this case when waste pneumatic tyres are exported to India. Article 49 of the UK WSR states that ‘the competent authority of dispatch in the United Kingdom shall require and endeavour to secure that any waste exported is managed in an environmentally sound manner throughout the period of shipment, including recovery’. This means that our duties do extend beyond England and the English Area to ensure they reach their intended destination in India, the waste pneumatic tyres are managed in an environmentally sound manner, and they are recovered.
- The prohibition India implemented in July 2022 on importing waste pneumatic tyres for pyrolysis, rendering these exports as prohibited under Article 36(1)(f) of the UK WSR.
- Interpretation of information within Annex VII forms including destination operation codes. For example, the training on the significance of the operational code R1 which may signify that the waste pneumatic tyres are destined for ‘*use principally as a fuel or other means to generate energy*’¹². This may be used for tyre derived fuel, which is incinerated in facilities which generate energy, but could also be used to signify pyrolysis facilities. Where R1 codes are used, further information should be provided to confirm the type of waste operation.
- Strengthening the recording of information about exports of waste pneumatic tyres across the Environment Agency, including information on exports obtained during both routine and incident inspections at T8 sites. We will provide targeted training for staff to ensure a more consistent and complete picture of operator activity, including those involved in waste exports. We will also make data recording mandatory.
- How to assess the information provided to us through Action 1 (enhanced verification checks), and the process to enter information onto the overseas sites database to ensure that it represents a complete picture of the information we hold relating to the export of waste pneumatic tyres to India.

We will develop a plan to address waste pneumatic tyre training needs by 31 December 2025

¹² [Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives \(Text with EEA relevance\)](#)

Action 3 - We will improve how we carry out horizon scanning activities for changes in waste controls and improve our knowledge of the research available on waste pneumatic tyres

We are committed to improving our work in identifying, understanding, and considering any impacts arising from new and emerging research into waste pneumatic tyres or any changes in controls implemented in overseas law.

Research

During the review, we heard from stakeholders that they believed that waste pneumatic tyres should be reclassified to require a notification to move internationally. Some stakeholders believe they should be hazardous waste, which would require a notification to be in place prior to any movement. It is also the case that where wastes are classified as hazardous, they are prohibited from being exported for disposal (subject to the exceptions within the UK plan for shipments of waste) to other OECD countries. Hazardous waste cannot be exported for recycling, recovery, or final disposal to non-OECD countries. This means that the export of waste pneumatic tyres to India would be prohibited if waste pneumatic tyres were classified as hazardous.

The review of our regulatory powers and legal framework has identified that it is possible to implement notification controls on waste pneumatic tyres by:

- Requiring a notification, where prior informed consent between all the competent authorities of dispatch, destination and any transit countries is needed prior to the movement.
- Reclassifying waste pneumatic tyres as hazardous, which would automatically apply the need for a notification to be in force prior to any movement.

Both options, and the relevant Articles within the UK WSR that enable them, are covered in Section 1.1. It should be noted that requiring notification for waste pneumatic tyres would apply to all exports of waste pneumatic tyres, no matter their destination – we could not apply this to specific destinations.

Reclassifying wastes to require prior notification could place an additional burden on businesses which are able to demonstrate compliance with environmentally sound management standards in the export of waste pneumatic tyres.

All options require evidence on which to base any decision, consider the impact, and justify regulatory or policy change. The review has identified that we do not hold a comprehensive picture of the research available on which to make an informed assessment of whether waste pneumatic tyres could be considered hazardous.

Further consideration is needed to assess the impacts and any unintended consequences. Any reclassification would need careful impact assessment to avoid adverse and unintended consequences of such a decision. For example, an assessment of UK recovery capacity and appropriate transitional arrangements would be required.

We believe that the enhanced verification checks we are implementing in Action 1 should be prioritised prior to considering further changes to controls. We will review the effectiveness of these checks, before considering if any further action is needed.

We will, however, take further action to understand what research the Environment Agency holds, resulting from both our own research on waste pneumatic tyres, and that carried out by external experts by carrying out further internal discussions with our Chemicals Assessment Unit and Chief Scientist Group.

Overseas changes in controls

We took the correct action when we were made aware of the amended controls prohibiting the export of waste pneumatic tyres for pyrolysis to India, in that we understood the movement of waste pneumatic tyres to India for pyrolysis would be prohibited under Article 36 (1)(f). The amendment came into effect in July 2022. However, there was a gap of 6 months before we were made aware, which may have allowed some waste pneumatic tyres to be exported to India for pyrolysis during this period. It then took time to confirm the position through correspondence with the British High Commission on 2 May 2024, and directly during a virtual meeting with the Indian Ministry of Environment, Forest, and Climate Change (MoEFCC) on 19 June 2024 ([Appendix 4.6](#)).

We will improve our horizon scanning activities to ensure that we are as up to date as possible with any changes in controls implemented overseas relating to waste pneumatic tyres, and how they may impact movements of waste from England. We will do this by prioritising those countries that receive UK waste pneumatic tyres. We know which countries these are, other than India, through HMRC customs data.

We will also work with Defra as the UK's designated focal point for the Basel Convention - which governs the transboundary movement of hazardous and other wastes - to confirm with the Indian authorities whether Article 18 controls remain the appropriate mechanism for waste movements between the UK and India.

Any changes in controls identified should feed through into adaptive risk profiling (including the MoRiLE (Management of Risk in Law Enforcement) methodology for waste pneumatic tyres and ensure that intelligence products take account of such changes and prioritise working with specific international partners to prevent illegal exports because of any changes. We are addressing these issues by expanding our intelligence work. Our teams are now carrying out more detailed analysis of individual waste types as part of their strategic assessments. We also set up a new Strategic Intelligence Team in April 2025. Sitting within the National Environmental Crime Unit (NECU), this team will develop more targeted intelligence to improve risk profiling and strengthen how we work with partners to prevent waste crime.

Improving our knowledge of operations overseas and research awareness will also be supported by our actions in Action 4 - partnership working and engagement.

We will provide a further plan of how we will deliver an improved awareness of research on waste pneumatic tyres, and any control changes in overseas destinations no later than 31 December 2025.

Action 4 - We will invest in our partnerships and engagement with key stakeholders to deliver our duties

We have been supported in developing our understanding of the risks and challenges in India relating to waste pneumatic tyres through our international engagement work.

This review has highlighted the importance of engaging with a wide variety of stakeholders, both within the UK and overseas, to ensure that we understand the risks and threats posed by international movements of waste pneumatic tyres, as well as to help build an accurate picture of waste flows and market forces that might be exploited by criminals operating in the waste pneumatic tyre sector.

We will invest in our engagement and partnership working with UK industry, Defra, the other UK competent authorities, the Basel Convention Working Group on waste pneumatic tyres, the Indian environmental authorities, the British High Commission, and the IMPEL Network¹³. We will also look to engage with the Circular Economy Taskforce Transport Group as plans become available.

We will prioritise our work to strengthen our relationship with the Indian environmental authorities. Exchanges of knowledge and intelligence between us and the environmental authorities in India will help to corroborate the information that is being provided by exporters and further increase confidence that exports of waste pneumatic tyres are being managed in an environmentally sound manner. We are making progress in arranging a face-to-face meeting with the Indian Ministry of Environment, Forest, and Climate Change (MoEFCC) in the autumn of 2025¹⁴. The objective of the meeting will be to build and sustain a positive working relationship, giving all parties more confidence that waste pneumatic tyres are being managed in an environmentally sound manner, and that we are able to meet our statutory duties whilst supporting legitimate trade. We are also committed to working with the Ministry to gain their permission to deploy tracking devices, which will support our work to ensure waste pneumatic tyres are being received at the intended operational facilities.

We will also prioritise our work with Defra as part of the Basel Convention Small Intersessional Working Group that is developing updated Technical Guidelines for the environmentally sound management of used and waste pneumatic tyres. This working group is a helpful resource which provides access to contacts across the industry, including competent authorities from other countries that are involved in the management, research, or regulation of waste pneumatic tyres.

Participation in this group has proven to be highly effective in providing advice and guidance, not only related to pyrolysis, but other waste activities involving waste pneumatic tyres. For example, we have been able to share experiences in the storage of waste pneumatic tyres and the requirements for fire prevention plans to avoid loss of the material through fires and negative amenity impacts.

¹³ EU Network for the Implementation and Enforcement of Environmental Law, [IMPEL Network](#)

¹⁴ The meeting is dependent on receiving the necessary Note Verbale confirming the arrangements and visas to enable the meeting to go ahead.

We will develop a plan of our engagement aims and objectives relating to waste pneumatic tyres by 31 December 2025.

Introduction

The internal review was commissioned in March 2025, and a Waste Tyres Review team was established to deliver this work.

This report sets out the findings and the actions we are taking in response.

Reasons for an internal review

We are committed to improving confidence in our regulatory approach to waste pneumatic tyres and their export. We undertook this internal review in response to:

- Changes in the regulatory landscape in India, following the introduction of a prohibition on the import of waste pneumatic tyres being sent for pyrolysis in July 2022¹⁵.
- An increase in complaints about exports of waste pneumatic tyres to India from early 2023.
- Allegations of illegality in the English waste pneumatic tyre sector, specifically in relation to operators breaching the conditions of their T8 exemption.

The review included an audit of relevant complaints and concerns which we had received. This included allegations that:

- Waste pneumatic tyres from England are being brokered on arrival at port into India and are then 'leaked' into the illegal waste sector for treatment at pyrolysis plants, some of which may be unlicensed, rather than being sent to their intended destination for environmentally sound recovery into secondary materials.
- Permitted sites in India are receiving significantly higher volumes of waste pneumatic tyres than their permit and import licences allow, with excess waste being leaked into the illegal pyrolysis market.
- A proportion of exported waste pneumatic tyres are being reused for their original purpose, despite being declared as waste in the UK.
- Many operators are breaching the limits allowed under the T8 exemption.
- T8 operators are knowingly exporting these tyres for pyrolysis operations.
- Domestic movement documents are not being completed to hide the volume of tyres being handled on T8 sites.

¹⁵ Hazardous and Other Wastes (Management and Transboundary Movement) Amendment Rules, 2022 - [eGazette Home](#)

- The low cost of exporting waste pneumatic tyres is undermining legitimate recovery operations in the UK and restricting growth in the sector.

Industry stakeholders, including the Tyre Recovery Association (TRA), have made representations to Defra and to the Environment Agency, stating that waste controls should be amended to limit the export of waste pneumatic tyres, allowing only waste tyre shred to all destinations. They assert that this would prevent the leakage of baled waste pneumatic tyres into the illegal pyrolysis market, because tyre shred requires specialist infrastructure to operate the treatment process. The assertion is that illegal pyrolysis plants operate on a batch process basis, which is more difficult to manage with tyre shred without significant investment in site infrastructure. Therefore, adopting a 'shred only' export policy could help to ensure that the shred enters only legally operating treatment sites.

It has also been suggested that waste pneumatic tyres should require notification controls, rather than being listed under the Article 18 (green list) waste system. Article 18 does not require waste to receive Prior Informed Consent (PIC) prior to export, thereby limiting our opportunity to intervene in the shipment.

Scope of internal review

The scope of this work ([Appendix 1](#)) was to:

- Review our understanding of the laws that control the regulation and export of waste pneumatic tyres
- Assess our intelligence handling processes.
- Establish findings actions that should be taken.

The Terms of Reference ([Appendix 2](#)) set out the overarching purpose of the review

Definitions

This review only covers waste pneumatic tyres to India, which are coded as B3140 under the UK Waste Shipment Regulations where they are being shipped internationally for recovery operations.

Tyres become waste at the end of their useful life and arise from vehicles such as cars, trucks, aircraft and bicycles. Most waste pneumatic tyres exported from the UK are waste pneumatic tyres, which means that they require inflation. Solid tyres, which are predominantly used for industrial and other specialist purposes, arise in much smaller quantities and have not been considered as part of this review.

UK Legislative Framework

This report compiles the findings of the Environment Agency's review into its understanding and interpretation of the UK WSR and the associated legislation that informs its regulatory remit. It also assesses how the organisation has managed and acted upon the information and intelligence held within its corporate memory, including that provided by third parties.

The scope of the review is specifically focussed on our regulation of waste pneumatic tyres and their export.

Timeframe

For this review, we considered our regulation of waste pneumatic tyres and their export, with a focus on exports to India since July 2022. This timeframe was chosen as this was when the Indian government implemented amendments to domestic legislation which prohibited imports of waste pneumatic tyres for the purpose of pyrolysis.

Findings and Actions

This review has been delivered by the Environment Agency, which is the environmental regulator and competent authority for England only. The findings set out in this report may not reflect the views our counterparts in the Scottish Environment Protection Agency (SEPA), Natural Resources Wales (NRW) or the Northern Ireland Environment Agency (NIEA).

The findings and actions focus on those areas that fall within our remit. Whilst policy matters are discussed, any proposals to amend the legislative framework in England would need to be considered by the UK government. The Department for Environment, Food, and Rural Affairs (Defra) is the ministerial department responsible for environmental matters in the UK where these are retained matters.

Legal basis and regulatory requirements for exporting waste pneumatic tyres to India

Waste pneumatic tyres exported for recovery are exported under waste code B3140 and can be exported to India for recovery under Article 18 (green list) of Regulation (EC) No 1013/2006 of the European Parliament and of the Council on shipments of waste¹⁶ and the reference in Article 37 of those regulations. Article 37 refers to controls set out in Regulation 1418/2007, which are the controls on Article 18 wastes to non-OECD countries. India indicated that it wished for local controls, which are enforced via Article 18 controls, to apply both during the last review of the regulations (which were published in 2014) and in 2021, following a request for confirmation from the UK Government.

Movements of waste under Article 18 controls must be accompanied by an Annex VII form. An Annex VII form provides details of the movement, including (but not limited to):

- The person arranging the shipment
- Description of the waste

¹⁶ As amended by the International Waste Shipments (Amendment) (EU Exit) Regulations 2019, The International Waste Shipments (Amendment of Regulation (EC) No 1013/2006) Regulations 2020, and the International Waste Shipments (Amendment of Regulation (EC) No. 1013/2006 and 1418/2007) Regulations 2021 (the 'Waste Shipment Regulations').

- The carriers involved in moving the waste
- Intended type of waste operation
- Destination recovery facility name and address.

There must also be a contract in place between the person who arranges the shipment and the consignee for recovery of the waste. The Environment Agency can request these contracts in accordance with Article 18(2)(b).

The Environment Agency does not routinely receive copies of Annex VII forms and so do not hold data on the tonnages of B3140 wastes exported. This is because Regulation 45 of the Transfrontier Shipment of Waste Regulations 2007 (TFS Regulations) – the provision which requires that a person who arranges the shipment of waste under Article 18 must provide a copy of the Annex VII document to the competent authority – applies only to Scotland and Northern Ireland.

The Environment Agency can request copies of Annex VII documents using our powers under Schedule 5(2) of the TFS Regulations. This allows us to serve an Information Notice on any person and require that person to provide such information as is specified in the Notice, within a set period.

In the longer term, the Environment Agency are working with Defra to introduce more fundamental changes to exports of all Article 18 (green list) wastes, whereby Annex VII information will be required in advance of shipments and charges are introduced to fund compliance activity via a digital system.

The Environment Agency can estimate the volume of waste rubber exported through open-source data published by His Majesty's Revenue and Customs (HMRC)¹⁷. We can do this through use of 'harmonised system customs codes' (also known as HS Codes). HS Code 4004 refers to 'waste, parings and scrap of rubber (other than hard rubber) and powders, and granules obtained therefrom.' This is the only relevant descriptor for waste rubber tyres (although may also include other rubber materials). Therefore, the data produced under this code may not be tyre specific and should therefore be viewed with this limitation in mind.

Customs data lists the countries that were destinations for exported waste rubber from the UK. These destinations are listed in Section 2.4 of this report. The data shows that India received between 74% (2022) and 94% (2025 year to March) of total exports for waste rubber, with Türkiye taking between 12% (2022) and 0.2% (2025 YTD). Other destinations took 2% or less of the annual total.

¹⁷ [Commodity code 4004000000: Waste, parings and scrap of rubber \(other than hard rubber\) and powders and granules obtained therefrom - UK Integrated Online Tariff - GOV.UK](#)

Information gathering methodology

To gather the information on which to base our findings and subsequent actions, we:

- Completed an analysis of the information held on our intelligence databases and platforms.
- Reviewed relevant correspondence held within our records.
- Held a stakeholder drop-in session with industry and trade bodies on 22 May 2025.
- Offered stakeholders the opportunity to provide information directly to us by email, or anonymously via our incident hotline, or Crimestoppers.
- Requested information and data held by stakeholders to substantiate various claims that have been made related to breaches of the T8 exemption.

Allegations of T8 abuse and the diversion of waste pneumatic tyres for illegal pyrolysis or reuse

Within the UK, many industry stakeholders have expressed concerns about operators routinely breaching the conditions set out within the T8 exemption. This exemption allows for the storage and treatment of waste pneumatic tyres without an environmental permit, subject to restricted volumes. Parts of the waste pneumatic tyre sector have argued that abuse of the T8 exemption by illegal operators is undermining legitimate recovery operations in the UK and restricting investment and growth in the sector. They have also suggested a link between those breaches of the T8 exemption and exports of waste pneumatic tyres to India which are then diverted for illegal pyrolysis. This report considers these claims and our regulatory response in respect of these sites.

Regarding the export of waste, this review focusses on movements of waste pneumatic tyres to India. This is because around 89% of all waste rubber arising in the UK each year is exported to India, purportedly for environmentally sound recovery into secondary products.

The Environment Agency has also received allegations that waste pneumatic tyres exported to India from the UK, are being sent to illegal pyrolysis facilities to extract the steel, tyre pyrolysis oil and other outputs¹⁸.

The inference is that these waste pneumatic tyres are being diverted from their intended destination for environmentally sound recycling for illegal pyrolysis operations or reuse.

Pyrolysis is a process where organic (carbon-based) materials (in this instance, waste pneumatic tyres) are heated at high temperatures in an anaerobic atmosphere to break them down into various secondary products or constituent components. These include:

¹⁸Environment Agency orders review into tyre recycling after BBC probe, 2 April 2025. [Waste tyre review after BBC reveals millions sent to Indian furnaces - BBC News](#)

- Tyre pyrolysis oil (used as a hydrocarbon fuel)
- Syngas (used for fuel)
- Carbon black (which can be reused in the tyre manufacture process)
- Steel (which can be recycled)
- Char (which can be used in activated carbon production, catalyst support and asphalt additives¹⁹)

Tyre pyrolysis is legal in India for domestically sourced tyres where the facility holds the appropriate permits for operation. However, since July 2022, it has been prohibited to export waste pneumatic tyres for pyrolysis to India following an amendment to their 'Hazardous and other wastes (Management and Transboundary movement) Rules 2016'.

Allegations have been raised by some parts of the waste pneumatic tyre industry and the media that contrary to this legislative prohibition, a proportion of waste pneumatic tyres imported from the UK are being diverted at port on arrival in India and sent to low grade illegal pyrolysis facilities. These are unregulated as they do not hold an environmental permit issued by the relevant environmental authorities. Although we do not hold information on these facilities, it is likely that they are not operating in an environmentally sound manner and could be causing harm to the environment and public health.

This illegal activity is allegedly taking place so that operators can reclaim the valuable materials contained within the tyre (such as the steel banding), and to collect by-products of pyrolysis (such as tyre pyrolysis oil which can be used as a fuel).

On 19 June 2024, the Indian Ministry of Environment, Forest, and Climate Change (MoEFCC) confirmed to the Environment Agency, during a virtual meeting, that it was aware of gaps in regulatory controls around imported waste pneumatic tyres and acknowledged that a proportion are likely being diverted at port for pyrolysis operations. Separately, MoEFCC also confirmed to the British High Commission on 2 May 2024 that it had received complaints concerning illegal operations involving waste pneumatic tyres. This related to waste pneumatic tyres being diverted for illegal pyrolysis or for reuse for their original purpose.

¹⁹ [Tire pyrolysis char: Processes, properties, upgrading and applications - ScienceDirect](#)

Several UK Government and independent reports^{20 21 22 23} have outlined the negative impacts of waste crime on communities and the environment over the past decade. The Government responses set out several recommendations, including some relevant to waste pneumatic tyres. This included a commitment to remove the T8 exemption because of feedback detailing abuse of the exemption and the lack of incentive for operators to obtain an environmental permit under the Environmental Permitting Regulations 2016 (see paragraph 5.5 of the '[Supplementary government response](#)', updated 6 October 2023) because facilities can operate without the expense, management and oversight of holding a permit. No timetable was provided for this exemption to be removed.

It should be noted that the response committing to removal of the T8 exemption was published under the previous Conservative government. In a Westminster Hall debate on 29 April 2025 Parliamentary Under-Secretary for Defra, Minister Creagh MP, confirmed that it was still the intention of the current Labour government to remove this exemption, but the timescale for those legislative changes has not been confirmed. That commitment was recently restated in July 2025.²⁴

How the Review has been carried out

The review was delivered in three phases as outlined below:

Phase 1: Setting the scope (March-April)

Having reviewed various concerns raised with us by industry, and in the media, the following themes were included in the review scope ([Appendix 1](#)):

- An assessment of our understanding of our regulatory duties relating to the export of waste pneumatic tyres to other countries.
- A review of how we manage and act on the information and intelligence we hold.
- An evaluation of our existing regulatory approach and actions required to address those findings.

²⁰ National Waste Crime Survey, Environment Agency, July 2023.

https://assets.publishing.service.gov.uk/media/67e1629d70323a45fe6a7003/National_waste_crime_survey_2023_-_report.pdf

²¹ Government actions to combat waste crime report, October 2022.

<https://committees.parliament.uk/publications/30321/documents/175330/default/>

²² Independent review into serious and organised crime in the waste sector, November 2018.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/915937/waste-crime-review-2018-final-report.pdf

²³ Investigation into government's actions to combat waste crime in England, National Audit Office, April 2022.

[Investigation into government's actions to combat waste crime in England - NAO report](#)

²⁴ Policy paper: Reforming the waste exemptions system, Defra, 15 July 2025. [Reforming the waste exemptions system - GOV.UK](#)

Phase 2: Information gathering (April-May)

Information held in our records dating back to 1 July 2022 was collated and reviewed. This date was selected as per the scope of the review.

The Environment Agency engaged extensively with external partners and stakeholders during this information gathering phase. This included convening a stakeholder drop-in session on 22 May 2025 to provide stakeholders an opportunity to talk to us directly and share additional information on alleged illegality within the waste sector.

A mechanism to provide information anonymously was also set up. Where necessary, Information Notices were served on external parties to ensure that all possible disclosure to support our decision making had been provided and to confirm that decisions were being taken on all relevant information available.

Phase 3: Reviewing and developing findings (May-July)

Having collated all available information, the Environment Agency assessed it, alongside a thorough review of the legal framework and our existing regulatory approaches.

This information was then used to develop a set of actions which were reviewed by the governance group and Legal Services.



Section One: Regulatory powers and legal framework

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Introduction

This section of the report sets out the current regulatory powers and the legal framework for waste pneumatic tyres in England. It also outlines how our work on waste pneumatic tyres is funded, and the ways in which we are structured to discharge our duties.

1.1. Regulatory powers and legal framework

This section sets out the regulatory framework that applies in England, under which we are the competent authority with a duty to regulate exports of waste.

Definition of waste in England

The definition of waste in England is derived from the Waste Framework Directive²⁵. A material is considered waste once the producer or holder discards it, intends to discard it, or is required to discard it.

Whether an object or substance is waste should be assessed by the producer or holder of the material. The assessment of whether the object or substance has been discarded is based on the actions of the producer or holder as they may unintentionally, involuntarily, or accidentally discard the item or substance, or be required to discard it.

The Environment Agency provides information aimed at helping holders determine whether material is considered waste on [our pages](#) on the government website²⁶.

Waste pneumatic tyres arise from the use of tyres across the transportation industry. They can be made of both natural or synthetic rubber, and do not include the wheel rim, or spokes of a wheel. In England, tyres are usually discarded (and so become waste pneumatic tyres) when the tread depth reaches 1.6mm for road vehicles, or where they can no longer be re-treaded. Tyres may also become waste due to damage to the tyre structure, or because they exceed the 10-year maximum age limit for tyres fitted to goods vehicles, buses, coaches and minibuses²⁷.

²⁵ [Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives \(Text with EEA relevance\)](#)

²⁶ Guidance: Check if your material is waste, Environment Agency, updated 11 July 2004. [Check if your material is waste - GOV.UK](#)

²⁷ Guidance: Tyre Age restrictions for goods vehicles, buses, coaches, and minibuses, Department for Transport, 15 January 2021. [Tyre age restrictions for goods vehicles, buses, coaches and minibuses - GOV.UK](#)

UK legislative framework for waste pneumatic tyres

In England, waste pneumatic tyres are subject to the requirements of the Environmental Protection Act 1990 (EPA 1990)²⁸ and the Environmental Permitting Regulations 2016 (EPR)²⁹.

Environmental Protection Act (Duty of Care)

Section 34 (1) of the EPA 1990 imposes a duty on holders of waste to make provision for the safe management of waste to protect human health and the environment. This 'duty of care' is implemented and enforced under statutory guidance called the Duty of Care Code of Practice, made under Section 34 (7) of the EPA 1990.

Section 34 (1) provides:

'Subject to subsection (2) below, it shall be the duty of any person who imports, produces, carries, keeps, treats or disposes of controlled waste or, as a dealer or broker, has control of such waste, to take all such measures applicable to him in that capacity as are reasonable in the circumstances, including:

(c) On the transfer of the waste, to secure -

(i) that the transfer is only to an authorised person or to a person for authorised transport purposes;'

Section 34(4)(c) of the EPA 1990 defines authorised transport methods for moving waste as:

'The transport by air or sea of controlled waste from a place in Great Britain to a place outside of Great Britain'.

Therefore, this directly includes movements of waste destined for export from England. A relevant waste controller is also defined within Section 34 of the EPA 1990 (CA) (12) as 'any person who exports relevant waste'.

The Duty of Care Obligations arising under Section 34 (1) of the EPA 1990 therefore apply to movements of waste destined for export from England.

This means that if waste is illegally exported to a place outside of Great Britain, there may be offences for each person within the waste chain. Whether an offence has been committed and by whom will depend on the exact circumstances of the case. We consider enforcement action under Section 34 of the EPA 1990 on a case-by-case basis. Further, the Environment Agency only has jurisdiction within England and the English area so we cannot take enforcement action against those outside of our jurisdiction.

²⁸ [Environmental Protection Act 1990](#)

²⁹ [The Environmental Permitting \(England and Wales\) Regulations 2016](#)

The English area is defined in Regulation 4 of the Transfrontier Shipment of Waste Regulations 2007 (the TFS Regulations) as part of the marine area which is not the Northern Irish area, the Scottish area or the Welsh area.

Environmental Permitting Regulations 2016

Where waste pneumatic tyres undergo waste operations i.e. storage and/or treatment, it is a requirement under the Environmental Permitting Regulations that those facilities hold an environmental permit as a regulated facility or register and comply with an exemption from the requirement to hold a permit.

Examples of regulated activities include:

- Deposit into or onto land (e.g. landfill)
- Incineration
- Recycling/reclamation of organic substances which are not used as solvents (including composting and other biological transformation processes)
- Baling, shredding, granulating waste.

A waste exemption is a low-risk waste management activity that is exempt from the requirement for an environmental permit. Exemptions are registered by the site operator. There is no assessment process. Each exemption has limits and conditions which must be complied with in full, if the waste activity is exempt from the requirement to have a permit. Failure to do so means the operator is operating without a permit, which is illegal. Waste exemptions are listed under four types of activity:

- Storing waste (S exemptions)
- Treating waste (T exemptions)
- Using waste (U exemptions)
- Disposing of waste (D exemptions).

S2 and T8 exemptions are the most relevant for waste pneumatic tyres.

S2 exemption

The S2 exemption³⁰ allows for the storage of specific waste types, including waste pneumatic tyres, at an intermediate site before they are sent for treatment elsewhere.

³⁰ Guidance: S2 storing waste at a secure site, Environment Agency, updated 1 July 2025.
<https://www.gov.uk/guidance/s2-waste-exemption-storing-waste-in-a-secure-place>

The quantities that may be stored depends on the waste type, but for tyres, tyre chips, and crumb, the exemption allows for up to 40 tonnes to be stored for up to 3 months. The total quantity of waste stored together must not exceed 10 tonnes to reduce fire risk.

The exemption does not allow any form of treatment on the waste pneumatic tyres such as baling or shredding. S2 exemptions must be registered with us.

T8 exemption

The T8 exemption allows operators to mechanically treat waste pneumatic tyres for recovery through baling, shredding, peeling, shaving, or granulating³¹. It applies to waste pneumatic tyres or shredded or granulated tyres only. T8 exemptions must be registered with us.

The exemption allows for the storage and treatment of up to 60 tonnes of truck tyres or up to 40 tonnes of any other tyres over any 7-day period. This is roughly equivalent to two 40ft containers of waste pneumatic tyres per week. The waste pneumatic tyres must be stored in piles no bigger than 10 tonnes.

If operators wish to treat more than the amount of waste allowed under this exemption or want to store waste pneumatic tyres in piles larger than 10 tonnes they must apply for an environmental permit. Otherwise, they must cease operations.

Only one exemption of each type can be registered at the same site. Exemptions are not cumulative, and it is illegal to register multiple exemptions and 'add' the tonnages to allow larger volumes to be managed without the benefit of a suitable environmental permit. This means that operators may not hold S2 and T8 exemptions for the storage of the same wastes at the same site or time. An S2 exemption may be held for other wastes at the same time and location as a T8 exemption.

As of 8 April 2025, our records showed that 1,014 T8 exemptions had been registered³². Of these:

- 350 were classified as 'not on farm' exemptions
- 664 were classified as 'on farm' exemptions

This may not be a true reflection of the number of T8 recyclers in England that are operating, as waste exemptions are often registered in error or 'just in case'. The true number of sites operating is therefore likely to be less.

- The regulation of sites exempt from environmental permitting is conducted by our Environment Management Area Teams in most cases, as we have a statutory duty to periodically inspect exemptions, including registered S2 and T8 sites.

³¹ Environment Agency, 2024. [T8 waste exemption: mechanically treating end-of-life tyres - GOV.UK](#)

³² Data sourced from the public register of waste exemptions available on gov.uk - Environment Agency. [Waste Exemptions](#)

Prior to 1 July 2025, it was free of charge to register or renew a T8 exemption. This meant that we could only resource compliance monitoring activity on a risk-based, intelligence led basis. In November 2024, we consulted on the introduction of charges for specific exemptions, including the T8, to enable increased compliance monitoring activities to be carried out across exemptions, until such time as the exemption is removed³³. The government has committed to removal of the exemption, although a timeframe for its removal has not yet been confirmed. That commitment was recently restated³⁴. As the charge applies at the point of registration or renewal, there will be a time delay before charges apply to all sites³⁵ and therefore a time delay between charges and increased compliance monitoring.

Where sites are reported as potentially operating illegally, they may be subject to an inspection or other intervention approach to corroborate the report because of our duty to consider environmental incidents. However, this work is risk profiled to ensure we direct resource to those areas that present the greatest threat, risk and harm in the first instance³⁶. This may mean that reports of exemption abuse, except in the most serious circumstances, may be categorised as a lower risk response.

Environment Agency's regulatory role related to waste pneumatic tyres

The Environment Agency's regulatory role related to tyres is primarily directed to the point at which they become waste, and the subsequent activities and movements after this point.

The Environment Agency has a duty to enforce the UK Waste Shipment Regulations (UK WSR) and the Transfrontier Shipment of Waste Regulations 2007 (TFS) in England, as the competent authority responsible for the regulation of international waste shipments.

Article 2C³⁷ of the UK WSR specifies the definition of competent authority for the UK, countries within the EU, non-EU countries that are Party to the Basel Convention, and for countries other than these. It also sets out the definitions of competent authorities of dispatch, destination, and transit.

³³ [Environment Agency charge proposals for April 2025: Reducing waste crime and updating time and materials charges - Environment Agency - Citizen Space](#)

³⁴ [Reforming the waste exemptions system - GOV.UK](#)

³⁵ <https://www.gov.uk/government/publications/waste-exemptions-how-to-choose-register-and-pay/waste-exemption-charges>

³⁶ <https://www.gov.uk/government/consultations/environment-agency-charge-proposals-for-waste-crime-and-hourly-rates/outcome/response-document-charge-proposals-for-reducing-waste-crime-and-updating-time-and-materials-charges>

³⁷ Article 2C. [Regulation \(EC\) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste](#)

Article 2C (3) sets out that the Environment Agency is the competent authority of dispatch and destination in England and the English area. We are also the transit authority for the UK. The definition of the 'English area' refers to Regulation 4 of the TFS regulations.

The UK WSR sets out the duties held by the Environment Agency. These include (but are not limited to) obligations to:

- Manage the process for notifiers applying for a notification under the prior informed consent procedure. This includes:
 - Exchanging information with other relevant competent authorities
 - Ensuring that applicable contracts, financial guarantees and insurance are in place
 - Compliance monitoring on a risk based, intelligence led basis undertaken on shipments made under the notification process
- Manage pre-consented facilities within England, including applications, assessments and the provision of pre-consented status.
- Publish annual information relating to movements of wastes under open data requirements.
- Facilitate the takeback of shipments where they cannot be completed as intended, including undertaking the arrangements and costs where the notifier or other suitably responsible person cannot be identified.
- Provide an opinion to other relevant competent authorities on the classification of a shipment as waste or non-waste, hazardous or non-hazardous, and the annex and code that applies to the specific waste. It remains the responsibility of the holder of the substance or object to classify the waste correctly under their duty of care.
- Enforce the obligations and requirements of the UK WSR. This includes ensuring that waste shipments are carried out in compliance with the UK WSR and are managed throughout the shipment in an environmentally sound manner.

Engagement with Defra

The Department for the Environment, Food and Rural Affairs (Defra) is the government department responsible for environmental protection, food production and standards, agriculture, fisheries and rural communities across the UK. The Environment Agency is an executive non-departmental public body sponsored by Defra.

Defra is responsible for setting the policy direction and providing legislation to enable regulators, such as us at the Environment Agency, to access the powers they need to implement and enforce the regulatory framework.

We work closely with Defra on the development of policy and legislation to ensure these achieve the desired aims and objectives and are practical to regulate.

Legislative framework for International Waste Shipments

Our review is focussed on the international export of waste pneumatic tyres, with a focus on India as this is where most UK waste pneumatic tyres are sent for recovery operations and is the focus of the information and complaints we have received.

The following overview sets out the legal framework governing the transboundary export of waste to India.

The Basel Convention on the control of transboundary movements of hazardous wastes and their disposal

The Basel Convention³⁸ (the Convention) is the overarching UN Convention governing the international movement of waste.

The principal objective of the Convention is to protect human health and the environment against the adverse effects of hazardous wastes and other wastes requiring special consideration. The Convention has the following aims:

- Reduce hazardous waste generation and the promotion of environmentally sound management of hazardous wastes, wherever the place of disposal.
- Restrict transboundary movements of hazardous wastes except where it is in accordance with the principles of environmentally sound management.
- Develop a regulatory system applying to cases where transboundary movements are permissible.

The scope of the Convention covers a wide range of wastes defined as 'hazardous wastes' based on their origin and/or composition and their characteristics. It also covers four types of waste defined as 'other'³⁹ wastes which require special consideration. These are household waste, incinerator ash, certain plastic wastes and certain electronic and electrical wastes. These wastes are always notifiable into or out of the UK, even if they are not hazardous.

The regulatory system in the Convention establishes notification requirements for the movement of hazardous waste and 'other' wastes, under a system of prior informed consent. This requires all competent authorities involved in a transboundary movement to give their consent (including the country of dispatch, the destination country, and any other transit countries). Failure to provide consent to the movement by any of the competent authorities in the chain means the activity should not occur. If it does, it would be classed as an illegal movement.

³⁸ Basel Convention. [Basel Convention > The Convention > Overview](#)

³⁹ Other wastes are listed in Annex II to the Convention and require special consideration, such as waste collected from households, mixtures of plastic wastes and waste electrical equipment.

Basel Convention Ban Amendment

The UK has also adopted the Ban Amendment⁴⁰. This was ratified in 1997 and took effect in 2019. This amendment to the Convention prohibits the movement of hazardous wastes to non-OECD countries for disposal or recovery and all wastes for disposal

India is a non-OECD country. This means that the export of waste pneumatic tyres to India for disposal is prohibited under the Basel Convention. Waste pneumatic tyres are not currently classified as hazardous waste. If they were reclassified as hazardous waste, export of waste pneumatic tyres for recovery to India as a non-OECD country would also be prohibited.

UK Waste Shipment Regulations (UK WSR)

Regulation (EC) No 1013/2006 of the European Parliament and of the Council on shipments of waste⁴¹ (which form the UK Waste Shipment Regulations - as amended and retained following EU Exit) implemented the requirements of the Basel Convention in the European Union; and by reason of the UK's membership of the EU the Regulation was directly applicable in UK law. This now has the status of assimilated law under the Retained EU Law (Revocation and Reform) Act 2023 and European Union (Withdrawal) Act 2018, since the UK left the European Union.

Waste in the UK WSR is defined by reference to the Waste Framework Directive (WFD). Annex I and Annex II of the WFD must be considered to determine whether an export of waste is destined for recovery or disposal. Recovery is defined as 'any operation the principal result of which is waste serving a useful purpose by replacing other materials which would otherwise have been used to fulfil a particular function, or waste being prepared to fulfil that function, in the plant or in the wider economy'⁴². Disposal is defined as 'any operation which is not recovery even where the operation has as a secondary consequence the reclamation of substances or energy.'

Article 34 of the UK WSR prohibits all exports of waste from the UK destined for disposal except, in limited circumstances, export to EU or European Free Trade Association (EFTA) countries which are also parties to the Basel Convention.

The UK plan for shipments of waste⁴³ prohibits the import and export of waste for disposal subject to limited exceptions which require an agreement to be in place between UK government and the overseas competent authority. Where exceptions apply, the shipment will be subject to the notification and consent procedures set out in Chapter 1 (Articles 4 to 17) of the UK WSR.

This means that if waste is being exported for disposal, this activity would be prohibited unless an agreement (which is controlled by Defra) is in place.

⁴⁰ [Basel Convention > Implementation > Legal Matters > Ban Amendment > Overview](#)

⁴¹ Legislation.gov.uk. [Regulation \(EC\) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste](#) replacing a previous 1994 version.

⁴² Article 3 [Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives \(Text with EEA relevance\)](#)

⁴³ Policy paper: UK plan for shipments of waste, Defra, 16 September 2021. [UK plan for shipments of waste - GOV.UK](#)

Article 36 of the UK WSR governs exports of waste destined for recovery in non-EU countries. It provides:

‘1. Exports from the United Kingdom of the following wastes destined for recovery in non-EU countries to which the OECD Decision does not apply are prohibited:

- (a) wastes listed as hazardous in Annex V.
- (b) wastes listed in Annex V, Part 3.
- (c) hazardous wastes not classified under one single entry in Annex V.
- (d) mixtures of hazardous wastes and mixtures of hazardous wastes with non-hazardous wastes not classified under one single entry in Annex V.
- (e) wastes that the country of destination has notified to be hazardous under Article 3 of the Basel Convention.
- (f) wastes the import of which has been prohibited by the country of destination; or
- (g) wastes which the competent authority of dispatch has reason to believe will not be managed in an environmentally sound manner, as referred to in Article 49, in the country of destination concerned.

[...]

4. The fact that waste is not listed as hazardous in Annex V, or that it is listed in Annex V, Part 1, List B, shall not preclude, in exceptional cases, characterisation of such waste as hazardous and therefore subject to the export prohibition if it displays any of the properties listed in Annex III to Directive 2008/98/EC, taking into account, as regards the properties H3 to H8, H10 and H11 defined in that Annex, the limit values laid down in Commission Decision 2000/532/EC, as provided for in Articles 3(2) and 7 of Directive 2008/98/EC and in the introductory paragraph of Annex III to this Regulation.

5. In the cases referred to in paragraphs 3 and 4, the competent authority shall inform the envisaged country of destination prior to taking a decision. The competent authority shall notify any case to the Secretary of State before the end of each calendar year. The Secretary of State shall forward the information to the Secretariat of the Basel Convention. On the basis of the information provided, the Secretary of State may make comments and, where appropriate, amend Annex V in accordance with Article 58.’

The review has considered the prohibitions set out in Article 36, and concluded that Article 36(1)(a), (b), (c), (d), and (e) do not apply to the movement of waste pneumatic tyres to India. This is because:

- As regards (a), and (c), waste pneumatic tyres are not classified as hazardous waste in the UK.

- As regards (b), waste pneumatic tyres are not listed in Annex V Part 3 of the UK WSR and so are not subject to the export prohibition in Article 36.
- As to (d). we hold no information to suggest that shipments of waste pneumatic tyres are contaminated or mixed with other wastes.
- As to (e), neither we, nor Defra have been notified by the Indian authorities that they have, or intend to, reclassify waste pneumatic tyres as a hazardous waste.

Article 36 (1) (f)

Article 36 (1) (f) is relevant because India enacted legislation on 22 July 2022 prohibiting the import of waste pneumatic tyres for pyrolysis. This prohibition was introduced through an amendment to the 'Hazardous and Other Wastes (Management and Transboundary movement) Rules 2016' ([Appendix 4.14](#)). Exports of waste pneumatic tyres destined for pyrolysis in India are therefore prohibited. Sending a shipment of waste in these circumstances is an offence contrary to Regulation 23 of the Transfrontier Shipment of Waste (TFS) Regulations 2007, which creates the offence of transporting waste in breach of Article 36 (1) of the UK WSR.

Article 36 (1) (g)

Article 36 (1) (g) acts to prohibit the export of waste where we, as the competent authority of dispatch in England, have a 'reason to believe' that this waste will not be managed in an environmentally sound manner in the country of destination (as referred to in Article 49 of the UK WSR ('Protection of the environment')).

We consider that Article 36 can apply on a specific shipment basis and to categories of wastes. For the latter to apply, we would need to have a reason to believe that all wastes falling within a particular category will not be managed in an environmentally sound manner.

If the information we hold is sufficient to provide a reason to believe the waste will not be handled in an environmentally sound manner under Article 36 (1) (g), then we have a duty to prohibit exports. This should remain in place until we receive information that provides us with confidence that the waste is being recovered in accordance with environmentally sound management (ESM) standards that are broadly equivalent to those established in UK law.

As we do not hold information suggesting that all exports of waste pneumatic tyres to India are failing to be recovered to ESM standards, applying Article 36 on a whole waste stream basis is not considered appropriate.

Shipment of wastes listed in Annex III and IIIA ("green list wastes") to a non-OECD country for recovery is permitted in certain circumstances. Article 37⁴⁴ provides:

⁴⁴ <https://www.legislation.gov.uk/eur/2006/1013/article/37>

'1. In the case of waste which is listed in Annex III or IIIA and the export of which is not prohibited under Article 36, the Secretary of State may, send a written request to each non-EU country to which the OECD Decision does not apply, seeking:

(i) confirmation in writing that the waste may be exported from the United Kingdom for recovery in that country, and

(ii) an indication as to which control procedure, if any, would be followed in the country of destination.

Each non-EU country to which the OECD Decision does not apply shall be given the following options:

(a) a prohibition; or

(b) a procedure of prior written notification and consent as described in Article 35; or

(c) no control in the country of destination.

2. The Secretary of State may, by regulations, amend Commission Regulation (EC) No 1418/2007 in order to take into account any replies received pursuant to paragraph 1 on or after exit day.

If a country has not issued a confirmation as referred to in paragraph 1 or if a country for any reason has not been contacted, paragraph 1(b) shall apply.

3.If a country indicates in its reply that certain shipments of waste are not subject to any control, Article 18 shall apply *mutatis mutandis* to such shipments.

4. Where waste is exported, it shall be destined for recovery operations within a facility which, under applicable national law, is operating or is authorised to operate in the country of destination.

5.In the case of a shipment of waste not classified under one single entry in Annex III or a shipment of mixtures of wastes not classified under one single entry in Annex III or IIIA or a shipment of waste classified in Annex IIIB, and provided that the export is not prohibited pursuant to Article 36, paragraph 1(b) of this Article shall apply.'

The requirements are set out in the Annex to Assimilated Regulation 1418/2007 concerning the export for recovery of certain waste listed in Annex III or IIIA to the UK WSR.

The Indian Ministry of Environment, Forest, and Climate Change (MoEFCC) responded to a request from the Department for Environment, Food, and Rural Affairs (Defra) on 3 March 2021, to confirm that 'local controls' applied to the import of waste pneumatic tyres from the UK ([Appendix 4.15](#)).

This letter established that Article 18 (green list) controls apply to shipments of waste pneumatic tyres (under Paragraph 6 of Commission Regulation 1418/2007) to India. This is reflected in the Annex to Assimilated Regulation 1418/2007 which records waste pneumatic tyres (B3140)

exported to India in column (d) 'other control procedures will be followed in the country of destination under applicable national law'.

The Annex to Assimilated Regulation 1418/2007 states that 'where it is indicated in the Annex that a country, with regard to certain shipments of waste, does not prohibit them or apply the procedure of prior written notification and consent as described in Article 35 of that Regulation, Article 18 of that Regulation shall apply mutatis mutandis to such shipments.'

Article 37 of the UK WSR sets out the controls that apply for specific waste types to destination countries. These controls are set by the destination country and are confirmed via a 'write around' procedure. The responses are then collated and enacted via legislation.

It is by virtue of India's response to Defra's request in accordance Article 37 of the UK WSR that B3140 'waste pneumatic tyres, excluding those destined for Annex IVA operations⁴⁵' can be exported as green list waste under Article 18 controls.

The last 'write around' including all waste types and countries was undertaken in 2014 whilst the UK was an EU Member State. The last minor changes were made in 2021 following the Basel Convention plastic waste amendments⁴⁶.

Amendments to waste controls imposed by Parties to the Basel Convention may be communicated to the UK Focal Point (Defra) by the Basel Secretariat. We have not been informed of any amendments in relation to waste pneumatic tyres through this route. This included in 2022 when India introduced a prohibition on the import of waste pneumatic tyres for pyrolysis.

We also use a range of publications and external contacts to understand if any changes to local controls are planned. This includes liaising directly with Basel Focal Points in different countries, the Foreign, Commonwealth, and Development Office, industry associations, and other domestic and international networks.

One such international network is the European Union Network for the Implementation and Enforcement of Environmental Law (IMPEL Network). IMPEL consists of more than 35 European countries (including all 27 EU Member States and countries in the European Economic Area). We work closely with IMPEL's Waste and Transfrontier Shipments of Waste Expert Group, through which we also connect with other regional networks, including the Asian Network for Prevention of Illegal Transboundary Movement of Hazardous Wastes. This group is a valuable resource for exchanging information and intelligence on challenging waste issues, having early sight of new and emerging waste controls around the globe, and for developing contacts with overseas competent authorities.

Depending on the source of information informing us of amendments to local waste controls, we may reach out to the competent authority focal point to confirm the veracity of that intelligence and carry out further research to fully understand the implications. Once we have been made aware of

⁴⁵ Disposal operations.

⁴⁶ [Plastic Waste Amendments FAQs](#)

any amendments resulting from legislative changes, we review these to understand how the controls are applicable in the UK.

Enforcement and the Transfrontier Shipment of Waste Regulations 2007

Article 50 of the UK WSR imposes obligations in relation to enforcement. It provides:

‘2. The Secretary of State shall ensure that, in respect of the United Kingdom, one or more plans are maintained, either separately or as a clearly defined part of other plans, for inspections carried out for the purposes of the enforcement of this Regulation (‘inspection plan’). Inspection plans shall be based on a risk assessment covering specific waste streams and sources of illegal shipments and considering, if available and where appropriate, intelligence-based data such as data on investigations by police and customs authorities and analyses of criminal activities. That risk assessment shall aim, inter alia, to identify the minimum number of inspections required, including physical checks on establishments, undertakings, brokers, dealers and shipments of waste or on the related recovery or disposal. An inspection plan shall include the following elements:

- (a) the objectives and priorities of the inspections, including a description of how those priorities have been identified.
- (b) the geographical area covered by that inspection plan.
- (c) information on planned inspections, including on physical checks.
- (d) the tasks assigned to each authority involved in inspections.
- (e) arrangements for cooperation between authorities involved in inspections.
- (f) information on the training of inspectors on matters relating to inspections; and
- (g) information on the human, financial and other resources for the implementation of that inspection plan.

An inspection plan shall be reviewed at least every three years and, where appropriate, updated. That review shall evaluate to which extent the objectives and other elements of that inspection plan have been implemented.

3. Inspections of shipments may take place in particular:

- (a) at the point of origin, carried out with the producer, holder or notifier.
- (b) at the point of destination, including interim and non-interim recovery or disposal, carried out with the consignee or the facility.
- (c) at the frontiers of the United Kingdom; and/or
- (d) during the shipment within the United Kingdom.

4. Inspections of shipments shall include the verification of documents, the confirmation of identity and, where appropriate, physical checking of the waste.

4a. In order to ascertain that a substance or object being carried by road, rail, air, sea or inland waterway is not waste, the authorities involved in inspections may, without prejudice to the Waste Electrical and Electronic Equipment Regulations 2013, require the natural or legal person who is in possession of the substance or object concerned, or who arranges the carriage thereof, to submit documentary evidence:

- (a) as to the origin and destination of the substance or object concerned; and
- (b) that it is not waste, including, where appropriate, evidence of functionality.

For the purpose of the first subparagraph, the protection of the substance or object concerned against damage during transportation, loading and unloading, such as adequate packaging and appropriate stacking, shall also be ascertained.

4b. The authorities involved in inspections may conclude that the substance or object concerned is waste where:

- the evidence referred to in paragraph 4a or required under other retained EU law to ascertain that a substance or object is not waste, has not been submitted within the period specified by them, or
- they consider the evidence and information available to them to be insufficient to reach a conclusion, or they consider the protection provided against damage referred to in the second subparagraph of paragraph 4a to be insufficient.

In such circumstances, the carriage of the substance or object concerned, or the shipment of waste concerned shall be considered as an illegal shipment. Consequently, it shall be dealt with in accordance with Articles 24 and 25 and the authorities involved in inspections shall, without delay, inform the competent authority of the country where the inspection concerned took place accordingly.

4c. In order to ascertain whether a shipment of waste complies with this Regulation, the authorities involved in inspections may require the notifier, the person who arranges the shipment, the holder, the carrier, the consignee and the facility that receives the waste to submit relevant documentary evidence to them within a period specified by them.

In order to ascertain whether a shipment of waste falling under the general information requirements of Article 18 is destined for recovery operations which are in accordance with Article 49, the authorities involved in inspections may require the person who arranges the shipment to submit relevant documentary evidence, provided by the interim and non-interim recovery facility and, if necessary, approved by the competent authority of destination.

4d. Where the evidence referred to in paragraph 4c has not been submitted to the authorities involved in inspections within the period specified by them, or they consider the evidence and information available to them to be insufficient to reach a conclusion, the shipment concerned shall be considered as an illegal shipment. Consequently, it shall be dealt with in accordance with Articles 24 and 25 and the authorities involved in inspections

shall, without delay, inform the competent authority of the country where the inspection concerned took place accordingly.

4e. The Secretary of State may, by regulations, amend the correlation table in Commission Implementing Regulation (EU) 2016/1245 in order to -

- (a) reflect changes to the combined nomenclature provided for in Council Regulation [\(EEC\) No 2658/87](#);
- (b) reflect changes to the entries of waste listed in Annexes 3, 3A, 3B, 4, 4A and 5;
- (c) include any new waste-related codes of the Harmonised System Nomenclature that the World Customs Organisation may adopt.

5. The competent authorities in the United Kingdom shall, where appropriate, cooperate, bilaterally and multilaterally, with the competent authorities of EU countries in order to -

- (a) facilitate the prevention and detection of illegal shipments.
- (b) exchange relevant information on shipments of waste, flows of waste, operators and facilities; and
- (c) share experience and knowledge on enforcement measures, including the risk assessment carried out pursuant to paragraph 2a of this Article.

6. Each competent authority in the United Kingdom shall identify those members of its permanent staff responsible for the cooperation referred to in paragraph 5 and identify the focal point(s) for the physical checks referred to in paragraph 4. The competent authority shall, before the end of each calendar year, send the information in writing to the Secretary of State. The Secretary of State shall then promptly send the information to the Secretariat of the Basel Convention.'

The Transfrontier Shipment of Waste Regulations 2007 (TFS) Regulations transpose the implementation and enforcement requirements of the UK WSR. They set out the procedures, offences, penalties, and relevant enforcement powers that apply.

Regulation 5 defines the meaning of transport and person who transports waste as:

- '5. (1) Any reference in these Regulations to transport includes consigning for transport.
- (2) Any reference in these Regulations to a person who transports waste includes the following persons -
 - (a) the notifier.
 - (b) any transporter of waste, by land or otherwise -
 - (i) into or in the United Kingdom; or
 - (ii) from the United Kingdom.

- (c) any freight-forwarder; or
- (d) any other person involved in the shipment of waste.'

Regulations 6 and 7 set out the competent authorities for the purposes of the UK WSR. Regulation 6 provides that we are the competent authority in England and the English area. The English area is defined in Regulation 4 of the TFS regulations as part of the marine area which is not the Northern Irish area, the Scottish area or the Welsh area. The marine area is defined as:

'a) The area of sea within the seaward limits of the territorial sea adjacent to the United Kingdom including:

- (a) Any area submerged at mean high water spring tide, and
 - (b) The waters of every estuary, bay, river or channel so far as the tide flows at mean high water spring tide
- b) The seabed and the subsoil within any area designated under subsection (7) of section 1 of the Continental Shelf Act 1964 (exploration and exploitation of continental shelf; and
- c) Waters superjacent to the seabed and the seabed and its subsoil within any area designated under subsection (4) of section 84 of the Energy Act 2004 (exploitation of areas outside the territorial sea for energy production).'

Regulation 7 (1) provides that we are the competent authority for England, and the rest of the UK for the transit of waste movements passing through the UK.

Regulation 17 creates an offence of transporting waste in breach of the requirements of Article 49(1) of the UK WSR to manage shipments in an environmentally sound manner and without endangering human health. Regulation 18 makes it an offence to transport waste other than in accordance with (a) the notification document or movement document, in the case of notifiable waste; or (b) the Annex VII document, in the case of waste subject to the procedural requirements of Article 18(1).

Part 5 governs the export of waste to non-EU or EFTA countries and makes it an offence to transport waste in breach of the requirements of Articles 34, 36, and 37 of the UK WSR. Regulation 21 makes it an offence to transport waste destined for disposal in a non-EU country in breach of Article 34. Regulation 23 makes it an offence to transport waste for recovery to non-EU, non-OECD Decision countries in breach of Article 36(1), the exports prohibition. Article 36(1) includes seven sub-categories of waste subject to the prohibition:

- (a) wastes listed as hazardous in Annex V.
- (b) wastes listed in Annex V, Part 3.
- (c) hazardous wastes not classified under one single entry in Annex V.
- (d) mixtures of hazardous wastes and mixtures of hazardous wastes with non-hazardous wastes not classified under one single entry in Annex V.

(e) wastes that the country of destination has notified to be hazardous under Article 3 of the Basel Convention.

(f) wastes the import of which has been prohibited by the country of destination; or

(g) wastes which the competent authority of dispatch has reason to believe will not be managed in an environmentally sound manner, as referred to in Article 49, in the country of destination concerned.

Regulation 23A of the TFS regulations makes it an offence to export waste listed in Annex III or IIIA in contravention of Commission Regulation 1418/2007, Article 37(2) requirement for prior written notification and consent), and Article 37(4) (requirement for consignment only to facilities operating under applicable national law of destination country).

Regulations 41 to 45 of the TFS Regulations create offences for failure to comply with the obligations in Article 18:

- A consignee of waste commits an offence if he fails to comply with the requirements of Articles 18 (Regulation 41).
- A notifier commits an offence if he fails to keep a copy of the movement document in accordance with Article 16(c) or any document sent to or by the competent authorities in relation to a notified shipment in accordance with Article 20(1) (Regulation 43).
- The person who arranges the shipment of waste subject to the procedural requirements of Article 18(1) commits an offence if he fails to keep the information given pursuant to Article 18(1) or to provide the competent authority with a copy of the contract referred to in Article 18(2) upon request (Regulation 44).

In Scotland and Northern Ireland, the person who arranges the shipment of waste subject to the procedural requirements of Article 18(1) must also ensure that a copy of the Annex VII document is received by the competent authority before the shipment takes place (Regulation 45). This does not apply in England and therefore we do not routinely receive Annex VII forms.

Regulations 53 and 54 make it an offence to provide false or misleading information to a person acting in the execution of the regulations or failing to give assistance or provide information or records when required to do so by such a person.

Regulation 50 provides that both the UK WSR and the TFS Regulations must be enforced by the Environment Agency as the competent authority for England and the English Area. Schedule 5 sets out the enforcement powers of competent authorities, authorised persons and officers of Revenue and Customs. These include the following:

- The power to serve an Information Notice requiring the provision of information specified in the notice (Schedule 5(2));
- The power to serve an Enforcement Notice requiring a person to act in accordance with the TFS Regulations and the UK WSR, a Prohibition Notice prohibiting a person from acting in

breach of them, or a Notice to prohibit or restrict the movement of the waste (Schedule 5, Part 1)

Powers to general customs officials to seize any waste that has been brought into the United Kingdom or is to be dispatched from the United Kingdom are covered in paragraph 8 of Schedule 5 to the TFS regulations and are available:

- a) If requested to do so by a competent authority in the United Kingdom; or
- b) if that official suspects that, in respect of that waste, there is or is likely to be a breach of any provision of the UK WSR or of the TSF Regulations:

Part 3 of Schedule 5 sets out provisions for the take-back of waste where shipments cannot be completed, or where they are illegal.

We have powers to inspect shipments and facilities within England and the English Area under Article 50 of the UK WSR and Schedule 5 of the TFS Regulations. We do not, however, have the power to inspect shipments or facilities outside of England. Inspections of facilities outside of England would need to be arranged with the permission of the relevant competent authority of that jurisdiction, and in accordance with the UK's duty under Article 52 of the UK WSR to cooperate with other Parties to the Basel Convention.

As part of our duties under Article 52 of the UK WSR, we cooperate with other Parties to the Basel Convention, and international organisations via exchanges and sharing of information, the promotion of environmentally sound technologies, and the development of appropriate codes of good practice.

We regularly work with other competent authorities and have attended waste inspections outside of the English area in countries such as Malaysia and Poland (in relation to waste other than waste pneumatic tyres) in previous years for specific enforcement cases, where we have been invited to do so by the competent authority. We have not inspected facilities in India.

UK plan for shipments of waste

The UK plan for shipments of waste⁴⁷ sets out Government policy in relation to imports and exports of waste for disposal, including detailing the exceptions to the general prohibition on importing and exporting waste for disposal with the written prior agreement of the Government and only when meeting a certain set of criteria such as whether there are any facilities to manage the waste in the country of origin.

⁴⁷ Policy paper: UK plan for shipments of waste, Defra, 16 September 2021. [UK plan for shipments of waste - GOV.UK](#)

Systems of control for international waste movements

The legal framework of the UK WSR establishes two systems for moving waste into and out of the UK.

Prior Informed Consent (PIC)

Prior Informed Consent (also known as amber list waste controls, notified controls or notified waste controls) generally applies to hazardous wastes transported between the UK and EU and OECD countries for recovery. Non-OECD countries can, by virtue of Article 37, insist on prohibition or notification controls for certain types of green list waste.

Notified waste movements require affirmative consent from the competent authorities of dispatch and destination (and any transit countries involved), prior to the shipment legally being able to move. Those wishing to move waste from England must apply to the Environment Agency for consent as it is usually the exporting competent authority that initially manages the application

There is a fee payable to the Environment Agency at the time of application for a notification which covers the application process and compliance monitoring for the totality of the notification. The fee payable will vary based on the number of shipments being applied for and whether further assessment is required (for example if mercury or ozone depleting substances are present).

An application for a consent must include documentation detailing the specifics of the waste, the destination recovery facility, the intended recovery operation, and proof that a financial guarantee or equivalent insurance will be in place prior to any movements.

Consents are specific to the person holding the notification, the waste type, the source of the waste, the route taken during the shipment and the destination country. They are not transferable. If the consent is granted, the notification form and the movement form must move with the waste. Their format is set out in Annex 1A and 1B of the UK WSR.

Notifications are time limited, and the movement must occur within the dates specified by the relevant competent authorities. Notifications may be for single movements of waste or can be 'general notifications' in that they may allow a predetermined number of movements of the same waste, from the same starting point, using the same route, to the same destination facility within an agreed period.

Article 18 controls

Waste moving under Article 18 controls does not require Prior Informed Consent. These are generally non-hazardous wastes and are also referred to as 'green listed wastes' or 'green list' controls. The requirement for the waste to be treated in an environmentally sound manner still applies.

Shipments moving under Article 18 controls require a movement form called an Annex VII⁴⁸, to travel with the waste. The Annex VII form includes the following information to be provided about the consignment:

- The name of the person who arranges the shipment and the importer / consignee.
- The name and address of the recovery facility.
- The recovery operation.
- The usual description of the waste and the waste codes applicable under Annex III, and the national code.
- The form must then be completed by the person who arranges the shipment.
- The consignee upon receipt and the recovery facility.

A contract must also be in place between the person arranging the shipment and the receiving destination recovery facility before the waste can be moved. This includes an obligation for the waste to be taken back and suitably stored if the shipment cannot be completed as intended.

Article 3(2) of the UK WSR lists the categories of waste subject to the general information requirements set out in Article 18. This includes, at Article 3 (2)(a), wastes listed in Annex III or IIIB of the UK WSR. Article 18 also specifies the general information requirements for waste exported under Article 3(2). Annex III of the UK WSR provides that waste listed in Annex IX of the Basel Convention (reproduced in Annex V, Part 1, List B of the UK WSR) will be subject to the general information requirements in Article 18.

B3140 'waste pneumatic tyres, excluding those destined for Annex IVA operations'⁴⁹ is listed in Annex IX of the Basel Convention, meaning that they are not listed as hazardous and are subject to the general information requirements in Article 18 of the UK WSR. They are also not subject to the export ban to non-OECD countries, and do not require Prior Informed Consent, as set out in Article 3 (1) of the UK WSR.

Environmentally Sound Management

Article 49 of the UK WSR sets out the steps that must be taken by the producer or notifier, and the relevant competent authority regarding protection of the environment for imports and exports of waste into and from the UK. There is a legal duty on us, as the competent authority for England, to ensure that a shipment is managed in an environmentally sound manner throughout its movement and subsequent recovery. Article 49 provides:

⁴⁸ <https://www.legislation.gov.uk/eur/2006/1013/annex/VII>

⁴⁹ Disposal Operations in the Convention

‘1. The producer, the notifier, and other undertakings involved in a shipment of waste and/or its recovery or disposal shall take the necessary steps to ensure that any waste they ship is managed without endangering human health and in an environmentally sound manner throughout the period of shipment and during its recovery and disposal.

2. In the case of an export from the United Kingdom to a non-EU country, the competent authority of dispatch in the United Kingdom shall:

(a) require and endeavour to secure that any waste exported is managed in an environmentally sound manner throughout the period of shipment, including recovery as referred to in Articles 36 and 38 or disposal as referred to in Article 34, in the country of destination.

(b) prohibit an export of waste if it has reason to believe that the waste will not be managed in accordance with the requirements of point (a).

Environmentally sound management may, *inter alia*, be assumed as regards the waste recovery or disposal operation concerned, if the notifier or the competent authority in the country of destination can demonstrate that the facility which receives the waste will be operated in accordance with human health and environmental protection standards that are broadly equivalent to standards established in retained EU law.

This assumption shall, however, be without prejudice to the overall assessment of environmentally sound management throughout the period of shipment and including recovery or disposal in the country of destination.

For the purposes of seeking guidance on environmentally sound management, the guidelines listed in Annex VIII may be considered.

3. In the case of an import into the United Kingdom from a non-EU country, the competent authority of destination in the United Kingdom shall:

(a) require and take the necessary steps to ensure that any waste shipped into its area of jurisdiction is managed without endangering human health and without using processes or methods which could harm the environment throughout the period of shipment, including recovery or disposal in the country of destination.

(b) prohibit an import of waste if it has reason to believe that the waste will not be managed in accordance with the requirements of point (a).’

Environmentally sound manner is not defined, but environmentally sound management (ESM) is defined at Article 2 (8) of the UK WSR as ‘taking all practicable steps to ensure that hazardous wastes and other wastes are managed in a manner which will protect human health and the environment against the adverse effects which may result from such wastes.’

Annex VIII of the UK WSR sets out a list of guidelines adopted by the Basel Convention and the OECD, which provide guidance on the environmentally sound management of various waste types and waste operations. Included on this list are technical guidelines for the environmentally sound management of used and waste pneumatic tyres.

These technical guidelines were adopted by the Conference of the Parties to the Basel Convention in October 2011⁵⁰. The guidelines are under review, and it is expected that an updated version will be discussed in 2027 at the next Conference of the Parties to the Basel Convention (COP18). We attend the Small Intersessional Working Group meetings for these guidelines with Defra and so participate in their development. This engagement should continue, as it provides the opportunity to network with other technical experts on tyres across the world, and learn of developments in research.

Technical guidelines are not legally binding, but they do provide advice and support to Parties, industry, and operators on what ESM approaches could include. It is important to recognise that any operation may not be considered environmentally sound if incorrectly managed, even if the activity is fully permitted as necessary and listed as being able to operate to ESM standards.

The Small Intersessional Working Group (SIWG) working on the review of the guidelines may discuss recent research into the chemical constituents of waste pneumatic tyres. However, a formal proposal to amend the Basel Convention would be needed to consider waste pneumatic tyres as hazardous under the Convention and to date, no Party has made such a proposal.

The guidelines state that tyres cannot be identified under any category of waste streams listed in Annex I of the Basel Convention, but they do contain elements or compounds listed within that Annex. These are encased in the rubber compound or present as an alloying element.

A Basel Convention Expert Working Group has prepared an 'environmentally sound management (ESM) toolkit'⁵¹. This is a collection of practical tools that have been developed to assist parties and other stakeholders in ensuring environmentally sound management of hazardous and other wastes. This was produced to promote the implementation of the requirements on a practical level. One of the products included in the toolkit is a series of fact sheets on specific waste streams, including one on the ESM of waste pneumatic tyres⁵². The factsheet states that:

'Waste pneumatic tyres are considered non-hazardous waste and are classified under entry B3140 of Annex IX to the Basel Convention. Tyres cannot be identified under any category of waste streams in the first part of Annex I of the Convention, but contain some constituents listed in Annex I, namely copper, zinc cadmium and lead compounds, stearic acid and halobutyl (under entries Y22, Y23, Y26, Y31, Y34 and Y45 respectively. These are however not present to an extent causing waste pneumatic tyres to exhibit an Annex III hazardous characteristic'.

⁵⁰ [Technical Guidelines](#)

⁵¹ [Overview](#)

⁵² <https://www.basel.int/Portals/4/download.aspx?d=UNEP-CHW-IMPL-CLI-ESM-Toolkit-05-20190430.English.zip>

Therefore, this supports the conclusion that whilst waste pneumatic tyres do contain some Annex I constituents, they are not in quantities to make waste pneumatic tyres hazardous under the Basel Convention.

The 'reason to believe' is a test taken from the UK WSR which requires us to carry out an evaluative judgement, based on the information available to us. We must detail the information that we have relied on, so that the basis on which an assessment has been made is clearly recorded.

This information should bring together all known information and intelligence to enable decision makers to have a full understanding of the situation. This should include identification of any intelligence gaps, and an understanding of the actions needed to address these. The assessment should also include a test on the limitations of the data, so that the evaluation is able to evaluate the quality and quantity of the information. The information needs to be analysed to assign a relative weight to it.

The 'reason to believe' has a lower threshold than that of 'beyond all reasonable doubt' (which is the criminal standard of proof), or 'on the balance of probabilities' ('civil standard of proof').

The regulations do not set out a defined threshold that needs to be crossed to give us reason to believe that waste will not be handled to environmentally sound management principles.

Each assessment must be made on its own merits and based on all relevant information. It is clear, however, that in the absence of affirmative information provided by the person who arranged the shipment (as outlined above), this would be sufficient reason to believe that the waste will not be handled appropriately. In this circumstance, the waste export should be prohibited until such time that adequate evidence, and our own research, can provide us with a level of confidence that the waste will be received, recovered, and managed as required.

When this is considered alongside any other information held (either directly relating to the shipment itself, or the wider picture relating to exports of waste pneumatic tyres), this will allow a reasonable assessment of whether there is a 'reason to believe' to be made.

This analysis should take note of the weight attributed to each piece of information, intelligence, or evidence that is considered on which a decision is based.

It is not possible to have a defined point at which reason to believe has been met, as each case will vary. Any decision should be supported by underlying information on how that decision was arrived at in accordance with our regulatory discretion.

The assessment will be an iterative process. Those destination recovery facilities that we consider 'approved' to receive waste pneumatic tyres should be regularly reviewed to ensure that we remain satisfied that the facility is being operated in accordance with ESM principles and to confirm that the waste is being treated there. This highlights the limitations of our powers to track the waste under the current Annex VII system.

Prohibited waste shipments

Prohibited waste shipments are detailed in Article 36 (1) of the UK WSR and are commonly referred to as red list waste. These movements would include the export of waste for disposal operations (which is prohibited other than in limited circumstances outlined in the UK plan for shipments of waste), or the export of hazardous wastes to non-OECD countries as set out above.

Steps for making Article 18 wastes notifiable

It is possible for Article 18 (green list) wastes to be subject to notification controls through one of several options:

The destination country requests notification controls under 1418/2007

A receiving non-OECD country may request notification controls under Assimilated Regulation 1418/2007. They may also prohibit the import of wastes.

The Indian government has previously written to Defra in 2021 to confirm their wish for Article 18 (green list) controls to apply for movements of waste pneumatic tyres.

Reclassifying waste pneumatic tyres as hazardous under Article 36 (4) and (5)

Article 36 (4) provides that even if waste is not listed as hazardous in Annex V of the UK WSR, or listed in Annex V, Part 1, List B (which lists the wastes that are in Annex VIII of the Basel Convention and which are subject to notification as they are hazardous), it can, in exceptional cases, be classed as hazardous if it displays any of the properties listed in Annex III of the WFD.

Annex III of the WFD is titled 'Properties of waste which render it hazardous'. It details the hazard classes included, and the limit values which are applicable for specific hazard classes.

Article 36 (5) provides that the Environment Agency, as the competent authority for England, will inform the competent authority of the destination country prior to taking such a decision. We would then need to notify the Secretary of State of such a decision prior to the end of each calendar year. The Secretary of State would then inform the Basel Secretariat, which may make comments, and where appropriate amend Annex V in accordance with Article 58 of the UK WSR. We consider that no regulatory change is necessary to implement such a decision and therefore, whilst the support of the Secretary of State is needed, there would be no requirement for consultation or amendment to the regulations to implement such a reclassification. However, a clear evidential basis would be necessary to justify such a change.

The UK Secretary of State imposing additional controls under Article 3 (3)

Article 3 (3) of the UK WSR states that 'for wastes listed in Annex III, in exceptional cases, the relevant provisions shall apply as if they had been listed in Annex IV if they display any of the characteristics listed in Annex III to the Waste Framework Directive. These cases shall be treated in accordance with Article 58'.

This means that Article 18 wastes can be treated as if they are hazardous wastes in exceptional circumstances if they display a hazardous characteristic that is listed in Annex III to the Waste

Framework Directive. It does not have to be to such an extent to make the whole object or substance hazardous, unlike the requirements set out in the Basel Convention. Pursuant to Article 58, it is the Secretary of State who may amend the Annexes to give effect to this exception. It is not within our powers to reclassify waste pneumatic tyres as hazardous under Article 3 (3).

Changing the List of Waste codes

As part of this review, we considered ‘The List of Wastes (England) Regulations 2005’⁵³, which sets out the list of waste types into chapters based on the source activity which gives rise to the waste.

These regulations inform our ‘Waste Classification Technical Guidance WM3 - Guidance on the classification and assessment of waste’⁵⁴. This guidance supports producers or holders of waste to classify and assess waste, including whether it is hazardous (absolute hazardous), non-hazardous (absolute non-hazardous), or if it needs further assessment (also known as mirror entry wastes where chemical assessment will be required to classify the specific waste in question).

In ‘chapter 16 wastes’, waste substances and materials produced from end-of-life vehicles are considered. End-of-Life tyres are listed in this section and considered as absolute non-hazardous wastes.

Based on research and evidence, if it is identified that waste pneumatic tyres do contain constituents which have hazardous characteristics, Defra could amend the ‘List of Waste Regulations’ to state that waste pneumatic tyres are absolute hazardous, or a mirror entry which would require each export to be tested to determine whether it is hazardous. It is likely that this would then require a movement of B3140 wastes (waste pneumatic tyres, excluding those destined for Annex IVA operations) into Annex V of the UK WSR. A clear evidential basis would be necessary to justify such a change.

Regulatory powers to track waste exports

We have a duty under Article 49 (2) (a) of the UK WSR to:

‘Require and endeavour to secure that any waste exported is managed in an environmentally sound manner throughout the period of shipment, including recovery... in the country of destination’.

This obligation applies throughout the period of shipment, including recovery in the country of destination. We therefore have an obligation to endeavour to secure that waste exported from England is treated in an environmentally sound manner.

As explained above, however, our powers to inspect facilities and consignments, as set out in Schedule 5 to the TFS Regulations, are confined to England and the English Area. We do not

⁵³ [The List of Wastes \(England\) Regulations 2005](#)

⁵⁴ Guidance: Waste classification technical guidance, Environment Agency, updated 28 September 2024. [Waste classification technical guidance - GOV.UK](#)

have the power to inspect shipments or facilities outside of England. Such inspections could only take place with the cooperation of the relevant competent authority of the country of destination. In practice, the steps we can take to 'require and endeavour to secure' that exports of waste are recovered in an environmentally sound manner in the country of destination have been largely confined to gathering information from consignees of waste based in England.

There is a requirement for the consignee and receiving facility in the destination country to sign the Annex VII form under Regulation 39 of the TFS Regulations to confirm that the waste has been received at its intended end destination. Where the receiving facility is outside of the English area however, we have no powers to enforce the requirement on those persons under the regulation.

We are also unable to corroborate who has signed the Annex VII as there is no way of checking that the person signing the form is who they say they are. This issue was demonstrated by an industry source who provided us with a copy of an Annex VII form for a consignment of waste destined for India where an electronic tracker had been placed into bales of waste pneumatic tyres. Although the completed Annex VII was returned, purportedly signed by the intended facility as having received the waste, the tracker information did not support this as the bales were tracked to a different location. The movement of the waste, and the completed Annex VII, should therefore be supported by further documentary evidence to demonstrate that the waste reached the intended recovery facility. This should include invoices, purchase records, and weighbridge tickets referencing the site amongst other information.

The Environment Agency may be able to take enforcement action against an exporter based in England for breaches of the TFS Regulations if we identify that waste has not been recovered in an environmentally sound manner in the country of destination. This would require evidence to a criminal standard that confirms that the waste failed to reach its intended destination specific to that waste movement to allow us to act.

The Environment Agency do have powers under Schedule 5 of the TFS regulations, Part 1 (2) to require any person to provide us with information set out in a Notice. We can therefore request the person arranging the shipment to provide us with copies of completed Annex VII forms with the information in blocks 13 and 14 from the consignee and recovery facility completed. As noted above however, we are limited in the checks that we can carry out to ensure the signatories in blocks 13 and 14 are who they say they are.

Section 2.5 of this report considers the possibility of the Environment Agency deploying electronic tracking devices in shipments of waste pneumatic tyres. To date however, we have not been able to secure the directed surveillance authorisation we must legally hold prior to deployment.

We have estimated that around 500,000 waste movements take place under Article 18 controls in England per year. In time, the development of Defra's Digital Waste Tracking System (DWTS) may provide the opportunity support automated risk profiling based on specific criteria and should allow us to prioritise compliance monitoring activities on specific movements on a risk-based basis.

Further details of the government response to the Consultation on Digital Waste Tracking is available on [GOV.UK](#)⁵⁵

The development of a DWTS and levying charges for compliance monitoring are inherently related. Without requiring the mandatory provision of Annex VII information, the Environment Agency must serve information notices on exporters of waste pneumatic tyres to request that this information is provided. Without regulator charges there is limited funding to support compliance work in this area.

Regulatory powers to set the form by which waste can be exported

Some stakeholders have spoken to us about the potential to introduce a shred-only requirement for exports of waste pneumatic tyres. Although there are mixed opinions amongst stakeholders, some believe that imposing a 'shred only' export policy may reduce the risk of baled tyres going to illegal pyrolysis because:

- Illegal pyrolysis plants appear to work on a batch process, where the furnace is charged with the tyres and then heated to pyrolyse them into the products. Shredded tyres do not lend themselves to the batch processing methodology so would be significantly less attractive to the illegal sector.
- Shredded tyres require additional machinery and infrastructure to handle, which illegal pyrolysis sites may not have access to.

We are aware of the introduction of a 'shred only' export policy in Australia. Alongside Defra, we have engaged with both the Australian Government and Tyre Stewardship Australia for further details on this approach. Further information on this engagement is included in Section 1.4.

The description of waste pneumatic tyres within the UK WSR does not specify the form that waste pneumatic tyres must be exported in. It states:

'B3140 waste pneumatic tyres, excluding those destined for Annex IVA operations⁵⁶'.

We have no powers to require or impose additional controls, such as on the form the waste must take such as shredded, baled, whole etc.

We do have powers to prevent movements of waste where the destination facility holds a permit that requires the waste to be in a certain form, however. For example, some permits for facilities in India require tyres to be cut or shredded. Where these conditions are set out in the permit, we can prohibit the movement of waste pneumatic tyres where they do not meet the permit requirements (e.g. baled tyres where the permit only allows shredded tyres) for these sites. Not all permits

⁵⁵ Consultation outcome: Government response, Defra, updated 21 October 2023. [Government response - GOV.UK](#)

⁵⁶ Annex IVA operations are final disposal operation, which are prohibited under the UK plan for waste shipments, except for in limited circumstances, such as where no facilities exist

include these controls however, and we have no ability to influence the requirement for such conditions from another overseas competent authority.

Considering if pyrolysis of waste pneumatic tyres can be environmentally sound

As part of this review, we have considered if pyrolysis an environmentally sound recycling operation for waste pneumatic tyres.

In the context of exports of waste pneumatic tyres to India, whether a pyrolysis facility is operating to environmentally sound management standards or not is irrelevant. This is because the export of waste pneumatic tyres to India for the purpose of pyrolysis treatment is prohibited under Indian law.

We do consider that pyrolysis of waste pneumatic tyres can be considered an environmentally sound recovery option where the destination recovery facility is suitably permitted and operated to the relevant human health and environmental protection standards.

Pyrolysis operations, when carried out by permitted, legally operating, facilities are considered to present significant potential for waste treatment as part of a circular economy. This is because waste is transformed into valuable resources.

Pyrolysis is a well-established process and is used extensively by the chemical industry. It is important to recognise that any waste operation may not be considered environmentally sound if incorrectly managed, even if the activity is fully permitted and can operate in an environmentally sound manner.

1.2. Funding regulatory work on waste pneumatic tyres

This section sets out how the Environment Agency is funded to deliver work to regulate and compliance monitor activities related to the export of waste pneumatic tyres.

What funding does the Environment Agency receive to regulate the export of waste pneumatic tyres?

Like all public sector organisations, the Environment Agency is subject to funding constraints and therefore must prioritise regulatory activity. Section 2.2 of this report sets out how decisions are taken over which wastes are prioritised within our Waste Shipments Regime.

The Environment Agency's Enforcement and Sanctions Policy⁵⁷ says 'We will act proportionately when we apply the law' and target our resources 'towards those whose activities cause or could cause the greatest risk of serious environmental damage'. Therefore, the Environment Agency risk profiles and deploys our limited resources, with the highest risks taking priority. We consider illegal

⁵⁷ Policy paper: Environment Agency enforcement and sanctions policy, Environment Agency, updated 3 March 2025. [Environment Agency enforcement and sanctions policy - GOV.UK](#)

waste exports to be a strategic priority in stopping waste crime, with resource provided to conduct this activity. Waste streams are prioritised using a risk-based approach to identify those that pose the greatest threat, risk, and harm to the environment and human health.

Funding for the Environment Agency's regulation of the export of waste shipments is primarily received from 2 sources:

Charge funding

Charge income is collected when applicants apply for Prior Informed Consent (PIC), which is also known as a notification. PIC refers to shipments that require a notification to be in place to move specific types of waste between Parties to the Basel Convention (or those within the OECD). The notifications charge is levied at the point of application to enable the Environment Agency to assess the application and conduct regulatory activity for all shipments that are moved under each individual notification.

Treasury rules set out under 'Managing Public Money'⁵⁸ guidance states that the Environment Agency must use funds generated through applications for PIC for work related to notified waste shipments, rather than to compliance monitor Article 18 movements. For context, the Environment Agency levied charges of around £3.19m in financial year 2024/2025 for notified waste shipments.

The Environment Agency does not currently levy charges related to Article 18 waste movements for either the movement or any compliance monitoring. We do not routinely receive Annex VII forms in relation to the export of Article 18 wastes, and therefore we are unable to apply a charge which would equate to the costs of the compliance work that would be undertaken on the shipments.

An obligation to provide Annex VII forms to the regulator under regulation 45 of the TFS Regulations currently applies to Scotland and Northern Ireland only⁵⁹

The Environment Agency is working with Defra on the opportunity to introduce more fundamental changes to the regulations of exports of Article 18 wastes in England, whereby Annex VII information will be required in advance of all shipments of Article 18 wastes and charges are introduced to fund compliance activity.

Grant in Aid (GiA) funding

The Environment Agency receives direct Government funding, also known as Grant in Aid (GiA), from the Department for Environment, Food, and Rural Affairs (Defra) to target waste crime. This covers a wide range of offences and legislation across the waste sector.

⁵⁸ Guidance: Managing Public Money, HM Treasury, updated 12 June 2025. [Managing public money - GOV.UK](#)

⁵⁹ Regulation 45 TFS Regulations 2007. [The Transfrontier Shipment of Waste Regulations 2007](#)

What level of resource works on the regulation of Article 18 waste?

20 FTE (Full Time Equivalent) currently works on illegal waste exports across England in both field and office-based roles. The Environment Agency's Illegal Waste Exports (IWE) Team was established in 2018 to tackle non-compliance related to the UK WSR covering both Article 18 and PIC controls. The Team assesses operator risk and uses this intelligence to target high-risk shipments at ports, including free riders in the notified sector and misdescribed waste. Article 18 waste forms only part of this work.

Activity is intelligence-led and is focussed on those activities that pose the greatest threat of risk and harm to people and the environment. The IWE Team has placed increasing focus on Article 18 wastes in recent years such as paper and plastics, although also targets notified wastes, including WEEE (Waste Electrical and Electronic Equipment), and ELVs (End of Life Vehicles).

Officers are required to understand the risks associated with those operators responsible for the export of waste under Article 18 controls, and those that knowingly export prohibited waste overseas through misdescription.

The team has access to port facilities in England but, given the volume of material that moves through the ports, it is only possible to inspect a proportion of all movements. This means that the Team must prioritise those waste streams that have been identified as posing the greatest risk to people and the environment.

Upstream activity is also carried out to prevent and disrupt illegal exports before they reach port. The Team identifies and risk-rates export sites across England, assigning field officers to inspect them. These inspections assess waste quality, review export documentation, provide guidance to operators, and, if necessary, prevent material from leaving the site. The resulting risk ratings help to inform container selection for port inspections.

Regarding Article 18 shipments, the IWE team may take steps as part of its Annex VII project to serve Information Notices on operators that are identified as non-compliant. This requires operators to provide us with copies of Annex VII forms. This allows for greater compliance monitoring to prevent illegal shipments from taking place. More detail on the Annex VII project is found in Section 2.4. This is in addition to the activity outlined above.

1.3. Operational structure for work on waste pneumatic tyres

This section sets out how the Environment Agency is structured to work on the regulation of waste pneumatic tyres. Our high-level organisation chart can be viewed on GOV.UK⁶⁰.

The delivery of the Environment Agency's duties related to waste pneumatic tyres is split between several teams, depending on their roles and responsibilities. The split of work between teams also

⁶⁰ Environment Agency organisation structure chart, Environment Agency, updated 18 July 2025. [Environment Agency organisation structure chart - GOV.UK](#)

reflects the different regulations relevant to waste pneumatic tyres. Responsibility for International Waste Shipments is held by a combination of Environment & Business and Operational teams.

Environment and Business (E&B) Teams

The Environment and Business (E&B) Teams support Defra in developing and improving waste pneumatic tyre regulation. They also handle parliamentary questions and provide technical guidance, training, and advice to stakeholders. Several E&B teams are involved in work related to international waste shipments.

The Waste Shipments and International Engagement Team is the lead for international waste shipments. The Team provides strategic and technical direction to support operational teams with decision making, and interpretation of the relevant waste shipment regulations (including the UK WSR, the TFS Regulations, and the 1418/2007 Regulations). The Team also liaises with Defra on policy matters, overseas authorities on waste issues, and helps to implement regulatory reforms.

Other E&B teams, such as the Waste Treatment and Transfer Team, support waste operations by advising on tyre treatment, exemptions, and pyrolysis facilities.

National Operations Teams

The Operational Teams responsible for site-based work and day-to-day oversight of waste shipments are structured around a 'national operations' model. This includes Area Operations Teams, Environmental Markets and Regulation Teams, and our National Intelligence Team.

Area Operations Teams

Inspections of S2 and T8 sites, and activities related to non-compliance of the Environmental Permitting Regulations are delivered by the Environment Agency's Area Operations Teams. The Environment Agency is split into 14 Areas, with each Area having Environment Management Teams working on regulated industry issues. The number and size of these teams will vary, depending on the size and demographics of each Area, but usually encompass one or more 'waste' teams, 'installations' teams, and 'Environmental Crime Teams'. These Teams are also responsible for risk profiling and prioritising the work within their Area based on the availability of resources and an assessment of the risks presented by the activities. Activities can include site inspections, desk-based assessments or in-depth audits.

The results of inspections are recorded on Compliance Assessment Report (CAR) forms which are generated on the National Compliance Assessment Database (NCAD). NCAD creates and records the findings of inspections, including the date, time, any photographs taken, and an assessment of compliance and actions where necessary. CAR forms are then recorded onto a digital filing system as the formal record and the operator will be provided with a copy. Area officers will carry out enforcement action, where appropriate, which may include repeat site visits to verify that the corrective actions have been taken, issuing enforcement notices, or deregistering exemptions if required. Where non-compliance is identified, officers may seek support from colleagues in Environmental Crime Teams, to assess the situation and develop a plan of next steps specific to the operator.

Environmental Markets & Regulation (EM&R) Teams

The Environment Agency's Environmental Markets and Regulation Teams consists of staff working on International Waste Shipments operational activities. Teams within EM&R with specific roles related to International Waste Shipments include:

- Notifications Permitting Teams - These Teams manage and process notification applications.
- Data Team - Our Data Team produces and manages the data we produce as part of our duties as the competent authority for England.
- Repatriations Team - This Team manages and facilitates the return of waste, either because the shipment was illegal, or because the movement cannot be completed as intended.
- Compliance Teams - Our Compliance Teams monitor notifications and carry out audits and inspections to ensure that notified waste is being moved correctly.
- Illegal Waste Exports Team - This Team carries out inspections of shipments at ports and other exit points, upstream inspections at source, and work closely with our national enforcement colleagues and intelligence teams to prioritise activity on a risk-based basis.

National Intelligence Team

Our National Intelligence Team is an intrinsic part of the Environment Agency's prioritisation processes. The Team carries out analysis and development of intelligence packages across the Environment Agency, focusing on issues that present the greatest threat of risk and harm. The National Intelligence Team also uses MoRiLE scoring (Management of Risk in Law Enforcement) to prioritise work. This process is detailed further in Section 2.2 of this report.

1.4. Domestic and Overseas Engagement

The Environment Agency supports its strategic and operational work through external collaboration with others within the UK and internationally.

Domestic Engagement

Defra

As detailed in Section 1.1, The Environment Agency is an independent arm's length body of Defra. Defra is the policy lead for both waste pneumatic tyres and international movements of waste.

The Environment Agency works closely with Defra to provide advice and guidance, and to ensure that any policy concerns are raised and regulatory positions can be implemented.

International Waste Shipment Stakeholder Group

The Environment Agency has established an International Waste Shipments Stakeholder Group to discuss legislative changes, research, and operational matters related to waste. Exporters of waste pneumatic tyres may participate in meetings to share feedback on challenges and opportunities affecting international shipments.

UK Competent Authorities

As regulation of international waste shipments is a devolved issue, The Environment Agency collaborates closely with our counterparts in Scotland (The Scottish Environment Protection Agency), Wales (Natural Resources Wales), and Northern Ireland (The Northern Ireland Environment Agency).

Circular Economy Taskforce

It is likely that, as a key waste arising from the transport sector, there will be an interest in growth related to waste pneumatic tyres from the Circular Economy Task Force Transport Working Group, and we will look to engage with this Group as more information becomes available.

Trade Bodies

The Environment Agency regularly engages with industry stakeholders to support our regulation of waste pneumatic tyres. This includes:

- **Tyre Recovery Association (TRA):** The Environment Agency regularly participates in meetings with, and provides advice to, TRA members. The TRA represents a broad spectrum of the tyre sector, including manufacturers, collectors, recyclers, and exporters.
- **Other Trade Bodies:** The Environment Agency also works with groups such as the British Metal Recyclers Association, as waste pneumatic tyres are generated through vehicle recycling.

Stakeholder drop-in session

On 22 May 2025, the Environment Agency hosted a stakeholder drop-in session with industry and trade bodies. During this event, many attendees wished to discuss the 'shred only' export policy for waste pneumatic tyres adopted by the Australian government. There were mixed views from stakeholders on whether the introduction of such an approach would prevent waste pneumatic tyres from entering illegal pyrolysis facilities:

- Some attendees felt that a shred-only approach would require a higher level of investment for those exporting the waste, which would help to drive illegal operators out of the market. This is because it was felt that those operators are driven by profits and are currently able to cheaply bale and export waste pneumatic tyres but may be disincentivised by the cost of shredding infrastructure.
- Some stakeholders suggested that a shred-only approach may prevent waste pneumatic tyre exports from being diverted to illegal pyrolysis facilities, as the batch processing method allegedly used by such sites is only suitable for baled whole tyres. Others disagreed and suggested this would not prevent the movement, and pyrolysis sites in India would simply adapt to take shredded material.
- Others within the waste pneumatic tyre industry do not consider that a shred-only approach would be effective. For example, during a recent webinar hosted by EuRIC⁶¹ as part of EU Green Week 2025, it was suggested that requiring a shred-only solution would not prevent illegal pyrolysis and would simply support larger tonnages of waste being exported.

Stakeholders have also raised concerns about the production of microplastics, increased fire risks due to the larger surface area of shredded tyres, and dust production resulting in health impacts. It was also noted that tyre shred is more difficult to move.

One stakeholder suggested during the drop-in session that if such a policy was implemented, the UK would currently lack sufficient domestic infrastructure to manage the increased volume of waste pneumatic tyres that would require shredding. They also asserted that to develop such infrastructure could take up to two years.

Prior to this review, the Environment Agency and Defra engaged with both the Australian government, and separately with Tyres Stewardship Australia (TSA), to learn from their experiences of adopting such a policy. Through these discussions, it was clear that there are both benefits and disadvantages to such an approach. For example, whilst the policy supports the development of more circular approaches within Australia, it was suggested an indirect consequence was that it led to an increase in misdescription of waste pneumatic tyres, as other waste types that are permitted for export.

⁶¹ Press Release, EuRIC, 20 June 2025. [Material recovery and high-value applications must put tyre recycling out of the margins, says EuRIC webinar - EuRIC](#)

Further research would be needed to determine the viability, impacts, and resultant consequences of implementing such an approach in the UK.

The Environment Agency cannot impose a control to require waste pneumatic tyres to be shredded before being exported as we do not have the legal powers to do so.

There was general agreement during the drop-in session that moving waste pneumatic tyres to require notification to all destination countries could be a positive step. Stakeholders indicated that the costs of managing and obtaining notifications would incentivise investment in domestic infrastructure. This is because the costs of the notification and meeting the respective requirements to ensure wastes are exported using only the route within the consent, could reduce the financial incentive to export waste pneumatic tyres.

We also noted that parts of the waste pneumatic tyre sector have expressed an interest in tyres being subject to Extended Producer Responsibility (EPR). We do not have the regulatory powers to introduce such a scheme.

Stakeholders highlighted the financial situation facing legitimate tyre recyclers and businesses in the UK and explained how money is generated at different stages of the process. This included detailing how retailers/fitters of new tyres charge a 'disposal fee' or 'Environmental fee' to cover the costs of disposal of waste pneumatic tyres. This fee was also highlighted in the BBC documentary broadcast on 25 March 2025.

The Environment Agency heard that most of the tyre disposal fee charged to the customer (approximately £3 - £5 per tyre) is allegedly not being passed to the recycler, who usually receive around 30p - 50p per tyre with the balance kept by the retailer. Stakeholders indicated that, given the low costs of baling and exporting waste pneumatic tyres compared to recycling them (for example through shredding to produce secondary products) in England, this has resulted in legitimate businesses being undercut by those operators' baling tyres for export. This is due to the lower barrier for entry, because only minimal investment is needed compared to those that have invested in machinery and other related infrastructure to produce a higher value product.

This has resulted in negative financial implications for recyclers in the UK and has disincentivised investment in domestic recycling infrastructure in the UK. It has also, indirectly, incentivised illegality within the sector, for example through abuse of the T8 exemption.

Decisions over how tyre disposal fees are directed and on whether to introduce EPR are not within our remit. However, stakeholders did express opinions that EPR for tyres might provide a more sustainable basis for environmentally sound management. This is because the introduction of such a scheme may support a circular economy and, depending on the type of EPR system, may provide for the costs of dealing with the waste produced to be passed back to the producer of the item.

If EPR principles require producers to demonstrate the environmentally sound recovery of their products at the end of their life, this may also incentivise legal recycling and help to reduce the demand for this waste by illegal operators.

Tyre Pyrolysis Oil Resource Framework

The Environment Agency is currently reviewing the point at which tyre pyrolysis oil may achieve 'End of Waste' status, through the development of a Tyre Pyrolysis Oil (TPO) Resource Framework. This framework will provide advice for waste holders to assess whether materials can be classified as 'End of Waste'. The Environment Agency has established a Technical Advisory Group to research when TPO may be considered to have met the end of waste tests for use as a feedstock for fuel refineries. The formal consultation on this work closed on 18 July 2025, and the responses are now being considered.

This research will support a key circular economy principle where a material, following recycling and recovery may be declassified as a waste. In these situations, waste controls (including the requirement for facilities receiving the material to hold a permit or to move under a notification or Article 18 controls) no longer apply. There is also a resource framework for tyre derived rubber materials⁶². This framework is currently under review.

Internal Engagement

As part of the review process, the Environment Agency also considered internally developed research that may have been relevant to the decision-making process over whether to reclassify waste pneumatic tyres as hazardous.

This included looking into research by our Chemicals Assessment Unit (CAU), which is developing research into hazard screening and UK risk prioritisation for tyre additives. This research is adjacent, but not directly linked, to the work being considered for this review, as the focus is specifically on the chemical constituents found within tyres, rather than tyres themselves.

The Chemicals Assessment Unit (CAU) within the Environment Agency has been working to review groups of chemicals by structure and industrial sector to identify candidates that merit further detailed review or risk management consideration under UK REACH (Registration, Evaluation, Authorisation, and restriction of Chemicals).

The CAU is a specialist team of Scientists that operates within the Environment Agency's Chief Scientist's Group. Amongst their responsibilities, is provision of technical support on environmental matters to the Health & Safety Executive (HSE), the body responsible for delivering the Registration, Evaluation, Authorisation and restriction of Chemicals (REACH) Regulation.

Since 2022, the CAU has focussed on two specific projects related to waste pneumatic tyres:

- The first project relates to the development of an environmental exposure scenario model for tyre wear particles released from the UK road network. The research is being used to prioritise future research projects and may be useful for future UK REACH registrants who will need to prepare Chemical Safety Assessments. This review considered whether the research could be used to assess whether waste pneumatic tyres should be reclassified as

⁶² https://assets.publishing.service.gov.uk/media/5a7dc5e9e5274a5eaea663dd/LIT_8273.pdf

hazardous, but it was determined that it would be inappropriate to draw such conclusions.

- The second project concerns research into hazard screening and UK risk prioritisation for tyre additives. This review has confirmed that, whilst this research concerns the hazardous constituents of tyres, the scope of the research was not designed to determine if waste pneumatic tyres should be reclassified as hazardous and it would not be appropriate to draw such conclusions.

International Engagement

The Environment Agency values international collaboration with overseas environmental authorities to enhance environmental outcomes globally. We have long worked with international partners on waste regulation, both strategically and operationally, focusing on intelligence sharing and tackling waste crime. More recently, we have been working to raise our visibility through bilateral and multilateral collaboration with international partners on the world stage, including through participation and partnership working with the World Customs Organisation, Interpol, Europol, and the EU Network for the Implementation and Enforcement of Environmental Law (IMPEL)

Following EU Exit, the Environment Agency has provided additional support to Defra on international Multilateral Environmental Agreements (MEA's), including the Basel, Rotterdam, and Stockholm Conventions and their associated Working Groups. In 2022, we also established an International Engagement Team for Waste to strengthen global partnerships, address emerging waste issues, and promote the UK as a leading environmental regulator. This work supports our obligations under Article 52 of the UK WSR⁶³ and is currently not charge-funded, although sustainable funding is being explored through the Regulatory Reform programme.

The Environment Agency's international engagement work has helped us to build stronger relationships with overseas competent authorities, with whom we can share intelligence, best practice, and experience. For example, we work closely with The Netherlands, Belgium, Norway and Canada on waste movements in general, and Australia particularly in relation to waste pneumatic tyres. These links help the Environment Agency stay informed about new waste controls and developments in international legislation.

The Environment Agency has prioritised engagement with the Indian environmental authorities since 28 February 2024, which is when we first contacted the British High Commission in India to request support in connecting with the Indian environmental authorities. This led to a virtual meeting with the Indian Ministry of Environment, Forest, and Climate Change (MoEFCC) on 19 June 2024, where we confirmed the regulatory controls that apply to waste pneumatic tyres in India.

⁶³ [Regulation \(EC\) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste](#)

Engagement with the Indian environmental authorities on waste pneumatic tyres

Confirmation of waste controls

Defra wrote to the MoEFCC in 2020, requesting confirmation of the domestic controls that applied to imports of waste pneumatic tyres. The MoEFCC replied to Defra with a completed response on 3 March 2021. This response confirmed that movements of waste pneumatic tyres should be regulated via Article 18 (green listed waste) controls ([Appendix 4.15](#)).

Environment Agency engagement

Following the Environment Agency being made aware of the prohibition on the export of waste pneumatic tyres to India for pyrolysis operations, we have been working to engage with the Indian environmental authorities to confirm our understanding of the domestic controls that apply. The Environment Agency has made attempts to connect with the MoEFCC through various routes, including:

- Directly with MoEFCC
- Via the Basel Convention National Focal Point for India
- The Confederation of Indian Industry
- Other UK and international partners

As noted above, Defra also connected the Environment Agency to the British High Commission (BHC) on 12 February 2024.

Meeting with Ministry of Environment, Forest, and Climate Change (MoEFCC)

On 4 March 2024, the BHC confirmed that the Hazardous Substances Management Division at the MoEFCC is the lead department for managing waste pneumatic tyre imports in India. The BHC held an initial meeting with the MoEFCC on 2 May 2024. During this meeting, the domestic legislation prohibiting the import of waste pneumatic tyres for pyrolysis was confirmed. The MoEFCC also outlined the governance structures that are in place to enforce these controls.

The BHC set up a further meeting for 19 June 2024 between the Environment Agency and MoEFCC ([Appendix 4.6](#)). Representatives from Defra and the Scottish Environmental Protection Agency (SEPA) also joined the call. During the meeting, we learnt that:

- the volume of tyres that Indian recyclers can import in any given year is proportionate to the volume they processed during the previous year.
- Indian recyclers have the capacity to process around 2.5 million tonnes of waste pneumatic tyres, which is greater than the combined volume of domestic and imported waste pneumatic tyres.

- waste pneumatic tyres have a high resource value in India, and that recyclers currently recover this waste to extract multiple secondary products including Crumb Rubber Modified Bitumen (used in road surfacing and paving), scrap rubber, and metals.
- The MoEFCC acknowledged that despite the prohibition on importing waste pneumatic tyres for pyrolysis and reuse, some diversion does occur at port (although the MoEFCC could not comment on the scale of the issue). They also confirmed that the environmental authorities are taking action to address the gaps, including the development of enhanced auditing requirements.
- The MoEFCC expressed support for further discussion on this issue, including a visit to India by UK regulators to meet with the MoEFCC and the Pollution Control Boards ([Appendix 4.6](#)).

Engagement since virtual meeting on 19 June 2024

The Environment Agency is continuing to work with the British High Commission (BHC) in New Delhi to plan a visit to India in autumn 2025. This visit would include meetings with the key environmental authorities such as the MoEFCC, the Pollution Control Boards, and with waste tyre stakeholders.

In November 2024, an Environment Agency representative attended an OECD textiles workshop in the State of Gujarat, which is where Mundra port is located. Mundra port is a major entry point for UK tyre exports. Discussions at the workshop confirmed that MoEFCC approves import licences, whilst the State Pollution Control Boards (SPCB's) are responsible for the regulation of legally operating facilities. The SPCB's appear to lack enforcement powers related to illegally operating pyrolysis plants, however - highlighting the need for oversight on exports of waste pneumatic tyres to India.

The Environment Agency is also collaborating with international bodies like the National Crime Agency (NCA), the US Department of Justice (Environmental Crimes Section), the World Customs Organisation, and the IMPEL Network to gain access to MoEFCC contacts and to obtain the necessary permissions to track waste pneumatic tyre movements. We do not currently have directed surveillance authorisation to deploy our own electronic trackers in bales of waste tyres because we have not yet received approval from the Indian authorities to do so from MoEFCC. This is further considered in Section 2.5. Whilst the completed Annex VII and supporting documentation is considered primary information, as noted in Section 1.1, there are limitations to this data.

Structure of the environmental authorities in India with a responsibility for waste pneumatic tyres

During our virtual meeting with the Indian Ministry of Environment, Forest, and Climate Change (MoEFCC) on 19 June 2024, The Environment Agency was informed that the following authorities are responsible for the development and implementation of domestic waste pneumatic tyre policy in India.

Ministry of Environment, Forest, and Climate Change (MoEFCC)

The MoEFCC is responsible for drafting all policies around the import and recycling of waste pneumatic tyres in India. They implement these policies through the Central Pollution Control Board (CPCB). An expert committee within the MoEFCC is responsible for considering applications for waste imports, including tyres.

MoEFCC also issues directives on the preferred choice of technology and processes for recycling waste pneumatic tyres. The MoEFCC confirmed during our call that they have prohibited the use of imported waste pneumatic tyres for pyrolysis.

The MoEFCC also confirmed during our meeting that it was exploring setting up a robust audit process for recyclers and plan to introduce Extended Producer Responsibility guidelines (which are already in place for domestic recyclers), for importers.

Central Pollution Control Board (CPCB)

The Central Pollution Control Board (CPCB) sets technical guidelines and standard operating procedures (SOP) for waste. This includes the SOP for the recycling of waste pneumatic tyre scrap for the recovery of tyre pyrolysis oil, pyro gas and char in tyre pyrolysis oil (TPO) units⁶⁴. As set out in this report, the export of waste pneumatic tyres for pyrolysis to India is prohibited. Therefore, we do not consider further whether the human health and environmental protection standards set out in that SOP are broadly equivalent to those in the UK.

The CPCB is responsible for undertaking inspections of waste pneumatic tyre facilities once every 3 years, or at random, to ensure better regulatory compliance. They also maintain records of all waste pneumatic tyre importers.

The MoEFCC confirmed during our meeting that they were in the process of setting up a CPCB governed pan-India monitoring mechanism to ensure uniform implementation of various waste management-related policies.

State Pollution Control Boards (SPCBs)

SPCBs are state-level bodies in India that report to their respective state governments and follow policy guidance from the Central Pollution Control Board. They are responsible for:

- Biannual Inspections: Conducting announced inspections of waste pneumatic tyre facilities at least every six months.
- Issuing clearances for operations:
 - Consent to Establish: Required before setting up a facility.
 - Consent to Operate: Required once the facility is built and ready to begin operations.

⁶⁴ ⁶⁴ [SOP TPO 16012024.pdf](#)

- **Regulatory Powers:** They have powers for the issuing permits under Extended Producer Responsibility, hazardous waste authorisations, and the service of notices for emissions violations. Permits can also be revoked if facilities breach conditions.

The Environment Agency will be engaging with the relevant SPCBs to request inspection reports and lists of inspected facilities with outcomes from their inspections.

Extended Producer Responsibility in India and the prohibition on the import of waste pneumatic tyres for pyrolysis

Extended producer responsibility (EPR) is defined⁶⁵ in the Basel Convention practical manuals on extended producer responsibility and financing systems for environmentally sound management as:

‘An environmental policy approach in which a producer’s responsibility for a product is extended to the waste stage of that product’s life cycle. In practice, EPR involves producers taking responsibility for the management of products after becoming waste, including collection; pre-treatment, e.g. sorting, dismantling or de-pollution; (preparation for) reuse; recovery (including recycling and energy recovery) or final disposal. EPR systems can allow producers to exercise their responsibility either by providing the financial resources required and/or by taking over the operational aspects of the process from municipalities. They assume the responsibility voluntarily or mandatorily; EPR systems can be implemented individually or collectively.’

MoEFCC added waste pneumatic tyres to the list of wastes that are covered by EPR rules in India on 21 July 2022, through an amendment to their ‘Hazardous and other wastes (Management and Transboundary movement) Rules 2016’. These were published in the Gazette of India in both Hindi and English ([Appendix 4.14](#)).

Schedule IX of these rules, as set out in the Gazette states:

‘Environmentally sound management of waste tyre means taking all steps required to ensure that waste tyre is managed in a manner so as to protect health and environment against any adverse effects which may result from such waste tyre’.

‘Recycling means any process or action of converting waste tyre into following end products, in an environmentally sound manner and having facilities as elaborated in the standard operating procedure or guidelines as specified by the Central Pollution Control Board, namely:

- (i) reclaimed rubber
- (ii) crumb rubber
- (iii) crumb rubber modified bitumen (CRMB)

⁶⁵ Basel Convention Practical manuals on extended producer responsibility and financing systems for environmentally sound management

- (iv) recovered carbon black, which is usable as raw material for manufacture of new tyre; and
- (v) pyrolysis oil or Char, which is used only as a fuel and not as raw material for manufacture of new tyre.'

India therefore permits the pyrolysis of domestically sourced waste pneumatic tyres, provided facilities meet environmentally sound management standards set by the Central Pollution Control Board (CPCB).

Further to this, Regulation 4 (b) (ii) states:

'For waste tyre importer – the import of waste pneumatic tyres for the purpose of producing pyrolysis oil or char is prohibited'.

This makes it clear that the import of waste pneumatic tyres for pyrolysis operations has been prohibited since 21 July 2022. This means UK exports of waste pneumatic tyres to India for pyrolysis can be stopped under Article 36(1)(f). We were not formally notified of this change by Indian authorities or the Basel Convention Secretariat. Awareness came in early 2023 via stakeholders, followed by independent verification through official Indian publications and discussions with the BHC and MoEFCC ([Appendix 4.6](#)).

Environment Agency position on Indian facilities allegedly exceeding permitted tonnage allowances

On 31 January 2023, The Environment Agency received information from an external industry source ([Appendix 4.1](#)) stating that customs data (collated import and export data provided by Government Customs at all Indian ports) suggested that Indian sites were receiving more waste pneumatic tyres than their import permits allowed.

Import permits are issued by the MoEFCC in India and are distinct from the environmental permit for the waste facility.

Article 36(1)(f) prohibits shipments of waste where the import has been prohibited by the country of destination. If the information we hold suggests a destination is exceeding the allowed tonnages either under their import permit, or their environmental permit, we will consider this information as part of our assessment of whether we have a reason to believe wastes will not be handled in an environmentally sound manner. We will also consider the information where other exporters are seeking to use the same destination.

Should the Indian authorities revoke a facility's environmental permit or amend its conditions such that it is no longer suitable for treating the waste in accordance with environmentally sound management principles, this would likely be considered a 'reason to believe' that the shipment will not be managed in an environmentally sound manner, and it should therefore be prohibited in accordance with Article 36. In the alternative, it may also mean that an exporter of waste or the competent authority in the country of destination cannot demonstrate that the facility which receives the waste will be operated in accordance with human health and environmental protection standards that are broadly equivalent to standards to those in the UK, for the purposes of Article 49(2).

Other International Engagement

The Environment Agency has spoken with the competent authorities for several other countries and organisations concerning the export of waste pneumatic tyres in general, and specifically to India.

Australian Department of Climate Change, Energy, the Environment, and Water

On 8 May 2024, the Environment Agency, alongside Defra met virtually with the Australian Department of Climate Change, Energy, the Environment, and Water (DCCEEW) to discuss Australia's domestic waste pneumatic tyre policy. On this call, DCCEEW confirmed that they had amended their tyre export policy under the Recycling and Waste Reduction Act (RAWR) 2022 legal framework.

This Act was introduced to increase domestic waste recycling capacity and infrastructure in Australia. Under this amendment, exports of waste pneumatic tyres were restricted to those that had been processed into shred or crumb of no more than 150 millimetres for use as a tyre derived fuel, buffings, or granules.

Tyres may also be exported for retreading at an appropriate facility (e.g. as verified by Tyre Stewardship Australia's Foreign End Market Export Verification programme) or for re-use.

This framework only applies to road tyres and does not currently extend to other type of specialist tyre, such as those used in mining operations. Baled tyres, or shred larger than 150mm, may not be exported other than in limited circumstances (for example where there is a lack of reprocessing capacity to recover the tyres domestically, or for research and development purposes). Operators would need to apply for such an exemption.

Since the policy was introduced, it was noted that the volume of tyres exported had decreased by around 33% since 2020 levels, although it was acknowledged that there may have been an increase in misdescription of tyres as auto parts under the licensing scheme to avoid customs checks. India was recognised as one of the main destinations for tyre shred and crumb rubber from waste pneumatic tyres.

Tyre Stewardship Australia

On 30 January 2025, we met with Tyre Stewardship Australia (TSA), alongside Defra. The TSA is an organisation that runs Australia's Tyre Product Stewardship Scheme. They are non-governmental organisation run by - and working with - the tyre industry⁶⁶. This meeting had been organised by the UK waste pneumatic tyre industry to provide us with an opportunity to gain further understanding of Australia's export policy for waste pneumatic tyres.

During this meeting, the TSA reconfirmed what we had learnt from the Australian government concerning the amended domestic policy for waste pneumatic tyres. The TSA was positive about the impact that this policy has had on the domestic recycling market in Australia. They advised that

⁶⁶ <https://www.tyrestewardship.org.au/>

Defra should consider issues around education, ensuring suitable access to infrastructure, and ensuring that industry has sufficient time to adapt to any changes if considering a similar policy.

Belgium

On 5 November 2024, we wrote to colleagues in the Belgian Government following information received that the country planned to ban the export of waste pneumatic tyres outside of the European Economic Area from January 2025.

The Environment Agency was informed that although no official legislation imposing an export ban would be introduced by this date, the waste administrative bodies had asked the management body responsible for the take-back obligation for waste pneumatic tyres in Belgium to ask its members to only process waste pneumatic tyres within the EU (and preferably within Belgium).

The export of waste pneumatic tyres will continue to follow European legislation which applies for all EU Member States.

Netherlands

On 5 November 2024, the Environment Agency wrote to colleagues at the Dutch competent authority in the Netherlands concerning requirements related to the export of waste pneumatic tyres.

On 8 November, our colleagues confirmed that the Netherlands adopts the current European legislation that applies to all EU Member States but noted the amendments to the EU Waste Shipment Regulations, which places additional controls on waste exports outside of the EU.

The European Union

The European Union revised the Waste Shipment Regulations in 2024. These changes will largely come into force at various dates between 2024 and 2027. As the UK has left the European Union, the new legislation does not apply to England.

Regulation (EU) 2024/1157 includes several regulations designed to ensure that waste leaving the EU to third countries is handled properly, or in some cases is prohibited either permanently or until such time that it has confidence that the waste is recovered and recycled properly.

The EU has also introduced obligations for exporters of waste to ensure that the receiving facility is subject to an audit to verify compliance with criteria set out in the regulations of the revised EU Waste Shipment Regulations (Annex X)⁶⁷. If these criteria are not met, the exporter should not dispatch waste to that facility. The audits must be undertaken by independent, qualified auditors under an official public authority to carry out those activities. We are exploring whether these reports will be open-source information.

⁶⁷ [Regulation - EU - 2024/1157 - EN - EUR-Lex](#)

The Commission will hold a list of those facilities subjected to an audit. The register is designed to provide information that facilitates the preparation of environmentally sound shipments, but it is not intended to confer compliance with conditions and obligations within the regulations.

Rules around the export of non-hazardous waste from the European Union will also change under amendments to the EU Waste Shipment Regulations (EU WSR). From 21 May 2027, Regulation 1418/2007 will no longer be valid, and exports will only be permitted to non-OECD countries that are on the EU list of approved destinations for receiving exports of green listed waste. The requirements for approval are set out in the Regulations and include evidence to demonstrate that the destination country has a comprehensive waste management strategy, has details of the capacity for waste in general and the specific waste under consideration (the application is country and waste specific), information on the quantity of waste littered, and the quantity and proportion of domestic waste recycled, amongst other detailed criteria. There is also a requirement for regular audits on destination recovery facilities. Therefore, these requirements provide for a much stronger regulatory framework including the requirement for the destination recovery facility to confirm they are recovering the wastes via a certificate of recovery. The Environment Agency will further engage with the EU via Defra on whether these certificates will be open-source information.

The Environment Agency is aware that India has applied to be an approved destination, but we have not been able to identify if they have applied to receive waste pneumatic tyres⁶⁸.

For OECD countries, the EU requires audits on destination recovery facilities (including in England) and for some wastes, including B3011 plastics, these are subject to Prior Informed Consent (PIC) controls. The EU will also monitor exports from the EU to third countries to ensure that no significant damage to the environment or human health occurs, and that no waste is shipped to third countries outside of the OECD. Where the EU has concerns, they can request the competent authorities of the countries in question to provide information on the conditions under which the waste in question is recovered, any impacts, and the ability of the country to manage it in an environmentally sound manner. If this information cannot be provided, they are able to prevent shipments of waste continuing.

⁶⁸ [First non-OECD countries request eligibility to import non-hazardous EU waste - European Commission](#)

An aerial, high-angle photograph of a port at night. A large cargo ship is docked at a pier, with its deck illuminated by bright lights. The ship's hull is blue and yellow. The pier is filled with stacks of colorful shipping containers in various colors like red, blue, green, and yellow. Several cranes are visible, and the water is dark. The overall scene is illuminated by the port's lights, creating a vibrant, industrial atmosphere.

Section Two: Information held and analytical approaches

Section Two: Information held and analytical approaches

Introduction

This section sets out the information we currently hold related to the export of waste pneumatic tyres to India and reviews how this information has been managed and analysed by officers.

2.1. Information held by the Environment Agency

This section sets out what information the Environment Agency considered relating to exports of waste pneumatic tyres from England to India during the period from July 2022 to 23 July 2025, and the level of confidence that our analysis has attributed to that intelligence.

Information held	Source	Date received	Confidence level
Tracker information	Industry sources	20 November 2023	████
Annex VIIs Provided showing R1 ⁶⁹	Industry Source	21 November 2023	████
Consignor and Consignee tonnage data	Industry Source	21 November 2023	████
████████████████████	████	02 June 2025	████
████████████████████ ████████████████████ ████████████████████	████	02 June 2025	████
████████████████████ ████████████████████	████	02 June 2025	████

⁶⁹ R1 is the operation code describing the activity that the waste is intended to undergo at the destination site. R1 is defined in Annex IV of the Basel Convention, and Annex II of the Waste Framework Directive. R1 is described as ‘Use principally as a fuel or other means to generate energy’.

<div> <div></div> <div></div> <div></div> <div></div> <div></div> </div>	<div></div>	02 June 2025	<div></div>
Information provided during the stakeholder drop-in session	Industry Sources	22 May 2025	<div></div>
Emails and reports from stakeholders	Industry source	January 2023	<div></div>
Presentations from industry sources outlining tracker information	Industry source	14 June 2023	<div></div>
News articles	Open Source	25 March 2025	<div></div>
Information held on Memex intelligence system	Internal Database		<div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> </div>
Information held on National Compliance Assessment Database for T8 inspections	Internal Database		<div> <div></div> <div></div> <div></div> <div></div> </div>
Information held on National Incident Reporting System referencing tyres	Internal Database		<div> <div></div> <div></div> <div></div> <div></div> </div>
Customs Data	Open source	May 2025	<div></div>
Tactical assessments including waste pneumatic tyres	Internal Documents	April 2025	<div></div>

MoRiLE Rationale for 2024 and 2025	Internal Documents	30 May 2025	N/A
Copy of Overseas Database	Internal database	30 May 2025	N/A
Inspections Data Sheet	Internal Document		N/A
Gazette of India - Hazardous and Other Wastes (Management and Transboundary Movement) Amendment Rules, 2022	Weblink	22 July 2025	1AP
Redacted Copy of response from MoEFCC confirming Article 18 controls	Internal Document	3 March 2021	1AP
UK Waste Shipments Inspection Plan	External Document	August 2023	N/A
Dossier of Information	Industry Source	May 2025	2DP

Scoring around intelligence is split into 3 different aspects:

- The reliability of the source,
- How the information is known to the source,
- The handling of the intelligence regarding onward sharing.

The table below provides the different scoring parameters:

Source	Information	Handling
1 - Reliable	A - Known directly to source	P - Lawful sharing permitted
2 - Untested	B - Known indirectly to source, but corroborated	
	C - Known indirectly to source	C - Lawful sharing permitted with conditions ⁷⁰
3 - Not Reliable	D - Not known	
	E - Suspected to be false	

2.2. Assessment of risk presented by Waste pneumatic tyres

This section sets out how the Environment Agency risk profiles waste streams to determine how best to use our limited resources to target those areas that present the greatest threat, risk, and harm to the environment.

How does the Environment Agency prioritise enforcement activity?

To ensure that the Environment Agency uses its available resources effectively, MoRiLE (Management of Risk in Law Enforcement) scoring is used to identify which waste streams present the greatest threat of risk and harm to people and the environment.

The MoRiLE method has been developed by a wide range of practitioners as a structured way to support prioritisation and provide a consistent approach to identifying tactical and strategic priorities across law enforcement agencies⁷¹.

The data that we capture by completing an annual assessment of waste streams helps the Environment Agency to provide assurance that we are prioritising our resources towards the greatest risks.

⁷⁰ [Adapted from the College of Policing](#)

⁷¹ [Evaluation and review | College of Policing](#)

Management of Risk in Law Enforcement (MoRiLE) scoring

The Environment Agency use the MoRiLE methodology to prioritise risks related to the international movement of waste that we regulate. ([Appendix 4.11](#)).

MoRiLE provides:

- A risk score (a numerical value between 1 and several thousand. For context, the highest current risk score that the Environment Agency has is 97.5).
- An Organisational Risk Indicator (ORI), which is a colour coded (RAG) numerical indicator from 1 through 5 (with 1 being the lowest indicator), that describes how effectively the organisation is currently placed to effectively mitigate the threat.

Issues can be ranked and sorted by both the risk score and ORI, although it is not advised to act purely on one ranking alone.

The model is designed to show where risks might exist within the organisation. This information should then form the basis of internal discussions around the issues and associated risks identified.⁷²

Using this approach enables the Environment Agency to prioritise workstreams based on available resource envelope and identify intelligence gaps.

The thematic MoRiLE assessment rationale for waste pneumatic tyres sets out how we made our assessment of this waste stream ([Appendix 4.11](#)).

MoRiLE scoring for waste pneumatic tyres

A MoRiLE assessment for waste pneumatic tyres was carried out on 16 January 2024 for the 2024/25 year, and on 18 February 2025 for the 2025/2026 year.

The assessment found there was no indication that waste pneumatic tyres were being exported illegally from England to India for pyrolysis. This was because the Annex VII forms held appeared to have been completed correctly and validated to the best of our ability at the time. The stated recovery facilities also appeared to be legitimate and able to recover the waste to environmentally sound standards according to the recovery codes entered on the Annex VII forms.

The information the Environment Agency held suggested that waste pneumatic tyres being exported from England to India were destined for legal recovery and not for illegal pyrolysis.

⁷² <https://defra.sharepoint.com/sites/def-contentcloud/ContentCloudLibrary/LIT 72572 - MoRiLE assessment.docx>

For this reason, the Environment Agency's review of the Annex VII forms alone did not give 'reason to believe' that tyres exported to India were destined for illegal pyrolysis or would not be managed in an ESM manner⁷³.

The Environment Agency has not received any information from the Indian Authorities to suggest that a shipment has not been completed as intended. We have also not received any requests for waste pneumatic tyres to be repatriated.

Waste pneumatic tyres did rank as a priority waste stream when compared to other wastes as part of a prioritisation exercise carried out in 2024. Using the MoRiLE methodology, waste pneumatic tyres receiving the following score:

- Risk Score: 36
- Organisational Risk Indicator (ORI) Score: 4

The risk score was relatively low because the Environment Agency held little direct evidence to substantiate the claims being raised by industry related to illegal export activity.

The ORI did score highly, however, because of the public interest and international risk of the waste pneumatic tyres not being managed in an environmentally sound manner. This resulted in waste pneumatic tyres being noted as a priority waste stream.

Environment Agency response to MoRiLE assessment

The Tyre Recovery Association (TRA) and various industry stakeholders have raised concerns related to waste pneumatic tyres with the Environment Agency and have also spoken with Defra.

However, in April 2024, the information that the Environment Agency held was not considered as providing a basis for reaching more general conclusions about the risk that waste pneumatic tyres exported to India might not be treated in an environmentally sound manner.

For this reason, enhanced inspections activity at port would not have represented an effective use of resource, as it would have been unlikely to identify any illegal shipments at that point. The Environment Agency did carry out additional activity to improve our understanding of the level of risk when waste pneumatic tyre shipments arrive in India however, through attempts to contact the Indian competent authority, and through engagement with partner agencies in the UK and the IMPEL network.

2.3. Assessment of alleged breaches of the T8 exemption

This section sets out our review of potential breaches of the T8 exemption within England, including an assessment of the information held on our intelligence databases.

⁷³ See Appendix 4.11

Reports of possible illegal activity related to T8 exempt sites

Several industry stakeholders have suggested that there may be a link between abuse of the T8 exemption by illegal operators and the unlawful export of waste pneumatic tyres to India.

Where it is identified that operators are in breach of their T8 exemption, it does not follow that waste exported from that site is illegal. The Environment Agency has not identified any direct link between breaches of the T8 exemption and the unlawful export of waste pneumatic tyres to India. However, we have considered information held in relation to illegal activity at T8 exempt sites to determine whether there are any links to the export of waste pneumatic tyres to India.

As part of this review, a search of our internal systems was completed to understand what information was held within Environment Agency records related to T8 exemptions. This found the following information:

- 45 reports had been logged on Memex (our intelligence recording system) between July 2022 and April 2025. Of these, 26 reports related to exports of tyres. The remaining 19 reports concerned domestic compliance issues.
- Of the 26 reports related to exports of tyres:
 - 1 report concerned the export of waste pneumatic tyres from a site sending the waste for pyrolysis.
 - 1 report concerned the re-routing of shipments whilst at sea and the subsequent banning of a company for export by one of the shipping lines.
 - 1 report concerned the export of tyre shred to Türkiye for use in Cement Kilns.
 - 1 report concerned the export of tyre shred from ports in Hartlepool.
 - 1 report concerned exports of baled and shredded tyres to Türkiye, India, and Pakistan with the company not gaining confirmation of recovery.
 - 4 reports concerned a container stopped at port on route to India, due to a lack of paperwork being present with the load.
 - 7 reports concerned exports of baled tyres to India.
 - 1 report concerned the exports issue when vessels were being targeted in the Red Sea and the costs related with this.
 - 1 report concerned the purchase of waste pneumatic tyres for export.
 - 2 reports detailed container stops where waste pneumatic tyres were destined for Ghana, which is prohibited.

- 1 report concerned the investigation of a shipment of waste pneumatic tyres which was sent to a facility in India which is believed to be closed.
- 2 reports concerned the export of baled waste pneumatic tyres.
- 1 report concerned the different shippers and believed volume of exports per shipper, of waste pneumatic tyres to India.
- 2 reports concerned 6 container stops in Scotland by SEPA and the subsequent return visit. The containers were loaded with rubber crumb which was contaminated and had been loaded at a site in England. It was destined for India for R3 recovery (which is a waste operation described as 'Recycling/reclamation of organic substances which are not used as solvents').
- Of the 19 reports related to domestic issues, the analysis showed:
 - 2 reports concerned a company storing thousands of tyres with no exemptions or permits.
 - 5 reports concerned non-compliance against the T8 exemption.
 - 2 reports concerned non waste, part worn tyres.
 - 1 report concerned the volume and density of bales of tyres on a site.
 - 1 report concerned a disqualified driver collecting waste pneumatic tyres.
 - 1 report concerned generic exemption and carrier broker dealer compliance for a site that had changed name.
 - 5 reports concerned general regulation visits of a facility.
 - 1 report concerned the import of tyre shred to a site in England from Lithuania.
 - 1 report concerned a ruling in the Indian court

It is clear from the reporting that most of the information that is placed onto Memex concerns the export of waste, rather than T8 issues.

National Incident Reporting System (NIRS)

The Environment Agency use the National Incident Reporting System (NIRS) to record incidents and categorise our response. Each year, we receive around 100,000 incident reports. Where reports are made through the Environment Agency's Incident Communication Service,

Crimestoppers, or other information and intelligence channels, these are prioritised according to our Common Incident Classification System (CICS)⁷⁴.

There were 2520 incidents reported between July 2022 and April 2024 which contained reference to tyres. 96.7% of the reports did not relate to waste operations, instead being reports of fly tipping which included tyres, or other reports not relevant to this review. The remaining 83 logs appeared to relate to T8 sites based on the details in the original report made to us, or in the details of the case. None of these reports identified any offences regarding the export of waste pneumatic tyres specifically.

Analysing the 83 entries:

- 1 report suggested the site needed to be permitted, due to the length of time they were storing waste
- 5 reports were made because of attendance by Fire and Rescue services and tyres were specifically mentioned
- 6 reports from informants suggested waste was being burned
- 4 sites were compliant with their exemption
- 1 site was deregistered for being over the tonnages allowed under the T8 exemption
- 2 sites were reported for operating illegally as exemptions were not in place
- 1 report related to noise arising from a T8 site
- 1 site was non-compliant with the T8 due to operating outside of the exempt area
- 1 site was non-compliant with the T8 due to operating outside of the storage conditions
- 3 sites were non-compliant with the requirement to have fire breaks as detailed in the exemption
- 20 reports were not substantiated, either because the sites were not visited, or because no breaches were identified
- 9 reports were related to sites that appeared to hold T8 exemptions but were ongoing complaints. Complaints included multiple registrations of exemptions, operating without a permit, and being over the allowed tonnages
- 11 reports related to sites allegedly, or substantively being over the tonnage limits

⁷⁴ CICS guidance LIT11227 - See [Appendix 4.18](#)

- 1 site was reported as operating illegally and subsequently closed down
- 17 reports were classed as unknown. This is because the report had not been updated or contained only details of exemption registrations with no details of any follow up activity.

It is clear from this information that incidents relating to waste pneumatic tyres appeared to relate to the operation of T8 sites, rather than their export.

National Compliance Assessment Database (NCAD)

NCAD is the system that is used by the Environment Agency to record inspections of waste facilities, including T8 exempt sites.

A review of NCAD shows that 72 inspections were completed at T8 sites between July 2022 and the end of 2024. These are shown in the table below. Inspections have taken place in 2025, but as the data is recorded on an annual basis, these have not been captured in the table.

	2022	2023	2024
Total inspections	29	29	14
Number of compliant sites	7	13	5
Category 3 Breaches	14	7	6
Category 2 Breaches	6	4	0
Further investigation required	2	5	3

The figures for inspections at T8 sites are low when compared to the overall number of registered sites (1014 T8 registrations had been made as of 8 April 2025). This is because until charges were introduced 1 July 2025, the Environment Agency received no funding to resource compliance monitoring of T8 exemptions.

Of the 72 site visits recorded on NCAD related to the T8 exemption, the reason provided for these being prioritised included:

- 46 reports related to routine visits
- 7 reports related to follow up visits
- 11 reports related to incident response
- 8 reports were for other reasons that were not stated.

A summary of the findings is provided in [Appendix 6](#).

Where it was identified that sites had breached their exemption, the main reasons recorded on the system were:

- Sites were over the allowed tonnage limit.
- Sites were non-compliant with the requirement to have fire breaks between storage piles of tyres.

Of these sites, one was successfully prosecuted following non-compliance with a Notice. Another site was served with warning letter, after the operator removed most of the tyres.

Breaches of the T8 exemption

Breaches of permits or exemptions, or incidents in general are categorised according to the Environment Agency's Compliance Classification Scheme (CCS)⁷⁵, against four categories of non-compliance. They represent the severity of the reasonably foreseeable impact, or in the case of amenity conditions, the actual impact.

Risk category 1: Associated with a major impact on human health, quality of life or the environment.

Risk category 2: Associated with a significant impact on human health, quality of life or the environment.

Risk category 3: Associated with a minor impact on human health, quality of life or the environment.

Risk category 4: Associated with no impact on human health, quality of life or the environment.

The action we take in response to sites breaching the exemption will vary, depending on:

- The severity of the breach and its impact on the environment and human health,
- The history of the facility or operator,
- The specific circumstances of the location,
- Other factors such as resources

To bring an operator back into compliance, a Compliance Assessment Report (CAR) Form outlines required actions, deadlines, and conditions. If an operator fails to comply or the breach is serious, the exemption may be deregistered, requiring the operator to either cease operations and clear

⁷⁵ Policy paper: Waste operations and installations, Environment Agency, updated 13 March 2025. [Waste operations and installations: assessing and scoring environmental permit compliance - GOV.UK](#)

the site, or apply for a full environmental permit. The Environment Agency may also use its powers in relation to the use of formal notices, warnings, cautions, prosecutions, or civil sanctions. Appropriate action is taken on a case-by-case basis, taking into consideration public interest, the nature and severity of non-compliance, history, intent, and attitude of the offender.

Decisions are guided by the Environment Agency's Enforcement and Sanctions Policy⁷⁶, and the Regulators Code⁷⁷. We also consider the growth duty statutory guidance⁷⁸ and the Offence Response options⁷⁹, which sets out the options available to every offence we regulate.

The Environment Agency prioritise inspections of permitted sites which show the greatest risk of causing environmental harm and negative impacts to human health. Inspections of T8 exempt facilities may be therefore irregular but can be triggered by incident reports when they are received.

The Environment Agency's Waste Crime Teams may focus on T8 exempt facilities if they are designated as an illegal waste site. Our Waste Crime Teams must assess work against other illegal activities where there is a higher risk of offending occurring and prioritise their work accordingly.

The Environment Agency's International Waste Shipments Team and the Illegal Waste Exports Team may also become involved should a shipment be considered unsuitable for export. This can result from the identification of incorrect or unsatisfactory paperwork, and where the Environment Agency has received intelligence or a report of possible illegality.

In instances where T8 exemptions have been deregistered, businesses can reopen other facilities elsewhere under a new name and continue to operate lawfully. This was confirmed by stakeholders, who were concerned at the ability of illegal operators to move sites, register new T8 exemptions and continue operating.

Conclusions from reviewing T8 activities

The Environment Agency supports the Government's commitment to remove the T8 exemption, which will tighten regulation and require activities to be carried out under an environmental permit.

To support effective regulation the Environment Agency can take steps to strengthen the recording of information about exports of waste pneumatic tyres. This should include information on exports obtained during both routine and incident inspections at T8 sites.

⁷⁶ Policy paper: Enforcement and sanctions policy, Environment Agency, updated 3 March 2025. [Environment Agency enforcement and sanctions policy - GOV.UK](#)

⁷⁷ Statutory guidance: Regulator's code, Office for Product Safety and Standards, 6 April 2014. [Regulators' Code - GOV.UK](#)

⁷⁸ Statutory guidance: Growth duty, Department for Business and Trade and Department for Business, Energy, and Industrial Strategy, updated 24 May 2024. <https://www.gov.uk/government/publications/growth-duty>

⁷⁹ Policy paper: Offence response options, Environment Agency, updated 31 March 2025. [Offence response options: Environment Agency - GOV.UK](#)

2.4. Assessment of overseas waste pneumatic tyre facilities and waste pneumatic tyre exports

This section sets out the scale of waste pneumatic tyre exports from the UK each year, and the steps the Environment Agency has taken to regulate the export of waste and to assess the validity of overseas waste facilities prior to export. It also reviews the steps taken to record this information.

The Environment Agency does not routinely receive Annex VII forms from exporters prior to the movement of waste, which includes exports of waste pneumatic tyres to India. The following explanation of checks which are carried out only applies where the Environment Agency has issued an information notice requesting an Annex VII form.

Annual waste rubber exports

Between July 2022 and March 2025, the UK exported 1,164,227 tonnes of waste rubber (based on HMRC customs code data using HS code 4004). A visualisation of this data is provided in [Appendix 4.8](#). The HMRC customs data is open-source information, and we review this monthly to develop our understanding of where waste is being exported. Customs data for HS Code 4004 is for exports of all waste rubber, rather than waste pneumatic tyres specifically, but gives the best available estimation of the volumes of waste pneumatic tyres that are exported each month. This is because the Environment Agency does not routinely collect Annex VII forms from exports of Article 18 (green waste) which would provide the volume of waste pneumatic tyres exported each year. Of this, 86.23% (1,003,885 tonnes) was shipped to India. On average, the UK exports 30,861 tonnes of waste rubber each month.

The top destinations for waste rubber exported under HS code 4004 between July 2022 and March 2025 were:

	2022 (July onwards)	2023	2024	2025 (to March 25)
Top destination countries	Quantity Exported (Tonnes)	Quantity Exported (Tonnes)	Quantity Exported (Tonnes)	Quantity Exported (Tonnes)
India	155,020	363,387	386,100	99,378
Türkiye	24,212	28,180	16,755	230
Portugal	3,414	5,019	10,101	1,442
Japan	3,463	6,481	5,665	1,547
Netherlands	2,773	5,271	5,348	1,297

	2022 (July onwards)	2023	2024	2025 (to March 25)
Pakistan	6,707	1,753	2,769	566
Total exported annual tonnages	210,465	415,487	432,566	105,709

How the Environment Agency assesses overseas waste facilities

Competent Authority

To ensure that the Environment Agency can have confidence that a destination recovery facility is able to legitimately receive and recover the material in an environmentally sound manner that is broadly equivalent to those standards established in UK law, we may seek assurances from the overseas competent authority. The Environment Agency carries out these checks on an intelligence led basis. For example, we may request information from the competent authority to validate the information we hold on the environmental permit provided by the exporter. The Environment Agency will make such enquiries when we are made aware of concerns related to an individual facility, or where no records are held of the facility in question.

As part of this request, the Environment Agency will contact the overseas competent authority to understand what permits are held by the facility and what activities these allow the operator to undertake, including if they are able to process the material stated on the Annex VII. This would include confirmation of what materials the facility can receive and the recovery activities that it is approved for. The Environment Agency may also ask questions about the recovery facility's compliance and request confirmation from the competent authority that they are happy for material to be received by the facility in question.

If we are not satisfied with the evidence that is provided (for example, if there is no mention of processing, recycling, or information on what secondary products the destination recovery facility will produce through the recovery process), we may prevent exports to that facility until such time that we are provided with information that is to our satisfaction. These recovery facilities will also be marked as red on the overseas database.

Some competent authorities do not respond to requests for information or may take many months to reply. Where no response is received, the Environment Agency makes a risk-based decision based on the information held on whether to allow the waste to move. This information is recorded on our internal intelligence systems.

As part of this decision, information is also requested from the Competent Authority on any controls that are currently in place in the country of destination to be confident that waste is being exported legally under their legislation.

Exporters

The Environment Agency may request Annex VII forms from exporters of Article 18 waste on an intelligence-led, risk-assessed basis, or obtain copies when specific shipments are being moved (for example Annex VII forms or other information relating to the shipment may be received from the logistics, freight forwarder and/or shipping company when the waste is booked to travel). Upon receipt of such forms, we look at the waste type, the country of destination, and the named destination facility. We may also ask the exporter for copies of the site permit. The Environment Agency can then cross reference the information provided against that supplied by the competent authority.

Should a competent authority fail to provide the requested information, a risk-based assessment will be made as to whether the waste can move. This decision is based on the documentation provided by the operator, and the Environment Agency's own research into the destination recovery facility. If there is reasonable suspicion over the suitability of the receiving facility to recover waste in an environmentally sound manner, the shipment will be stopped.

These activities have led to the development of a database of overseas waste recovery facilities that have been assessed by the Environment Agency. This database is overseen by the Illegal Waste Exports Team.

International Engagement

The Environment Agency recognise that waste crime is a global problem which requires international collaboration. Both the Basel Convention and UK WSR obliges us to co-operate and share information with other countries and competent authorities, and the Environment Agency works with numerous international partners on collaborative projects related to the regulation of waste.

This engagement is crucial for supporting the organisation in tackling waste crime and preventing illegal shipments of waste through exchanges of intelligence and information, including facilitating the validation of overseas recovery facilities where necessary (for example, the Environment Agency may use face-to-face meetings as opportunities to exchange information). Some of the international networks and organisations we work with include:

- The World Customs Organisation (WCO)
- The EU Network for the Implementation and Enforcement of Environmental Law (IMPEL)
- Europol and Interpol
- Basel Convention meetings including the Conference of the Parties, Expert Working Groups, Small Intersessional Working Groups, or other collaborations.

The Environment Agency also shares intelligence and best practice with other countries through bilateral engagement to address critical waste issues. Some of those partners we engage with to validate waste recovery facilities in other countries include:

- Other UK regulators and the Republic of Ireland

- The Netherlands
- Belgium
- Sweden

Maintaining strong international networks is crucial for supporting the Environment Agency's decision making and testing our thinking around the interpretation of waste legislation. We also use these relationships to discuss waste issues and to seek support in contacting the competent authorities in those countries where we lack reliable contacts.

These networks are built and maintained through participation at events such as the Basel Convention Conference of the Parties (COP). For example, prior to COP17 in 2025, the Environment Agency held a series of bilateral meetings with the EU, Norway, Australia, and Canada to discuss matters including the development of the new technical guidelines into the environmentally sound management of used and waste pneumatic tyres.

The Environment Agency also works with other organisations and partners based in the UK, including industry and trade bodies to help develop our intelligence picture and understand emerging risks from multiple perspectives.

The Environment Agency also regularly engages with partners (including other UK regulators and Defra) through industry stakeholder meetings, participation in industry events and conferences, and working with members of the shipping industry through its Waste Shipments Intelligence Service (WaSIS). This activity ensures that we can develop a fuller understanding of the challenges that industry is facing and share expertise on specific waste issues.

Environment Agency's current regulatory approach

The Environment Agency's current regulatory approach to determine if waste exports will be recovered in an environmentally sound manner is as follows:

1. The starting point is usually to review Annex VII forms. Annex VII forms are not routinely obtained from exports of waste pneumatic tyres. However, IWE may receive Annex VII documents in several scenarios:
 - If a company is placed under an information notice to provide Annex VII forms as part of our Annex VII project, these will be analysed individually. This project is explained further below.
 - If a shipment is inspected at port, the documentation inside the container will be inspected initially by the officer at port, followed up by a more detailed review by the office-based team, including a check of the intended destination recovery facility.
 - When field officers conduct visits at load sites they will check paperwork at the site to identify any issues, provide advice and guidance where required, and feed this information back into the intelligence system to allow a greater understanding of risk and non-compliance.

- When documents are provided by any third parties, such as industry or partner agencies, as part of an incident report or directly to our Intelligence or Illegal Waste Exports Teams.

Since July 2022, the Environment Agency has reviewed 13 Annex VII forms related to waste pneumatic tyres.

- Information on destination recovery facilities identified through the Environment Agency's regulatory activities is held on an overseas database. This database is updated when information is received through open-source research or is provided by the overseas competent authority. This database captures information including:
 - The recovery facility name and address.
 - How the details of the destination recovery facility were sourced (e.g. port inspection, Annex VII project etc.).
 - A red, amber, or green rating depending on the information we hold. All facilities are marked as unknown unless we have seen a copy of the permit, have received confirmation from the competent authority, or our own open-source research provides confidence concerning the legitimacy of the waste recovery facility. For example, provision of a head office address rather than a specific waste recovery facility would be red rated.
 - Information on the person arranging the shipment, and the waste type described on the Annex VII form.
 - The date of any comments received.
 - The contact details for the destination waste recovery facility that were stated on the Annex VII form.
- Further enquiries are made on destination recovery facilities where these are not listed on the database, on a risk-based basis, including:
 - Requesting that the overseas competent authority confirm what permits are held by the receiving facility, what activities the receiving facility is allowed to undertake, and what waste controls currently apply for that waste stream in the country of destination.
 - Requesting the person who arranged the shipment (the exporter) to produce the relevant permits so these can be checked against the information received by the overseas competent authority.
 - Engaging with international partners to check if other countries hold any information on the destination recovery facility or waste controls that apply in the destination country.
- Information on individual recovery facilities is updated each time the facility is identified on an Annex VII form.

5. Where information is not provided by the competent authority, an assessment is made to determine whether the waste can be exported. The decision is taken based on the information provided by the persons arranging the shipment, the operator of the destination recovery facility, and our own open-source research.
6. If the Environment Agency is unable to identify a destination recovery facility as part of our open-source research, we will request further information from the exporter to validate the information provided. This may include requesting the GPS location and photographs of the facility.
7. Checks on individual shipments are carried out on an intelligence led, risk-based basis.
8. The Environment Agency also looks for other supporting information. For example, for exports of waste pneumatic tyres to India, we may review public registers and minutes of hazardous waste⁸⁰ expert committee meetings to help validate the information that has been provided.

Intelligence Research Officers (IRO's) within the IWE Team conduct open-source research of selected recovery facilities (e.g. using internet open-source searches, Google Maps etc). We also monitor the movements to specific facilities and will make further enquiries where we see an increase in Annex VII forms to that location.

If the information is not provided or if we are not satisfied with the permits following assessment, we will refuse the export to the facility and may issue a Notice under Schedule 5, Part 1, of the TFS regulations. We may offer the exporter an opportunity to locate an alternative recovery facility in these instances. If an alternative facility cannot be identified, we will issue a Notice requiring the shipment to be sent to a facility agreed with us. In such circumstances the facility where the exporter was intending to send the waste will be RAG rated as red on our database as we are not satisfied that they can conduct the recovery activity.

Under current practices, we will only stop shipments of waste pneumatic tyres if intelligence suggests shipments are going to a RED rated facility.

Where the information we receive relating to a specific shipment is considered acceptable (including all relevant permit documents and contracts), we will permit the shipment to proceed, outlining to the exporter that this does not constitute approval of the recovery facility, and they are exporting at their own risk. In such instances, the facility will be RAG rated as green on our database.

The Environment Agency has been retaining copies of permits received from overseas facilities for future reference since late 2024, as well as correspondence between us and the relevant competent authority, subject to our retention policy.

The overseas database also includes information developed through our collaboration with European counterparts through the EU Network for the Implementation and Enforcement of

⁸⁰ Import / Export of Hazardous and Other Wastes, Ministry of Environment, Forest, and Climate Change. [Ministry of Environment, Forest and Climate Change](#)

Environmental Law (IMPEL Network). As these details are collected from partners, it may be incomplete, which means that the Environment Agency is unable to attribute a risk rating until such time as resource is available to conduct the relevant checks. This database also provides details on waste facilities in different countries (including any variation in spelling and address that is captured through paperwork checks).

The database currently captures information on 452 waste facilities located in India. Of these, 30 have been assigned a red risk rating, and 11 have been assigned an amber risk rating. A review of this data has been completed, with 41 sites listed as receiving rubber products. Of these, 36 facilities were added to the database in 2021, with the remaining 5 being added in 2022 and 2024. Of these sites, 8 have been given a red risk rating, with the remaining 33 marked as unknown.

The database is updated as and when the Environment Agency next identify the site on an Annex VII form.

Exporters of waste pneumatic tyres to India will be served a Notice under Schedule 5, Part 1 of the TFS regulations to prevent the shipment if it is identified that the waste is being sent for pyrolysis. The Environment Agency look to contact the Indian environmental authorities to validate information provided - on a case-by-case basis, using a risk-based approach.

Inspections carried out on exports of waste pneumatic tyres

The Environment Agency conduct physical inspections of containers and desktop-based audits for certain shipments and waste types. This may be because physical inspection is not possible, or where a desktop-based inspection would be best suited to allow port officers to inspect higher priority waste streams.

Since July 2022, the Environment Agency has carried out an average of 147 inspections per month and 1764 inspections per year across all material types and all destinations.

127 port and desktop-based inspections of waste pneumatic tyres have been carried out between July 2022 and June 2025. These are detailed below:

Port Inspections

78 inspections were completed between July 2022 and June 2025. Of those inspections, 76 containers were destined for India.

Following this activity, 11 containers were stopped for the following reasons:

- 9 containers were destined for India spanning across two shipments.
- 1 shipment contained no Annex VII paperwork.
- 1 shipment had an issue with the broker licence.

Desktop-based Inspections

49 inspections were completed between January 2024 and July 2025. Of these, 46 were destined for India.

Of all desktop inspections conducted, 4 containers were stopped. None of those that were stopped were destined for India.

Use of formal Notices

A Notice will be issued under Schedule 5, Part 1, of the TFS regulations if we do not have confidence that the waste being exported will be recovered in an environmentally sound manner. Failing to comply with the requirements of a Notice served under the TFS regulations is an offence under Regulation 52(1).

Of the 15 containers of waste pneumatic tyres listed above that were stopped between July 2022 and present day, 9 were destined for India. Of these:

- 3 stop notices were rescinded and the waste was allowed to move.
- 1 was returned to an approved site and the waste pneumatic tyres removed were repackaged and then allowed to sail.
- 5 were returned to site/operator for rework or disposal.

A table setting out the destination for these stops has been provided below. It should be noted that these figures are for stops involving containers of waste pneumatic tyres only and does not include container stops which may also include waste pneumatic tyres in the load - for example end-of-life vehicles.

	2022 (July onwards)	2023	2024	2025	Total (by country)
India	-	6	3	-	9
Senegal	-	1	-	-	1
Ghana	-	1	2	-	3
Liberia	-	-	1	-	1
Gambia	-	1	-	-	1
Total (by year)	0	9	6	0	15

Annex VII Information Notices

The Environment Agency has the power to serve Information Notices under Schedule 5, Part 1, (2) of the TFS regulations, on exporters requiring the production of specified Annex VII forms before a movement is permitted to occur. The notice generally covers a time by which the recipient needs

to provide all the Annex VII for movements. This power is usually used in response to concerns about the activities of a specific exporter, a destination recovery facility, or the type of waste.

Under the Environment Agency's 'Annex VII project', forms are automatically reviewed via a computer algorithm on a set of preset criteria to highlight specific concerns within the documents. They are then assessed by a member of the intelligence team to consider what, if any, action is required. This may include requesting that the shipment in question is inspected, asking for additional information from the exporter or shipping line, and/or an officer completing a site visit to the source of the waste.

Under this project the Environment Agency has reviewed a total of 85,316 Annex VII forms since July 2022. Of these, we have inspected 3736 shipments linked to Article 18 wastes. 13 of these forms related to waste pneumatic tyres. The reason that this figure is low is because the Environment Agency has not had any tyre exporters under a TFS notice requiring them to provide an Annex VII.

From October 2023, the Environment Agency started the process of conducting verification checks on Annex VII forms found within containers at port. This means that prior to a hold being released for export, the waste and Annex VII form is assessed to ensure that the container is moving to a legitimate recovery facility which will treat the waste in accordance with environmentally sound management practices.

This process has been put in place so that the Environment Agency can be satisfied that the shipment is compliant. Desk-based inspections were also introduced from January 2024.

In total, the Environment Agency has reviewed Annex VII forms for 140 shipments of waste pneumatic tyres during the specified time period within scope of this Review as detailed further below.

Findings from review of Annex VII forms

Of the 140 Annex VII forms that have been reviewed through the Annex VII project (13 forms) and inspection work (127 forms), all documents contained the required information, and none included an R1 code.

R1 is the operation code describing the activity that the waste is intended to undergo at the destination site. R1 is defined in Annex IV of the Basel Convention, and Annex II of the Waste Framework Directive. R1 is described as 'Use principally as a fuel or other means to generate energy'. Inclusion of an R1 code on an Annex VII could suggest that the waste may have been exported for pyrolysis operations but on its own is not enough to confirm this as it may be tyre-derived fuel, which is not prohibited for exports of waste pneumatic tyres to India.

Assessment of Annex VII forms provided by third parties

The Environment Agency has received nine Annex VII forms from industry sources over the last 18 months, which may have indicated the waste pneumatic tyres were being exported for pyrolysis because they stated they were going for an R1 operation.

Industry provided 8 Annex VII forms in November 2023 which were linked to a single loading facility in England. These containers were all loaded out of the same facility on 25 April 2023 and, as per the Annex VII, were all intended to be sent to the same recovery facility in India. The Annex VII forms all suggested that the containers were being sent for R1 recovery and shared the same broker.

The material was described as B3080 (waste parings and scrap of rubber), rather than the more typical B3040 (rubber wastes), or B3140 for waste pneumatic tyres. This could be because the tyres in question were shredded and placed in the container for export.

A ninth Annex VII was provided as part of a report containing information on a single container of exported waste pneumatic tyres that had been tracked by industry. The Annex VII form for the container stated that the waste was being moved to a known recovery facility, which the Environment Agency deemed high risk. The waste was listed under code B3140 (Waste pneumatic tyres, excluding those destined for Annex IVA operations). It was stated in the document that the tyres were going for R3 recovery (recycling/reclamation of organic substances that are not used as solvents) and showed that the container had been loaded in February 2023.

Details on the Annex VII form containing the tracker information were added to Memex, which is our intelligence recording system.

Information on the other 8 Annex VII Forms, which indicated that waste was moving for R1 recovery were not added to the system however, meaning no follow up activity was completed. This may have been because officers were not clear on the significance of the R1 Code, or the need to ask additional questions to understand the controls that applied in the intended destination country.

2.5. Assessment of intelligence provided by third parties alleging illegality in the waste pneumatic tyre sector

This section details actions that we take in response to information provided by third parties, including industry sources.

How the Environment Agency handles intelligence on illegal waste activity

The Environment Agency has guidance setting out how officers should collect, record, use, and disseminate intelligence on criminal activity in a secure manner.

Information and Intelligence provided to the Environment Agency is placed on Memex. The intelligence on the system is subject to a retention period of 7 years and will be used by the Intelligence Team to develop risk profiles and intelligence packages.

When assessing this intelligence, officers will also determine when dissemination is required to other internal teams to support the Environment Agency's regulatory work, or to partners where offending has occurred that is outside of Environment Agency's remit.

Assertions raised in the BBC documentary broadcast (25 March 2025)

A summary of the BBC documentary broadcast on 25 March is available in [Appendix 5](#). The Environment Agency has reviewed the claims raised in the BBC broadcast⁸¹ and in the subsequent news article⁸² as part of this review:

Claim 1 - Volume of tyres exported from the UK per year

The BBC investigation alleges that the UK exports c.700,000 tonnes of waste pneumatic tyres each year. It concludes that this is due to the cost of reprocessing tyres in the UK compared to baling and exporting the waste (predominantly to India). The programme also says that the UK government estimates that 50% of waste pneumatic tyres are exported each year (approximately 25 million tyres / 350,000 tonnes).

The Environment Agency's research into HMRC code (4004) on the exports of waste rubber suggests that the annual tonnage of waste rubber (not specifically tyres) exported from the UK varies from 210,465 tonnes (2022) to 432,566 tonnes (2024). We do not have tonnages for the total amount of waste pneumatic tyres produced. Therefore, we conclude that the figures provided by the BBC are likely good estimates.

Claim 2 - Most tyres exported to India are sent for pyrolysis operations

The investigation alleges that most tyres destined for India are exported for pyrolysis operations, despite the import of tyres for this purpose being prohibited under Indian law.

The Environment Agency has not received information to support this assertion. We believe that a figure of around 70% of all tyres exported to India has been alleged by the Tyre Recovery Association (TRA), but it is not clear what evidence there is to support this figure. We have requested information to support this claim.

Claim 3 - India lacks processing capacity for the volume of waste pneumatic tyres imported from the UK

The broadcast states that the BBC has informed Defra that it is not possible for India to be processing the volume of tyres imported at legitimate sites as it lacks the capacity to do so. This contradicts the information the Environment Agency were provided by the Indian Ministry of Environment, Forest, and Climate Change (MoEFCC) when we spoke with them in June 2024.

We have not received any further information to substantiate this claim.

Claim 4 - There are 2000 pyrolysis plants operating in India, half of which are believed to be unlicensed

⁸¹ BBC, 2025 - [File on 4 Investigates - The Tyre Scandal - BBC Sounds](#)

⁸² BBC, 2025 - [Millions of UK tyres meant for recycling sent to furnaces in India](#)

The investigation suggests that there are approximately 2000 pyrolysis sites in operation in India, half of which are believed to be unlicensed and low grade (i.e. not operating to environmentally sound management standards). The programme states that a BBC reporter visited a location outside Mumbai, where they observed 16 plants in operation, whereas there were 1 or 2 plants present 5 years ago.

The Environment Agency has not received information to support this assertion, and we have not been able to verify this figure through our own research. However, the Environment Agency is aware of the acceptance of illegally operating pyrolysis sites directly from the Indian Ministry of Environment Forest, and Climate Change (MoEFCC), and there are several open-source reports⁸³
⁸⁴ ⁸⁵ ⁸⁶ suggesting that this is the case, including some that specifically mention UK waste pneumatic tyres. The Environment Agency has no reason to refute that unpermitted and low-grade sites are operating in India.

Claim 5 – A shipment of baled tyres with tracking devices in did not reach its intended destination

The BBC met with an anonymous industry source who placed trackers in several bales of waste pneumatic tyres, none of which arrived at their intended destination. These were followed by the BBC, which alleges that instead the containers were moved to remote facilities in the Indian countryside for pyrolysis. The tyres were meant to be going to a company called the 'Nine Corporation'.

The Environment Agency believe that this refers to the trackers placed into containers in June 2023, where we received information suggesting that the trackers did not reach their destination. The Annex VII, and the context of the movement was supplied by the source to us in November 2023.

Claim 6 - There is wide-spread exploitation of the T8 exemption by waste criminals

The documentary alleges that the source of the issue appears to be exploitation of the T8 exemption by criminal gangs, which are storing and treating significantly more tyres than the 40 tonnes they are allowed under the exemption. In some cases, operators were alleged to be exporting more than 100 tonnes per week.

The Environment Agency agrees with the BBC assertion. Through investigation of the National Compliance Assessment Database (NCAD) system, which contains the inspection forms for exemptions, our incident reporting system, and our intelligence system, we can confirm that T8 abuse is occurring. The actions taken in response to these breaches vary where this is identified,

⁸³ [India's authority orders shutdown of 270 illegal tire pyrolysis facilities | Weibold – Tire Recycling & Pyrolysis Consulting](#)

⁸⁴ [India's CPCB Cracks Down on Illegal Tyre Pyrolysis Pollution | Klean Industries](#)

⁸⁵ [India Acts on Bad Pyrolysis | Tyre and Rubber Recycling](#)

⁸⁶ [UK Tyres, Indian Tragedy: Toxic Profits & Poisoned Lives](#)

from no action being taken, deregistering the exemption, to indications that further enforcement action was being considered. The use of Enforcement Notices was also recorded as a route for requiring operators to get back into compliance. One operator was recorded as having been prosecuted for non-compliance.

There is evidence that some operators who have their exemption deregistered simply re-register following this action being taken or simply move to a new site and register new exemptions.

Information on our National Incident Recording System (NIRS) also suggests that T8 abuse is occurring. Approximately 25% of reports on the system related to T8 sites concerned sites exceeding permitted tonnages or not implementing firebreaks. The system does not contain details of what ultimately happened in each case, but 11 sites (of the 72 NCAD records reviewed) were visited due to incidents being reported.

Claim 7 - Controls on waste pneumatic tyres are minimal because they are currently classed as green listed (non- hazardous) waste

The BBC documentary asserts that the controls on waste pneumatic tyres are minimal as they are listed as non-hazardous waste.

It is correct that waste pneumatic tyres are moved under Article 18 controls, and are considered non-hazardous, and therefore we agree with the position adopted in the programme.

Controls on Article 18 are not minimal however, in that they must still comply with the requirements of Article 49 of the UK WSR. Article 18 controls include a requirement for a contract to be in place, and for take back requirements to be agreed if the movement cannot be completed as intended.

The Environment Agency does agree that the requirements for Article 18 waste are lower than for those wastes moving under notification controls, as there is no requirement for prior informed consent or a financial guarantee.

Claim 8 - Environmental fee for tyre disposal

The programme asserted that that there is an environmental fee payable of around £3 per tyre when they are being changed for new tyres.

At the stakeholder drop-in session hosted by the Environment Agency on 22 May 2025, an attendee suggested that these environmental fees were not being passed to permitted recyclers by retailers. Recyclers are instead being undercut by operators of T8 sites, who are then taking on the waste and exporting this as bales to India, contributing to the issues raised.

However, there is no legal framework for the payment of an environmental fee, including who should pay it or where the payment should go. This also does not sit within the Environment Agency's remit so we are unable to provide any further insights into payments or allocation of environmental fees where these may be charged.

Claim 9 – Explosion at an Indian pyrolysis plant

The BBC included details of a pyrolysis plant which was reported to have exploded in January 2025. A February 2025 article on the Times of India⁸⁷ website reported that 5 people were injured, 4 of whom sadly died because of their injuries following an explosion at a tyre unit. The article reports that Indian police were investigating.

There are several other open-source reports on this, but these refer to the BBC investigation^{88 89}.

Claim 10 - There are known links to organised crime

In the documentary it is claimed that there are known links to organised crime in the sector. When the Environment Agency requested information to support this claim, we were provided with the following sources of information:

1) [Chasing down the money to stop waste crime – Creating a better place](#)

This press release talks about the Environment Agency's Economic Crime Unit, because we know serious and organised criminals use the waste sector to launder money. However, it does not mention waste pneumatic tyres, so this publication does not in itself provide evidence of serious and organised criminality in the treatment of export of waste pneumatic tyres for further investigation.

2) <https://www.interpol.int/en/News-and-Events/News/2022/Report-Pollution-crime-is-highly-profitable-organized-and-harming-the-planet>

This article discusses the work of Interpol in coordinating regulators and law enforcement agencies against pollution crime. 27 case studies are provided, describing organised crime in the waste sector and highlighting the profitable nature of such crimes. It included tax evasion and money laundering and included a case study with waste moved from the UK to Poland. It details a Spanish case involving waste pneumatic tyres, which were imported and resold without declaration, avoiding taxes and laundering money.

Whilst the article does identify that serious and organised criminals are involved in waste; it does not specifically mention waste pneumatic tyres in the context of the UK. Therefore, it does not provide evidence of serious and organised criminality related to waste pneumatic tyres for further investigation.

3) [Interpol finds waste crime involves legitimate firms | MRW](#)

This article refers to the same Interpol report noted above.

⁸⁷ The Times of India, 13 February 2025. [Four succumb to burns sustained in tyre unit blast | Mumbai News - The Times of India](#)

⁸⁸ Deccan Chronicle, 25 March 2025. [UK exports 50 mn waste tyre to India every year: study](#)

⁸⁹ Business Standard, 27 March 2025. [What links UK tyre exports to India's toxic air and black market plants? | Health News - Business Standard](#)

4) [final_tyres-sector-plan_single_pages-308133_sct0219532280-001.pdf](#)

This is the Scottish Environmental Protection Agency (SEPA) Tyres Sector Plan which was published in or around 2018.

Whilst this does mention the identification of serious and organised crime groups involved in the waste pneumatic tyre sector, these are based in Scotland and outside of the Environment Agency's jurisdiction. The Environment Agency do, where relevant, share information and intelligence in compliance with the protocols of data sharing with our counterparts across the UK, and also with relevant enforcement agencies, to support the tackling of organised crime which crosses regulatory borders.

The Environment Agency has spoken to SEPA about this report. SEPA has confirmed that the Tyre Sector Plan is now out of date in relation to current priorities and ways of working, but they confirmed that they did have concerns around the operation of tyre recovery sites, the waste pneumatic tyre industry, and criminality within the sector.

5) [T8 May be phased out in the UK](#)

This is a press article published by Tyre and Rubber recycling (the journal for the tyre recycling sector) on 18 March 2022 stating that the T8 exemption may be phased out in the UK. It refers to Scotland having removed the T8 exemption in 2018 due to the level of organised crime involved in tyres collection.

The Government has committed to the removal of the T8 exemption, although a timeframe for its removal has not yet been confirmed.

Claim 11 - It is possible to obtain a T8 exemption with no checks

The broadcast suggests that it is possible for anyone to go online and get a T8 exemption with no checks.

This claim is accurate. T8 exemptions were free to register until 1 July 2025, and do not have any checks associated with the registration itself. There are no prerequisites in terms of technically competent management, or an environmental management system when applying for a T8 exemption.

Claim 12 - Many operators of T8 sites are breaching the exemption limit

The program stated that the BBC was able to identify several operators that were willing to export more than 2 containers of waste pneumatic tyres per week. This would likely place them over the 40 tonne per week limit for car tyres.

The Environment Agency's review of inspection records suggests that this claim is likely to be true to some extent and that some T8 sites are operating in excess of the allowed tonnages under the exemption. As the sources within the programme were anonymous, the Environment Agency has not been able to verify the claim that 90% of English operators knowingly export waste pneumatic tyres to India for illegal pyrolysis.

Claim 13 - Tyres are being exported to highly polluting sites for illegal pyrolysis

The documentary suggested that there was evidence that waste pneumatic tyres are being exported to highly polluting sites for illegal pyrolysis.

The Environment Agency believe this to be related to photographs taken via a drone, purporting to show industrial sites in India which may be illegal pyrolysis sites. We have not been able to verify these photographs but, as previously stated, there is acknowledgement of illegal pyrolysis sites by the Indian Ministry of Environment, Forest, and Climate Change (MoEFCC). Several open-source reports also suggests that this is the case.

Therefore, on the balance of probabilities, the Environment Agency consider there are unpermitted, low-grade pyrolysis sites operating in India. We consider it is more likely than not that waste pneumatic tyres from the UK are entering these pyrolysis sites. However, we have only limited evidence to support this.

Claim 14 – There are minimal checks on receiving sites in India

The BBC state in the broadcast that destination facilities for waste pneumatic tyres are not checked because the waste is travelling under Article 18 (green list) controls.

Article 18 wastes are not subject to the same requirements as notifiable wastes, due to the lower perceived risk as they are non-hazardous. It is not accurate to say that Article 18 wastes are not checked at all, however. As noted above, the Environment Agency carry out risk-based, intelligence led interventions.

Claim 15 – Exposure to Illegal pyrolysis operations is having an impact on human health

During the broadcast, the BBC referenced a consultation held with scientists from Imperial College London into the impacts of continued exposure to atmospheric pollutants arising from illegal pyrolysis activity on human health. Imperial College London suggested that human exposure to such pollutants risks respiratory, cardiovascular and neurological diseases and certain types of cancer. They also said that the mix of metals and toxic chemicals in tyres is of particular concern with this type of pollution.

The BBC has confirmed that it's consultation with Imperial College London was in connection with a publicly available report by the National Green Tribunal in India, which identified the levels of pollution inside pyrolysis plants (Appendix 9).

The Environment Agency does not dispute such findings but would also note that it is not a public health expert so cannot comment on the findings.

Tracker data allegedly showing diversion of waste pneumatic tyres for pyrolysis

On 14 June 2023, we attended a virtual meeting with industry stakeholders, the Tyre Recovery Association, Defra and the other UK regulators. In that meeting, a presentation was shown detailing information suggesting 4 trackers had been placed into a container of baled waste pneumatic tyres destined for India.

The presentation showed that the trackers were referenced as XM050, XM058, XM059 and XM069. Dates included in the presentation suggested that all trackers were traceable on dates between 30 April 2023 and 3 May 2023.

The presentation included a map which plotted the four trackers and the site that was named on the Annex VII. A map appeared to show that the trackers did not arrive at the named destination on the movement forms and instead had been separated at Mundra port in India on being removed from the container. The data showed:

- XM069 travelled 1200 miles to the Northeast to a facility adjacent to a Thermal Power Plant.
- XM058 also appeared to travel to the same site and lost after a further 48 hours. The inference was that the trackers had been burned.
- The other two trackers (XM050 and XM059) were not discussed further but the map did not appear to show they were in the same location. This would infer that the container with the bales had been opened, and the waste had travelled separately, or at least not within the container itself.

The information received during this presentation was passed to the Environment Agency's Illegal Waste Exports (IWE) Team, and the industry source was asked to provide the Annex VII and any documentation relating to the movements in question. This information was provided to IWE from the source on 23 November 2023 with an accompanying report written by the source of this intelligence.

The report included data on the final destinations of the waste pneumatic tyres (as shown by the individual tracker data). A copy of the Annex VII form for the container containing the 4 trackers was also provided which stated the original intended destination, which was different to the destinations shown by the tracker data.

The Annex VII was complete, purporting to be signed by the intended facility as having received the waste, despite the trackers suggesting that the bales never arrived at this destination.

The Environment Agency has been working to corroborate the information provided and understand the scale of issue by deploying our own electronic trackers. To date we have not been able to gain the permission of the Indian Authorities that we would require to legally deploy our own trackers. To date, the 4 trackers detailed above is the only tracker data we hold.

Environment Agency application to track containers of waste pneumatic tyres

The Environment Agency must apply for Directed Surveillance Authorisation (DSA) to deploy tracking devices under the Regulation of Investigatory Powers Act (RIPA). Without this, the Environment Agency cannot legally deploy trackers.

As noted above, the Environment Agency has been unable to secure a response from the Indian competent authority to permit us to include such devices within bales of waste pneumatic tyres.

Without this permission, we will not be able to satisfy the requirements to obtain Directed Surveillance Authority.

There is a high threshold test applied to obtain a RIPA authorisation, and any application must include mitigation measures to avoid collateral intrusion. Deploying trackers on wastes moving internationally should be agreed with the destination country to avoid reputational damage with the relevant authorities should the trackers be found.

Further, the shipping lines that would have their containers tracked must provide their permission because the containers are their property and if the destination country changed whilst the containers were in transit, intervention would be required to minimise collateral intrusion in non-target locations.

The Environment Agency continue to explore options and are engaging with other international partners to create a communication corridor with the Indian authorities. This has included through partners in the EU Network for the Implementation and Enforcement of Environmental Law (IMPEL Network), INTERPOL, and the Foreign, Commonwealth, and Development Office (FCDO) in India. We are also hoping to meet with the MoEFCC in person in autumn 2025 to discuss this issue.

Building the intelligence picture around T8 exemption abuse

The Environment Agency continues to encourage the waste pneumatic tyre sector to provide information and data to help us build the intelligence picture and allow us to take a more informed view on issues related to waste pneumatic tyres in the UK and internationally. Information received during the stakeholder drop-in event has been subsequently managed in line with internal procedures for grading, storing and disseminating intelligence.

International collaboration targeting the waste pneumatic tyre issue

The Environment Agency is working with international partners to support it in developing a better understanding of the domestic situation in India. To support this work, we have engaged with European counterparts through the IMPEL Network to share information and contacts via its Shipments of Waste Enforcement Actions Project (SWEAP)⁹⁰. The Environment Agency has also engaged with Interpol and Europol, which has included briefing at a Europol conference in April 2025 on the issue of waste pneumatic tyres, requesting international support to build a better understanding of the impact of illegal traffic, and increased collaboration to help address intelligence gaps.

As set out in Section 1.4, The Environment Agency has been developing a relationship with our counterparts in India. This is with the objective of improving our understanding of the regulatory controls that apply to waste pneumatic tyres.

The Environment Agency has worked closely with the British High Commission (BHC) based in India to raise awareness of the issues related to exports of waste pneumatic tyres and to seek

⁹⁰ IMPEL LIFE-SWEAP (Shipments of Waste Enforcement Actions Project), <https://www.sweap.eu/>

opportunities to escalate this as a priority topic for engagement between the UK and India.

Working with the BHC, the Environment Agency set up a meeting with the Indian Ministry of Environment, Forest, and Climate Change (MoEFCC) on 19 June 2024 to clarify the controls that applied to imported waste pneumatic tyres in India and explore opportunities for further engagement with the MoEFCC and the Pollution Control Boards. The Environment Agency is also in the process of working with the BHC to facilitate a visit to India in 2025 to meet with the environmental authorities, trade associations, and industry stakeholders, as well as to visit some tyre recycling sites and the ports to allow us to assess the issues first hand.

The Environment Agency has also collaborated with the IMPEL Network's Waste and Transfrontier Shipments of Waste Expert Working Group and has contacted other organisations including UK Research and Innovation, and the Confederation of Indian Industries to discuss this issue.

Allegations of tyres being reused for their original purpose in India

Tyres which are still road legal in the UK are not considered to be waste if the intention is for them to be reused as tyres in the destination country, providing that the destination country also does not regard them as waste. It is for the exporter to demonstrate that the tyres are suitable for reuse, under article 6 of the UK Waste Framework Directive.

The Environment Agency has received some comments from stakeholders suggesting that waste pneumatic tyres are being refitted onto vehicles on arrival into India, without further treatment such as retreading to make them suitable for reuse.

The Environment Agency has very little information relating to concerns around the reuse of waste pneumatic tyres, for their original purpose and plans to discuss this issue further with the MoEFCC.

On 19 June 2024, the Indian Ministry of Environment, Forest, and Climate Change (MoEFCC) explained that they had heard that this activity may be occurring but was not able to comment on the scale of the issue or provide any information to substantiate this claim.

There are 3 mentions of tyres for reuse in the 72 inspection reports listed on the National Compliance Assessment Database (NCAD), and 3 of part worn tyres which are classed as non-waste. As the export of tyres suitable for reuse and part worn tyres are not waste, these movements are outside of the remit of the powers of the Environment Agency.

2.6. Assessment of further information that could be gathered

Several additional checks could take place help the Environment Agency meet the duties under Article 49(2) to gain further clarity on the destination recovery facilities, and to mitigate the risk of waste pneumatic tyres being diverted to illegal pyrolysis sites. These are listed below and describe opportunities to help validate that waste recovery operations are compliant with environmentally sound standards broadly equivalent to those established in UK law. This list is not exhaustive:

Gaining more Annex VII and shipment data

The Environment Agency requires more specific data on the movements of waste pneumatic tyres to fully understand the waste pneumatic tyres sector. The data sets currently available to the Environment Agency include:

- Open source HMRC / customs data which provides a high-level understanding of the volume of material that is being exported. This data has limitations, as customs codes do not align with export codes so the data includes waste rubber that may not be waste pneumatic tyres. There is also no data relating to movements of waste pneumatic tyres within the UK, so we do not know how many tyres are being treated in the UK.
- Data taken from inspections carried out on facilities that export waste pneumatic tyres. This data could include information on destination recovery facilities; however, it is not currently mandatory to record this information on the Environment Agency intelligence databases.

Sites that hold a T8 exemption do not have to provide 'waste returns' which require inputs and outputs of waste to be reported to the Environment Agency. If waste returns were collected, whilst this data would highlight waste exports as outputs 'outside of the UK', it would not identify the destination country to which the waste is sent.

The Environment Agency does not routinely receive Annex VII forms prior to a shipment or following a shipment of waste pneumatic tyres taking place. This creates an intelligence gap over who is moving the material, and to which destination recovery facilities waste pneumatic tyres are being moved. To address this, several options are available:

1. The Environment Agency could serve information notices under powers held in Schedule 5 of the TFS regulations 2007. These require the person arranging the shipment (the exporter) to provide specific information to assist us in conducting our duties. If a notice was served on the brokers and direct exporters involved in the movement of waste pneumatic tyres, in line with the notice currently served (as detailed in Section 2.4), this would provide the Environment Agency with all Annex VII forms in respect of the export of waste pneumatic tyres from England to India.

There are challenges with this approach. Annex VII forms will only be obtained if an exporter is served with an information notice. The challenge will be to ensure that all exporters of waste pneumatic tyres to India are identified and served with information notices in an advance of the export of waste pneumatic tyres. This problem can be addressed using existing information and intelligence on exporters of waste pneumatic tyres, and by working with stakeholders. Whilst this would not guarantee all operators would be captured, the Environment Agency consider it would likely identify the largest operators.

2. Waste pneumatic tyres exported to India could be made notifiable. Under the prior informed consent (PIC) procedure, the Environment Agency would receive 3 days' notice of any shipments due to take place. The competent authority in India would also have to provide their consent on the intended destination recovery facility (as outlined in Section 1.1). Requiring notification controls would require regulatory change.

With both approaches, there is a risk that operators could misdescribe waste pneumatic tyres as other waste types or as non-waste to avoid the controls that the Environment Agency has put in place to receive the correct information.

Validating data received on Annex VII forms

As described in this report, intelligence suggests that some waste pneumatic tyres are being diverted at port on arrival into India and do not reach the destination recovery facility named on the Annex VII form.

To mitigate this risk, additional checks can be conducted to increase confidence that this diversion is not occurring and to validate the information the Environment Agency holds. Information that could be obtained includes:

- **Article 18 contract**

The Environment Agency would require the provision of the contract between the person who arranges the shipment and the consignee for recovery of the waste. The existence of the contract is a legal requirement under Article 18 and must detail the obligation to take back the waste or ensure its recovery in an alternative way if the shipment cannot be completed as intended and provide for its storage in the meantime. It may provide information on the legal title of the waste, and the financial arrangements relating to the movement. Requesting copies of the legal contract will enable the Environment Agency to have greater confidence that the waste pneumatic tyres will reach the intended destination.

- **Permit for recovery facility and that it can operate in an environmentally sound manner**

The Environment Agency can require the person arranging the shipment to provide evidence that the recovery facility at the country of destination has the requisite permits in place to operate in that country, alongside evidence that those permits require the facility to be operated in accordance with human health and environmental protection standards that are broadly equivalent to the standards established in UK law. This allows the Environment Agency to check what activity is allowed under such a permit and if this corresponds with the activity outlined in the Annex VII form.

- **Completed and signed Annex VII forms**

The Environment Agency can require that the person arranging the shipment provides completed Annex VII forms following the delivery of the material, signed by the consignee in the country of destination to confirm the material has been recovered at the facility named in movement form and as agreed in the Article 18 contract. A copy of the completed Annex VII form would be returned to the person who arranged the shipment and kept for 3 years as required by the regulations. Forms which are not returned, or where we have concerns, can be followed up via the Indian Authorities and by direct contact between the Environment Agency and the destination recovery facility.

- **Invoices and purchase orders**

The Environment Agency can require that the person arranging the shipment provide invoices and/or purchase orders relating to the waste pneumatic tyres. These documents evidence the

financial transactions between parties thus ensuring that those named in the Annex VII form and Article 18 contract are correct.

- **Confirmation of financial transactions**

The Environment Agency can require that the person arranging the shipment provides documentation in the form of bank transactions, receipts, or other financial documents which confirm the transfer of money relating to the export of waste pneumatic tyres. If, for example, the exporter was able to provide a bank transaction showing that the operator of the destination facility named on the Annex VII form had received payment in respect of the relevant movement of waste, that would support that the waste had arrived at the intended destination recovery facility.

- **Correspondence with recovery facility and/or consignee**

Direct correspondence between the Environment Agency and the receiving operator may provide assurances that they were expecting to receive the material, in the quantities provided, from the operator in England and as stated on the Annex VII form.

Information provided could also include photographs of containers arriving at the destination, but these should clearly include the container number and should be date stamped and / or include the associated metadata to ensure that the images can be linked to the specific loads.

Indirect correspondence between the operators could also be requested from the person arranging the shipment. Whilst this would not provide the same level of assurance as direct correspondence, it may be sufficient when considered alongside other material such as evidence of financial transactions or a good track record of waste arriving at the named facility.

- **Correspondence with the competent authority in India**

Direct correspondence between the Environment Agency and the Indian competent authorities would provide additional confidence over the environmentally sound management status of the receiving facility. It would allow for confirmation of the recovery status of the facility and provide an opportunity to share intelligence regarding any non-compliance / criminality which would assist the Environment Agency in targeting specific operators. It would not, however, confirm that the waste was received.


The examples listed above are not exhaustive. They set out the types of information, documentation, and contacts that would give the Environment Agency increased confidence that we are discharging our duties under Article 49 of the UK WSR. This would include a better understanding of the risks and would help to mitigate illegal activity in the sector by supporting legitimate trade between England and India.

Further collaborative opportunities to improve data

As detailed throughout this report, the Environment Agency does not work alone when regulating the waste shipments regime or specific waste types. The Environment Agency works with other regulatory and enforcement bodies within the UK, international partners, and with the waste tyre industry to build an understanding of the current intelligence picture and to share best practice.

To assist the Environment Agency in improving on the data we receive related to waste pneumatic tyres, existing information sharing agreements can be used to enhance our knowledge and assist in the regulation of this waste. The Environment Agency currently collaborates with HMRC looking at live and historical customs data. This approach could be considered to target the export of waste pneumatic tyres, prior to the Environment Agency serving information notices.

The Environment Agency will also continue to work with industry and international partners to explore the opportunity to deploy trackers within loads. If the Environment Agency can obtain approval from the overseas authorities to allow this activity to take place - alongside cooperation from the shipping lines - this would allow for the legal deployment of trackers to follow movements of waste pneumatic tyres from specific operators or to specific recovery facilities. This would support the Environment Agency to build our intelligence picture and evidence-base to inform future policy development.



Section 3: Actions

Section 3: Actions

There are 4 actions we will now take following this review:

- The Environment Agency will implement enhanced verification checks for exports of waste pneumatic tyres going to India.
- We will provide additional training to our staff about the requirements of the UK Waste Shipment Regulations (UK WSR) and how they apply to waste pneumatic tyres.
- We will enhance research and horizon scanning to support regulation of waste pneumatic tyre exports.
- We will prioritise our partnership working and engagement, with the Indian environmental authorities on waste pneumatic tyres.

The Environment Agency will take a phased approach, to ensure that tyres exported to India are managed in an environmentally sound manner, prioritising Action 1 (enhanced export verification checks) from 1 October 2025. This includes staff training and process development ([Appendix 10](#)).

Implementation plans for the remaining actions will be completed by 31 December 2025, aiming for rollout in early 2026.

We will monitor the impact of the verification checks and are confident these actions will strengthen our regulatory response and tackle illegality.

Support to Government

Opportunities for changes to legislation include:

Reform of the regulatory requirements for Article 18 (Green List) wastes

The Environment Agency is working with Defra on the opportunity to introduce more fundamental changes to exports of all Article 18 (green list) wastes, whereby Annex VII information will be required in advance of shipments, with associated charges to support compliance activity. The Annex VII will need to be supported by information evidencing that the destination sites will operate to broadly equivalent human health and environmental protection standards to those established in UK law.

Removal of the T8 exemption

In July 2025, the Government committed to removing the T8 exemption due to widespread non-compliance, with businesses handling tyres in volumes far beyond permitted limits.

Requiring operators to hold environmental permits will strengthen regulatory control by introducing operator competence standards, management systems, fire prevention plans, and mandatory waste reporting. This will enhance our oversight of waste tyre movements, including exports.

We support the removal of the T8 exemption and have helped businesses to prepare by publishing standard rules permits for tyre storage and treatment. These offer a quicker, more cost-effective transition for current T8 operators compared to bespoke permits.

Action 1 - We will implement enhanced verification checks for waste pneumatic tyres going to India

The review has identified that the Environment Agency should take further steps to ensure we are fulfilling our legal obligations under the UK WSR when exporting waste pneumatic tyres to India and deliver against our objectives under the UK Waste Shipments Inspection Plan.

We believe now that it is highly likely that a proportion of UK waste pneumatic tyres are being diverted for illegal pyrolysis on arrival into India. We have a much clearer understanding of the information that we hold to make the assessment of whether waste pneumatic tyres exported from England are being handled in an environmentally sound manner.

Having fully considered this information against our legal duties, we accept there is a lack of sufficiently credible information which would entitle us to assume, for the purposes of Article 49(2) UK WSR, that waste pneumatic tyres exported to India are reaching the destination recovery facility named on the movement form (Annex VII), or are being treated for recovery in an environmentally sound manner.

We have an obligation to prohibit exports of waste under Article 49(2) of the UK WSR if we have reason to believe that the waste will not be managed in an environmentally sound manner. We may be entitled to assume environmentally sound management as regards the waste recovery or disposal operation concerned, if the notifier or the competent authority in the country of destination can demonstrate that the facility which receives the waste will be operated in accordance with human health and environmental protection standards that are broadly equivalent to standards to that in the UK, prior to the export.

We have not been able to verify that exported waste pneumatic tyres are arriving at their intended destination sites in India. This is in part because we do not routinely receive completed Annex VII forms. In the case of the Annex VII forms that accompanied the bales of waste pneumatic tyres tracked by industry, the forms appear to have been falsified to suggest the waste was received at the intended destination, when the tracker data showed that this was not the case.

We will implement a change to our regulatory response through the introduction of enhanced verification checks, planned to go live from 1 October 2025, for exports of all waste pneumatic tyres destined for India. We will implement these verification checks using powers available to us under Articles 49 and 50 of the UK WSR and The Transfrontier Shipment of Waste Regulations 2007. This transitional period will provide us with time to recruit and train staff to manage this new process. It will also present us with an opportunity to work with stakeholders and partners to refine our amended approach.

A summary of an implementation plan, setting out the activities we will deliver between the publication of this review and 1 October 2025, is included as [Appendix 10](#).

These enhanced verification checks are intended to provide us with confidence that exports of waste pneumatic tyres are being managed in an environmentally sound manner, throughout the period of shipment and its recovery. This includes a demonstration that tyres are being received by appropriate recovery facilities.

Under this approach, all exporters of waste pneumatic tyres to India will be required to provide information to us that gives us confidence that waste is being recovered in an environmentally sound manner. This information will be requested through the issuing of Information Notices.

Once we have confidence that specific destination recovery facilities are acceptable and throughout the shipment waste will be handled in an environmentally sound manner, shipments will be allowed to move, subject to future permit changes, expiry, or revocation (or if concerns are raised).

If the requested information is not provided, or the information does not satisfy us that the waste will be recovered in an environmentally sound manner, officers will decide whether to stop that shipment using our powers to serve a Notice under Schedule 5, Part 1 the TFS Regulations 2007.

Provision of additional information by exporters will allow us to expand our current overseas recovery facility database. There is a longer-term plan to obtain similar information through regulatory reform and the introduction of the Digital Waste Tracking System (DWTS). However, in the interim, we will serve Information Notices on brokering organisations, and exporters directly involved in moving waste pneumatic tyres, to obtain this information.

Action 2 - We will provide additional training to our staff about the requirements of the UK WSR and how they apply to waste pneumatic tyres

We have identified a need for internal training and guidance on the Environment Agency's legal obligations under the UK WSR and TFS Regulations to ensure a consistent and shared understanding across teams. In the coming months, we will provide targeted training and resources to build capability and support confident implementation.

The training should encompass the following specific aspects:

- The requirements of the UK WSR and TFS Regulations in relation to waste pneumatic tyres. This should include our understanding related to the assessment and implementation of the requirements set out in Articles 36 and 49 of the UK WSR.
- The limitations of our powers in overseas jurisdictions – in this case when waste pneumatic tyres are exported to India. Article 49 of the UK WSR states that 'the competent authority of dispatch in the United Kingdom shall require and endeavour to secure that any waste exported is managed in an environmentally sound manner throughout the period of shipment, including recovery'. This means that our duties do extend beyond England and the English Area to ensure they reach their intended destination in India, the waste pneumatic tyres are managed in an environmentally sound manner, and they are recovered.

- The prohibition India implemented in July 2022 on importing waste pneumatic tyres for pyrolysis, rendering these exports as prohibited under Article 36(1)(f) of the UK WSR.
- Interpretation of information within Annex VII forms including destination operation codes. For example, the training on the significance of the operational code R1 which may signify that the waste pneumatic tyres are destined for '*use principally as a fuel or other means to generate energy*'⁹¹. This may be used for tyre derived fuel, which is incinerated in facilities which generate energy, but could also be used to signify pyrolysis facilities. Where R1 codes are used, further information should be provided to confirm the type of waste operation.
- Strengthening the recording of information about exports of waste pneumatic tyres across the Environment Agency, including information on exports obtained during both routine and incident inspections at T8 sites. We will provide targeted training for staff to ensure a more consistent and complete picture of operator activity, including those involved in waste exports. We will also make data recording mandatory.
- How to assess the information provided to us through Action 1 (enhanced verification checks), and the process to enter information onto the overseas sites database to ensure that it represents a complete picture of the information we hold relating to the export of waste pneumatic tyres to India.

We will develop a plan to address waste pneumatic tyre training needs by 31 December 2025

Action 3 - We will improve how we carry out horizon scanning activities for changes in waste controls and improve our knowledge of the research available on waste pneumatic tyres

We are committed to improving our work in identifying, understanding, and considering any impacts arising from new and emerging research into waste pneumatic tyres or any changes in controls implemented in overseas law.

Research

During the review, we heard from stakeholders that they believed that waste pneumatic tyres should be reclassified to require a notification to move internationally. Some stakeholders believe they should be hazardous waste, which would require a notification to be in place prior to any movement. It is also the case that where wastes are classified as hazardous, they are prohibited from being exported for disposal (subject to the exceptions within the UK plan for shipments of waste) to other OECD countries. Hazardous waste cannot be exported for recycling, recovery, or

⁹¹ [Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives \(Text with EEA relevance\)](#)

final disposal to non-OECD countries. This means that the export of waste pneumatic tyres to India would be prohibited if waste pneumatic tyres were classified as hazardous.

The review of our regulatory powers and legal framework has identified that it is possible to implement notification controls on waste pneumatic tyres by:

- Requiring a notification, where prior informed consent between all the competent authorities of dispatch, destination and any transit countries is needed prior to the movement.
- Reclassifying waste pneumatic tyres as hazardous, which would automatically apply the need for a notification to be in force prior to any movement.

Both options, and the relevant Articles within the UK WSR that enable them, are covered in Section 1.1. It should be noted that requiring notification for waste pneumatic tyres would apply to all exports of waste pneumatic tyres, no matter their destination – we could not apply this to specific destinations.

Reclassifying wastes to require prior notification could place an additional burden on businesses which are able to demonstrate compliance with environmentally sound management standards in the export of waste pneumatic tyres.

All options require evidence on which to base any decision, consider the impact, and justify regulatory or policy change. The review has identified that we do not hold a comprehensive picture of the research available on which to make an informed assessment of whether waste pneumatic tyres could be considered hazardous.

Further consideration is needed to assess the impacts and any unintended consequences. Any reclassification would need careful impact assessment to avoid adverse and unintended consequences of such a decision. For example, an assessment of UK recovery capacity and appropriate transitional arrangements would be required.

We believe that the enhanced verification checks we are implementing in Action 1 should be prioritised prior to considering further changes to controls. We will review the effectiveness of these checks, before considering if any further action is needed.

We will, however, take further action to understand what research the Environment Agency holds, resulting from both our own research on waste pneumatic tyres, and that carried out by external experts by carrying out further internal discussions with our Chemicals Assessment Unit and Chief Scientist Group.

Overseas changes in controls

We took the correct action when we were made aware of the amended controls prohibiting the export of waste pneumatic tyres for pyrolysis to India, in that we understood the movement of waste pneumatic tyres to India for pyrolysis would be prohibited under Article 36 (1)(f). The amendment came into effect in July 2022. However, there was a gap of 6 months before we were made aware, which may have allowed some waste pneumatic tyres to be exported to India for pyrolysis during this period. It then took time to confirm the position through correspondence with

the British High Commission on 2 May 2024, and directly during a virtual meeting with the Indian Ministry of Environment, Forest, and Climate Change (MoEFCC) on 19 June 2024 ([Appendix 4.6](#)).

We will improve our horizon scanning activities to ensure that we are as up to date as possible with any changes in controls implemented overseas relating to waste pneumatic tyres, and how they may impact movements of waste from England. We will do this by prioritising those countries that receive UK waste pneumatic tyres. We know which countries these are, other than India, through HMRC customs data.

We will also work with Defra as the UK's designated focal point for the Basel Convention - which governs the transboundary movement of hazardous and other wastes - to confirm with the Indian authorities whether Article 18 controls remain the appropriate mechanism for waste movements between the UK and India.

Any changes in controls identified should feed through into adaptive risk profiling (including the MoRiLE (Management of Risk in Law Enforcement) methodology for waste pneumatic tyres and ensure that intelligence products take account of such changes and prioritise working with specific international partners to prevent illegal exports because of any changes. We are addressing these issues by expanding our intelligence work. Our teams are now carrying out more detailed analysis of individual waste types as part of their strategic assessments. We also set up a new Strategic Intelligence Team in April 2025. Sitting within the National Environmental Crime Unit (NECU), this team will develop more targeted intelligence to improve risk profiling and strengthen how we work with partners to prevent waste crime.

Improving our knowledge of operations overseas and research awareness will also be supported by our actions in Action 4 - partnership working and engagement.

We will provide a further plan of how we will deliver an improved awareness of research on waste pneumatic tyres, and any control changes in overseas destinations no later than 31 December 2025.

Action 4 - We will invest in our partnerships and engagement with key stakeholders to deliver our duties

We have been supported in developing our understanding of the risks and challenges in India relating to waste pneumatic tyres through our international engagement work.

This review has highlighted the importance of engaging with a wide variety of stakeholders, both within the UK and overseas, to ensure that we understand the risks and threats posed by international movements of waste pneumatic tyres, as well as to help build an accurate picture of waste flows and market forces that might be exploited by criminals operating in the waste pneumatic tyre sector.

We will invest in our engagement and partnership working with UK industry, Defra, the other UK competent authorities, the Basel Convention Working Group on waste pneumatic tyres, the Indian

environmental authorities, the British High Commission, and the IMPEL Network⁹². We will also look to engage with the Circular Economy Taskforce Transport Group as plans become available.

We will prioritise our work to strengthen our relationship with the Indian environmental authorities. Exchanges of knowledge and intelligence between us and the environmental authorities in India will help to corroborate the information that is being provided by exporters and further increase confidence that exports of waste pneumatic tyres are being managed in an environmentally sound manner. We are making progress in arranging a face-to-face meeting with the Indian Ministry of Environment, Forest, and Climate Change (MoEFCC) in the autumn of 2025⁹³. The objective of the meeting will be to build and sustain a positive working relationship, giving all parties more confidence that waste pneumatic tyres are being managed in an environmentally sound manner, and that we are able to meet our statutory duties whilst supporting legitimate trade. We are also committed to working with the Ministry to gain their permission to deploy tracking devices, which will support our work to ensure waste pneumatic tyres are being received at the intended operational facilities.

We will also prioritise our work with Defra as part of the Basel Convention Small Intersessional Working Group that is developing updated Technical Guidelines for the environmentally sound management of used and waste pneumatic tyres. This working group is a helpful resource which provides access to contacts across the industry, including competent authorities from other countries that are involved in the management, research, or regulation of waste pneumatic tyres.

Participation in this group has proven to be highly effective in providing advice and guidance, not only related to pyrolysis, but other waste activities involving waste pneumatic tyres. For example, we have been able to share experiences in the storage of waste pneumatic tyres and the requirements for fire prevention plans to avoid loss of the material through fires and negative amenity impacts.

We will develop a plan of our engagement aims and objectives relating to waste pneumatic tyres by 31 December 2025.

⁹² EU Network for the Implementation and Enforcement of Environmental Law, [IMPEL Network](#)

⁹³ The meeting is dependent on receiving the necessary Note Verbale confirming the arrangements and visas to enable the meeting to go ahead.

Appendices

Appendix 1: Scoping Document

Scoping paper



Summary paper to set out the scope of the internal review in respect of the Environment Agency's regulation of Waste pneumatic tyres

Context

The Environment Agency has committed to delivering an internal review into its regulatory approach to waste pneumatic tyres.

The purpose of this work is to review the organisation's regulatory powers, confirm understanding of the relevant legislation, and assess intelligence handling processes, among other areas of interest.

Based on the findings of the review, the Environment Agency will develop a set of recommendations setting out possible amendments that might be required concerning the regulation of waste pneumatic tyres moving forwards. This will include identifying what additional controls or powers might be needed.

This review will be delivered over the next three months, with the outcomes being published by 30 June 2025.

Scope of the review

The scope of the internal review will specifically focus on the Environment Agency's regulation of waste pneumatic tyres. This will be with the aim of addressing the following topics:

1. Our understanding of the Environment Agency's regulatory role related to waste pneumatic tyres, including its duty of care for movements of this waste to other countries

This section will review the Environment Agency's current powers related to waste pneumatic tyres. This will include:

- The legal and regulatory powers that the Environment Agency currently holds in relation to the management of waste pneumatic tyres, and how these powers have been interpreted and implemented.
- What operational activities the Environment Agency currently delivers to regulate the waste tyre sector.

- The steps that the Environment Agency has taken to validate overseas waste facilities.
- How the Environment Agency is resourced for work on notified waste streams and how this compares to waste moved under Article 18 controls (green list waste).
- The Environment Agency's regulatory role related to:
 - Waste sites operating under a T8 exemption,
 - Waste exports,
 - The Environment Agency's duty of care for waste pneumatic tyres once they have left the UK.

2. How the Environment Agency manages information and intelligence received on waste pneumatic tyres

This section will review the intelligence that has been passed to the Environment Agency by stakeholders and will evaluate how it has managed this information. This will include:

- Reviewing what data and information the Environment Agency holds and how this has been analysed.
- Confirming that the Environment Agency has logged and managed information provided by third parties in accordance with its internal policies and procedures.
- Setting out how the Environment Agency compliance monitors Article 18 (green list) waste streams
- Reviewing how many Annex VII forms the Environment Agency receives each year on waste pneumatic tyres and setting out any trends this information shows.
- Identifying what research is underway within the Environment Agency related to the treatment of waste pneumatic tyres and their constituent properties.

3. Evaluation of the Environment Agency's regulatory approach to waste pneumatic tyres and recommendations for possible amendments that might be required

This section will evaluate the Environment Agency's existing regulatory approach and make recommendations based on our findings within the report. This will include:

- Evaluating the effectiveness of existing regulatory approaches.
- Making recommendations for controlling movements of waste pneumatic tyres to other countries moving forward.
- Reviewing the options that are available to the organisation in terms of implementing additional controls under its existing powers.

- Setting out options that could be available to the organisation but would require legislative change by the UK government.
- Confirming what additional resources, the Environment Agency would need to implement any changes to its regulatory role.
- Understanding possible implications that could arise from amending current regulatory approaches.

2 April 2025

Briefing

Terms of Reference for internal review into the EA's regulation of waste pneumatic tyres and their export

1.0. Background

We are responding to various enquiries related to the Environment Agency's regulation of waste pneumatic tyres and their export. This includes:

- A pre-action protocol letter to a Judicial Review on behalf of Fighting Dirty. This alleges that we have:
 - Failed to meet legal duties on the export of waste pneumatic tyres under the Waste Shipment Regulations (WSR).
 - Failed to act on third-party intelligence that alleges waste tyre exports are not being managed in accordance with environmentally sound management practices.
- The Office for Environmental Protection (OEP) is assessing a complaint from Industry related to how we have delivered our duties under the Waste Shipment Regulations.
- A BBC broadcast investigating UK waste tyre exports to India. This suggested that waste operators are exploiting regulatory loopholes resulting in the export of waste pneumatic tyres for illegal pyrolysis.

2.0. Our response

The Environment Agency has committed to the following actions in response to these enquiries:

- An internal review into our approach to the regulation of waste pneumatic tyres. A small team has been established to lead on this work ([see section 3](#)).
- We will offer a stakeholder session to relevant parties on 22 May 2025, including Fighting Dirty. This will provide an opportunity for additional disclosure of any relevant information that might inform our review.
- Interested parties may disclose information at any time via the Environment Agency's incident line, anonymously via crime stoppers, or directly to the Waste Tyres Review Team
- The outcomes of the internal review will be published externally. The review will respond to the concerns raised by Fighting Dirty, the BBC, and those submitted to the OEP.

- The Environment Agency will separately respond to the OEP Information Request.
- The outcomes of the review and our response to the OEP information request will both be delivered by **30 June 2025⁹⁴**.

3.0. Resource proposals for internal review

The internal review into the Environment Agency's regulation of waste pneumatic tyres and their export will require a dedicated project team to be taken offline to carry out this work for 30 June 2025.

It is suggested that the resource required to deliver this review would be 3 FTE.

This project team would be overseen by 2 Grade 7 managers (1 x E&B, 1 x National Ops) and supported by Legal Services.

4.0. Scope of review

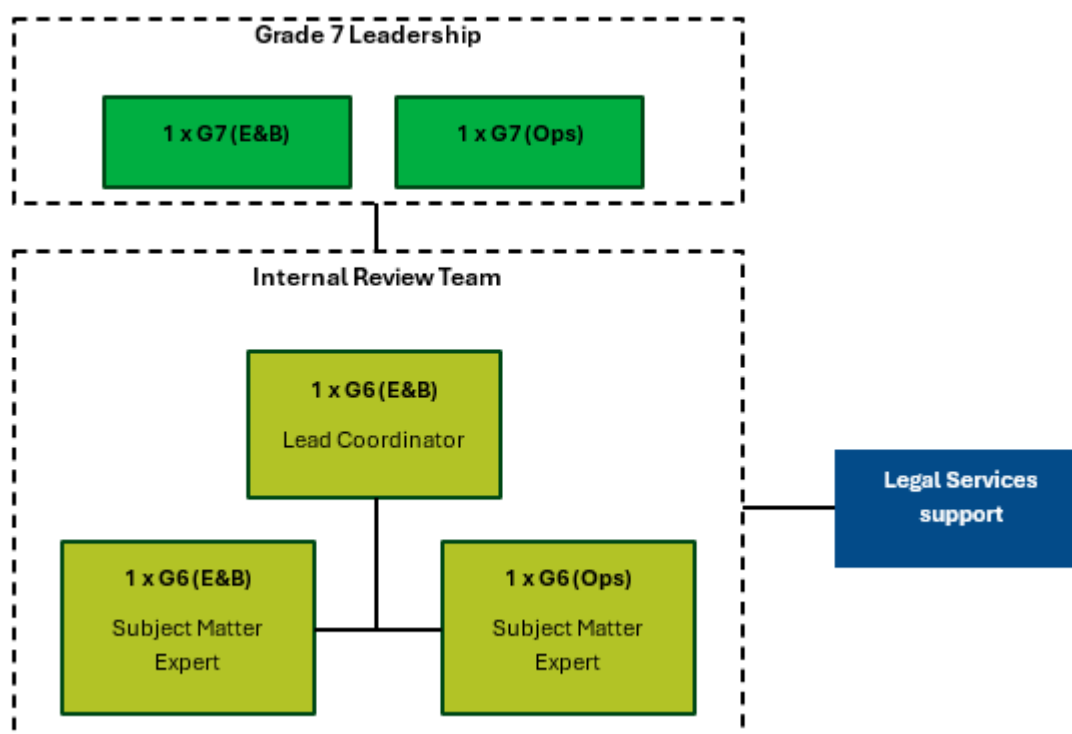
The broad scope of the review will cover:

- Our understanding of the Environment Agency's regulatory role related to waste pneumatic tyres, including our duty of care for exports of this waste.
- How the Environment Agency manages information and intelligence received on waste pneumatic tyres.
- Evaluation of the Environment Agency's regulatory approach and recommendations on possible amendments that might be required.

⁹⁴ Note: A decision was taken to delay finalising the review until 31 July 2025 due to additional information which needed to be considered

5.0. Governance structure

The governance structure for the internal review is as shown below:



The Internal Review Team will also be supported by relevant colleagues with an interest in this work including the External Affairs Team and Defra Group Comms. Other teams, such as the Government Relations team, will be involved as necessary.

6.0. Meetings

Throughout the review, the following meeting frequency will be observed. Additional meetings may be scheduled as necessary and as we near key milestones.

- The Internal Review team will meet at least once per week, with an option for increased frequency as required
- The Governance Group (as shown in the structure above) will meet fortnightly

Decisions and responses requiring approval may be taken outside of meetings through written correspondence as necessary.

7.0. Sign-off process

The final report and outcomes of the internal review, and the response to the OEP information request will be signed off by the Deputy Director for Waste and Resources Regulation (E&B).

The Deputy Director for Environmental Markets & Regulation (National Ops) will also be consulted and have opportunities to comment.

8.0. Key milestones

Key Milestones will be confirmed as the review continues including the dates for relevant sign-off procedure.

Significant dates include:

- **W/C 5 May:** Send draft structure of report for comment
- **22 May:** Stakeholder drop-in session [Birmingham]
- **W/C 26 May:** First draft of the report shared for comments
- **W/C 9 June:** Second draft of the report shared for comments
- **W/C 23 June:** Final draft of the report shared for comments and sign-off
- **30 June:** Internal review and OEP information request finalised

9.0. Next steps

- Internal Review Team to make enquiries and gather relevant information to inform content of the review
- Internal Review Team to develop structure of report for sharing with governance group
Communications plan and press lines to be finalised

Waste Tyre Review Team

Contact: wastetyresreview@environment-agency.gov.uk

30 April 2025

Briefing

Summary of findings from the stakeholder drop-in session (22 May 2025)

Key Learning from discussions

- Concerns were raised over erosion of legitimate recycling infrastructure in UK. It was suggested that if left unchecked, this could result in industry collapse.
- We were familiar with much of the information provided with much of the focus placed on similar themes such as the T8 exemption and size reduction approaches. We were less familiar however, with the information on waste transfer notes.
- Industry stakeholders who attended the session appeared to welcome the opportunity to speak to us about this issue.

T8 sites

- Most attendees were supportive of abolishing T8 Exemptions for End-of-Life Tyres to ensure oversight, accountability, and compliance. However, there was scepticism that the exemption will be lifted.
- The consensus was that the T8 exemption was the root cause of many of the issues within the sector.
- Those attendees that wish for the T8 exemption to be lifted felt that this would result in greater investment in the UK waste tyre sector and would also result in increased income for the EA through permit fees.
- It was suggested that if the T8 exemption was removed, the illegal sector would shrink because they will not want to pay gate fees to recovery sites for alternative treatment options such as shredding.
- We were told that many sites would be happy to get a permit but there is currently no incentive to do so.
- It was suggested that waste transfer notes are not being provided by T8 operators to avoid financial transfers being traceable. e.g. possible VAT fraud.
- It was felt that a review of Annex VII data would show that waste pneumatic tyres are going for illegal pyrolysis operations rather than legal recovery.

- We were told that many sites and environmentally sound methods of recovery are sat idle because there is a lack of available feedstock, due to operators being undercut by T8 sites that are baling and exporting tyres.
- It was noted that banning baling of waste pneumatic tyres would help, but under the T8 exemption, it is still possible to shred the tyres, so would still fail to prevent legitimate sites being undercut.

Waste Exports

- A suggestion was made to restrict exports of waste pneumatic tyres to permitted operators who can demonstrate compliance and responsible end-markets.

Size reduction policy

- There were mixed views on implementing a requirement for tyres to be shredded prior to export.
- One stakeholder recommended an immediate ban on the export of baled waste pneumatic tyres and requirement for any tyres destined for export to be shredded.
- However, others believe that a requirement for tyres to be shredded would not solve the problem and may also result in other risks including microplastic run-off, increased fire risks, and health impacts. Tyre shred is also more difficult to move.
- A question mark was raised over domestic capacity and infrastructure within the UK waste sector to shred the volume of tyres should a complete ban be implemented.
- We were told the sector could collapse in such a scenario. This has contradicted claims previously made by parts of the industry.
- There was a suggestion that it would take the UK up to 2 years to develop the necessary infrastructure requirements and for sufficient shredding capacity to be installed.

Enforcement capability

- It was noted that under the current system, it is too easy for operators that are shut down to start operating again under a different name. This means that criminals operating in this space can 'lift and shift' at pace. It is not possible for permitted sites to do this.

Intelligence handling

- A recurring theme on the day was that those who supply information do not see any evidence of action being taken against those sites where information has been supplied alleging illegal activity. This has damaged industry trust in the Environment Agency to

address the problems that are being reported.

- A recommendation that will be made in the report will be that the Environment Agency should ensure that all reports are logged onto NIRS, Memex, and any other relevant intelligence systems.
- We are also concerned that information is coming directly to officers via incorrect routes and not logged correctly, which can then lead to the perception that information is not being handled properly.
- In the case of permitted sites / holders, they do not believe they are seeing any additional benefits for paying a fee to the Environment Agency, when T8s are operating freely without impunity.

Timeline for changes

- Some attendees suggested that they, and others in the industry, are struggling to break even given they are being undercut by T8 sites. They are on the brink of selling out to larger conglomerates unless the situation changes. This could lead to consolidation in the waste tyre sector.
- The Environment Agency confirmed that there was currently no timeline for the T8 exemption to be lifted, although even if the decision was taken soon, it could still take some time for this to get the necessary parliamentary time to make any amendments.

Notification controls

- There was general support from attendees to make waste pneumatic tyres notifiable. This waste is currently shipped under Article 18 (green list) controls.

Finances and EPR

- One operator said they had spoken to the BBC about the documentary in March and noted that it overlooked any reference to the big tyre retailers and finances.
- It was said that big retailers charge an environmental fee for tyre removal of between £3 and 5 but are not passing this on to recyclers. Instead, they are facilitating T8 abuse by sending these to T8 operators for the lowest cost possible.
- There was support from some attendees for introducing Extended Producer Responsibility for tyres.

Other points from the day

- All attendees felt there has been a lack of action from government on this issue for many years.
- A question was asked about the extent to which the Environment Agency has escalated the issue within Defra.
- We did not receive additional information on illegal pyrolysis that was not already held.
- Questions were asked about how strict the requirements are for sites to have a UK address.
- It is worth noting that the EU has committed to banning waste tyre granules from being used for artificial sports pitches from 2031.
- There was a suggestion that waste tyre exports to India are the highest they have been for several years, whereas others said the market is currently shrinking due to monsoon season and the current geopolitical situation.
- Many operators suggest that they plan to send waste pneumatic tyres to the new pyrolysis plant in Sunderland as soon as they are able.

Appendix 4: List of material considered as part of review

No.	Disclosure	Date	Link
4.1	Emails between [REDACTED] and the Environment Agency and copy of used tyre report	January 2023	[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
4.2	Legal letter from [REDACTED] and EA response	10 July 2023 27 July 2023	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
4.3	Copy of presentation from [REDACTED] shown to Environment Agency and Defra on 14 June 2023 and email to Environment Agency	13 November 2023	[REDACTED] [REDACTED]
4.4	Copy of complaint from [REDACTED] [REDACTED] to Office for Environmental Protection and supporting material	30 May 2024	[REDACTED] [REDACTED]
4.5	News article and photographs showing pyrolysis of batch tyres in India (we understand dating from February 2024) (External Link)	25 March 2025	Source Material Article - Burning Rubber [https://www.source-material.org/waste-tyre-pyrolysis-india-uk/]
4.6	Emails between Environment Agency and British High Commission summarising engagement with Indian Ministry of Environment, Forest, and Climate Change	2 May 2024 20 June 2024	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
4.7	Copies of raw NIRS, Memex, and NCAD data	May 2025	[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
4.8	Visualisation of Customs Exports Data for waste rubber (HS Code 4004)	May 2025	In supporting materials

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4.9	Tactical assessments for the Environment Agency April 2025	April 2025	<div></div> <div></div> <div></div> <div></div>
4.10	Operational Guidance Note (reference LIT 12778) Recording, Disseminating, and Using Intelligence.		In supporting materials <div></div> <div></div> <div></div>
4.11	MoRiLE rationale	2024 2025	<div></div> <div></div> <div></div> <div></div> <div></div> <div></div>
4.12	Copy of overseas database	30 May 2025	<div></div> <div></div> <div></div>
4.13	Overall inspections data sheet	30 May 2025	<div></div> <div></div>
4.14	Gazette of India - Hazardous and Other Wastes (Management and Transboundary Movement) Amendment Rules, 2022	22 July 2025	In supporting materials <div></div> <div></div>
4.15	Redacted copy of the response from the Indian Government dated 3 March 2021, confirming Article 18 controls should be applied	3 March 2021	In supporting materials <div></div> <div></div>
4.16	UK Waste Shipments Inspection Plan - August 2023	August 2023	Defra owned document <div></div> <div></div>
4.17	Tyre Recovery Association - Dossier of Information supplied to the Environment Agency (May 2023 – May 2025)	May 2025	https://tyrerecovery.org.uk/wp-content/uploads/2025/06/Dossier_TRA-with-the-DEFRA-EA- -v-Media_May-2023-to-May-2025.pdf

4.18	Common Incident Classification Scheme Guidance		<p>In supporting materials</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>
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Summary



Summary of BBC broadcast - File on 4 investigates: 'The Tyre Scandal'

Date: 25 March 2025

Location: [File on 4 Investigates - The Tyre Scandal - BBC Sounds](#)

News report: [Millions of UK tyres meant for recycling sent to furnaces in India](#)

Summary

- The BBC investigation into the waste tyre industry alleges that the UK exports c. 700,000 tonnes of waste pneumatic tyres each year. It concludes that this is due to the cost of reprocessing tyres in the UK compared to sending the waste overseas (predominantly to India).
- The investigation alleges that most tyres destined for India are exported for pyrolysis operations, despite the import of tyres for this purpose being prohibited in Indian law.
- The broadcast states that the BBC told Defra that it is not possible for India to be processing the tyres in legitimate sites as it lacks the capacity to do so. This contradicts the information we were provided by the Indian Ministry of Environment, Forest, and Climate Change (MoEFCC) during our meeting in June 2024.
- The investigation suggests that there are approximately 2000 pyrolysis sites operating in India, half of which are believed to be unlicensed and low grade.
- The BBC met with an anonymous industry source who placed trackers in several bales of waste pneumatic tyres, none of which arrived at their intended destination. These were followed by the BBC, which alleges that instead the containers were moved to remote facilities in the Indian countryside for pyrolysis.
- The documentary alleges that the source of the issue is exploitation of the T8 exemption by criminal gangs, who are moving significantly more tyres than the 40 tonnes they are allowed. In some cases, operators are exporting 100+ tonnes per week.
- They also state that the controls on waste pneumatic tyres are minimal because they are currently classified as green-listed (non-hazardous) waste.
- The BBC spoke with Tyre Stewardship Australia, which stated that prior to the Australian ban on the export of whole and baled tyres in 2021, they had travelled to India to audit the recovery

sites listed on the export paperwork. In 100% of cases, the tyres did not end up at these destinations, with all these sites being non-operational when the audit teams arrived.

- The Environment Agency and Defra has separately met with Tyre Stewardship Australia in 2025 to discuss Australia's shred only export policy for waste pneumatic tyres. We also met with the Australian Department of Climate Change, Energy, the Environment, and Water in 2024 to discuss the issue.

Introduction

- Investigation into export of tyres to developing countries
- Alleged that the UK produces 50 million tyres / 700,000 tonnes of tyre waste per year
- Environmental fee of approx. £3 per tyre included in billing when tyres are replaced

World Rubber Recycling, Rushden (Northamptonshire)

- World Rubber Recycling (WRR) is a Tyre Shred operation based in Rushden
- Shred material is turned into rubber crumb. This is used for things like surfacing playgrounds or surfacing in equestrian centres
- Cost of machinery is approx. 2.5 to 3 million. This is becoming unsustainable because tyres are being exported instead.
- WRR says they would make more money switching off shredders and exporting overseas. Alleges that competitors have been doing this as more money can be made from baling and exporting.
- Machinery to bale tyres costs less than £50,000, compared to the million or so for the shredder. Bales are then sold without doing any recycling
- WRR says bales are difficult to track. They say that operators have a duty of care which means they are responsible for the waste until it is no longer classified as a waste (for example through recovery into secondary products).
- UK government estimates 50% waste pneumatic tyres are exported to India per year (approx. 25 million per year, 350,000 tonnes).

Tracking waste containers

- The BBC worked with a team of journalists at a company called 'Source Material', which is a not-for-profit organisation specialising in climate and corruption.

- Found a source that baled tyres and hid trackers within the bales to see where they went. Source requested anonymity.
- Allegation of lots of criminal gangs and that all tyre recyclers know what is going on. Suggestion that few manage the tyres properly. Instead, they send the tyres for pyrolysis to produce oil for aviation industry, and steel.
- The anonymous source who tracked bales sent these to India. Trackers meant to be going to legitimate recycling plant. Illegal to import tyres for production of pyrolysis oil
- BBC followed the tyres. These went to rudimentary plants in the Indian countryside and took drone footage. The Tyre Recovery Association believes it is a low-grade pyrolysis operation
- There is a village approximately 200 m from the plants. Likely housing the workers. Air quality likely poor. Black pools likely oil spillages.
- Locals contacted confirmed they were carrying out pyrolysis operations, but that it was not illegal or dangerous
- Tyres meant to be going to nine corporation, purported to be the second largest importer of tyres in India.

Pyrolysis in India

- BBC India in Mumbai visited a cluster of plants outside the city
- C.2000 plants in India. Half of these are unregistered (lack permits)
- Allegation that research shows that UK and European Tyres end up at site.
- Can see 10 chimneys from initial look at area. All smoking. Fields covered in oily soot.
- Villagers say that the dust problem is causing problems for farming. Suggestion that it is causing some health problems.
- Indication that nearby water source is polluted, and the dust is causing health problems for locals. They are also worried the plants will explode
- Now approx. 16 plants, there were only 1 or 2 plants 5 years ago. Tyres being burnt all night, releasing toxic gas.
- It is illegal to import tyres into India for pyrolysis from the UK or around the world.

Explosion of pyrolysis plant in India

- 29 Jan 2025 - Plant exploded. Released chemicals and carbon. A family living in the plant suffered heavy burns and later died.
- Complaints have been raised to the Pollution Control Board and Minister. Local government promised to take action. 7 plants have since been shut down.
- Imperial College London suggests exposure to pollutants risk respiratory, cardiovascular and neurological diseases and certain types of cancer etc.
- Families still living in the pyrolysis plants. Some of the plants are still operating despite the explosion.

Fighting Dirty

- Believe around 70% of tyres imported into India are being diverted for low-grade disposal (burning). That would mean 70 million tyres a year are sent to makeshift pyrolysis plants per year.
- BBC allege the UK is the second largest exporter of waste pneumatic tyres after the USA.
- Fighting Dirty say it is incredibly cheap to send this waste overseas for disposal. Have evidence of links to organised crime. Profitable model for getting rid of UK waste to unregulated sites which is causing massive harm to human health and the environment.
- BBC suggest that it is possible to earn 3 times more by selling baled tyres abroad compared to selling for recycling.

Industry perspective and T8 exemption

- Suggestion that it is difficult to obtain a permit, whereas many operate under a T8 exemption
- Plan was for farm and scrap yards to be able to store a small number of tyres. Problem is there are hardly any checks. Can go online and get in 5 minutes. As a result, many are applying
- BBC meet a source who claims numbers holding T8s have grown massively. In some cases, people can make £12,000 a week just on exporting tyres
- Operators would be in breach of their exemption if they move more than 40 tonnes of tyres per week.
- Source called around operators to see who was willing to provide him with large volumes of tyres so he could send them to India. Those willing to send more than 2 containers likely in breach.

- Several sites claim they are willing to send multiple containers per week (c. 100 + tonnes). What intelligence does the BBC hold on these operators?
- Many willing to increase the volume if needs be. Would like to export 10+ containers if they can for financial gain.
- All but 1 of 5 dealers confirmed they were happy to exceed their limit. Of those that were, 1 later denied this and the others didn't respond.
- Local councillor in Rochdale met BBC, concerned with Tyre issue. Has video of lorries taking tyres away.
- BBC visited a yard with a baling machine and stacks of tyres. The owner had offered to ship 3-4 containers a week. Claimed he had exaggerated to win business
- Owner says he knows the tyres are going to India for Pyrolysis, to make carbons, furnace oil etc. He says that 90% of English people are doing this business and seems unconcerned about the fact that it is prohibited in India. He also claims the issue is happening all over the world.
- Owner says government would have to implement change. He shows the paperwork setting out that his tyres are purportedly going to a recycling company, but thinks they probably are not. Sends 100 containers to India a month. So long as paperwork suggests the tyres are going for recycling, they have a cover.
- Fighting Dirty say they believe it is highly implausible that the tyres are going for recycling. They think brokers and exporters sending waste abroad to low grade sites are fully aware of what they are doing. Allege that they have evidence that demonstrates that tyres are going to highly polluting sites. Believe operators are using loopholes and exploiting poor regulation.

Waste classification and Australia

- BBC allege the destination is not checked because the waste is 'green' waste aka. Non-hazardous.
- The BBC make reference to how Australia tackled the issue. They interview Tyre Stewardship Australia (TSA). The TSA was trying to understand why tyres were being exported for big money. Even legitimate operators who were working with brokers didn't know. They were relying on paperwork saying the waste was going to certain destinations in India. They found bigger problems by sending field teams to physically check where the tyres were going.
- When they arrived, the facilities listed on the documents were closed and non-operational. 100% of the tyres were not going to destinations listed on the paperwork

- In response, the Australian government banned the export of whole and baled tyres in 2021. Instead, tyres must first be processed (shredded).
- There has been no similar approach adopted in the UK.

Defra and Environment Agency response

- World Rubber Recycling claims that Defra and the Environment Agency know illegal activity is occurring in the sector as they, and others in the tyre industry, have written to the EA and Defra multiple times, but they get little to no response.
- The Tyre Recovery Association says it is disappointing that the government is not taking action. Successive Secretaries of State have failed to give the issue the importance it deserves.
- Anonymous source says that government is actively turning a blind eye and are struggling with the volume.
- The BBC state that they contacted Defra to tell them about the trackers and how India can't be processing the tyres as it doesn't have the capacity. They also told Defra about the illegal deals taking place and the scenes of toxic pollution in India.
- A Defra spokesperson responded that it has strict controls for exports of waste and wants to protect the natural environment.
- An EA spokesperson responded that it takes this issue seriously and operators breaking the law can face a 2-year jail term, and that it is working with its Indian counterparts to ensure that waste, including End of Life tyres, is recovered and recycled in compliance with relevant regulations.
- Fighting Dirty says that according to the Basel Convention, the UK must make sure waste is handled responsibly, does not endanger human health or the environment and handled in facilities that have broadly equivalent standards to those we have in the UK.
- Fighting Dirty also says the issue of waste pneumatic tyres is not being talked about, despite being a massive issue and the UK must deal with the problem.
- BBC say the Government has promised to abolish the T8 exemption for years, but nothing has happened. Dramatic changes will need to take place.

Appendix 6: Summary of National Compliance Assessment Database (NCAD) review

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Appendix 7: List of Annex VII Forms considered during internal review

Annex VII Forms reviewed were provided by third parties.

No.	Disclosure	Date	Link
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Appendix 8: S2 and T8 exemptions

Guidance [S2 waste exemption: storing waste at a secure site - GOV.UK](#)

S2 waste exemption: storing waste at a secure site

The S2 waste exemption allows you to store specific waste at a secure intermediate site, separate to where the waste was produced, before transportation to another site for recovery.

From:

[Environment Agency](#)

Published 12 September 2019

Last updated 10 May 2024 — [See all updates](#)

Applies to England

Contents

1. [Types of activity you can carry out](#)
2. [Types of activity you cannot carry out](#)
3. [Types of waste you can store](#)
4. [Conditions](#)
5. [What else you need to know](#)
6. [Related exemptions](#)
7. [Related permits](#)
8. [Register a S2 exemption](#)

Waste exemptions are changing and this will affect anyone who carries out a waste exemption activity. Defra's [consultation supplementary response document](#) and its annexes explain the changes. This sets out which exemptions will be withdrawn or restricted. Changes to the exemptions are likely to start in 2025 but timescales have not been finalised.

Types of activity you can carry out

These include:

- storing construction and demolition waste that can be reused without treatment, at an intermediate site before it is moved to another place to be reused
- storing olive pulp and marble chips at a port before it is moved to another place to be recovered

Types of activity you cannot carry out

You cannot:

- treat waste under this exemption - see the section 'related exemptions'
- store waste destined to be disposed of - see the section 'related permits'
- store mixed waste
- mix hazardous with non-hazardous waste.
- register this exemption to increase the storage capacity at the place where another treatment exemption such as [T1](#), [T4](#), [T11](#) or a [U activity](#) is carried out

Types of waste you can store

The waste codes are those listed in the List of Wastes (LoW) Regulations. You need to make sure your waste fits within the relevant waste code and description.

Waste code	Type of waste	Storage limit (at any one time)	Period (months)
161002	aqueous paint related waste only	1,000 litres	6
160601 * 160602 * 160603 * 160604 160605 200133 * 200134	batteries	10 tonnes	6
150104 200140	cans and foil only	500 tonnes	12
140601 *	CFCs, HCFCs and HFCs	18 tonnes	6

Waste code	Type of waste	Storage limit (at any one time)	Period (months)
170101 170102 170103 170107 170202 170203 170401 to 170407 170504 170604 170802	construction and demolition waste (non-hazardous) capable of being used in existing state only	100 tonnes	12
200125	edible oil and fat only	5,000 tonnes	12
100207 *	electric arc furnace dust only	2,500 tonnes	3
020104	farm plastics (non-packaging only)	500 tonnes	12
070213 150101 150102 150105 200139	Food and drink cartons	500 tonnes	12
101112 150107 160120 170202 191205 200102	glass	5,000 tonnes	12

Waste code	Type of waste	Storage limit (at any one time)	Period (months)
020102	mammalian protein only	60,000 tonnes	12
020202	mammalian tallow only	45,000 tonnes	12
200307	mattresses only	5 tonnes	3
010408 191209	marble chips only	5,000 tonnes	12
020304	olive pulp/pellet only	5,000 tonnes	3
080111 * 080112 200127 * 200128	paints (excluding specialist and industrial paints, wood preservatives, aerosol and spray paints, inks, adhesives and resins) pending reuse as paints only	10,000 litres	6
030307 030308 150101 191201 200101	paper and cardboard (excluding food and drink cartons) only	15,000 tonnes	12
090107 090108	photographic films and papers	50 tonnes	12
070213 120105 150102	plastic	500 tonnes	12

Waste code	Type of waste	Storage limit (at any one time)	Period (months)
160119 191204 200139			
100101	poultry litter ash only	3,000 tonnes	12
080318 150102 160216 200139	printer cartridges only	5,000 units	6
170301 * 170302 170504	road planings, waste road chippings, road sub-base only	500 tonnes	12
020110 160117 160118 170401 170402 170403 170404 170405 170406 170407 170411 191202 191203	scrap metal	15,000 tonnes	6
090110 090111 * 090112	single use cameras	400 cubic metres	6

Waste code	Type of waste	Storage limit (at any one time)	Period (months)
020401 020399	soils from cleaning fruit and veg only	100 tonnes	6
100316 100405 * 100504 100511 100604 100811 100899	solder metal, skimmings, ashes and residues	100 tonnes	3
140602 * 140603 * 200113 *	solvents and solvent mixtures	5 cubic metres	6
100101 100102 100105 100115	synthetic gypsum and pulverised fuel ash only	2,500 tonnes	3
040222 150109 191208 200110 200111	textiles and clothes	1,000 tonnes	12
160103 191204	tyres, tyre chip and crumb	40 tonnes	3
110113 * 120301 * 160708 *	waste cleaning solution containing 2% sodium metasilicate and 1 to 2% waste oil only	3 tonnes	3

Waste code	Type of waste	Storage limit (at any one time)	Period (months)
160211 * 160213 * 160214 160216 200121 * 200123 * 200135 * 200136	WEEE	400 cubic metres	6
030301 150102 150103 200138	wine bottle corks only	500 tonnes	12
030105 170201 170204 * 191206 * 191207 200137 * 200138	Wood, including telegraph poles and railway sleepers (hazardous and non-hazardous)	100 tonnes	12

(*) An asterisk at the end of a code means the waste is hazardous.

Conditions

The conditions are:

- each type of waste must be stored separately
- the storage must take place at a secure place
- the storage of the waste is pending its recovery elsewhere
- each waste shall not be stored for longer than the specified time period

The additional specific conditions apply to some specified types of waste.

Aqueous paint related waste only

- the waste is stored in a container
- the waste is stored with secondary containment

Batteries:

- the waste is stored in a container
- the storage place has sealed drainage

CFCs, HCFCs and HFCs:

- the waste is stored in a container
- the waste is stored with secondary containment

Edible oil and fat only:

- the waste is stored in a container
- the waste is stored with secondary containment

Electric arc furnace dust only:

- the waste is stored indoors
- the waste is stored at a dock before being exported or after being imported
- the waste must arrive at the storage place in bags and must be stored there in bags or in drums

Farm plastics (non-packaging):

- the waste is stored indoors

Glass:

- the storage place has sealed drainage

Mammalian protein only:

- the waste is stored indoors

Mammalian tallow only:

- the waste is stored indoors

Mattresses only:

- the waste is stored indoors

Olive pulp and pellet:

- the storage place has sealed drainage
- the waste is stored with secondary containment
- the waste is stored at a dock before being exported or after being imported

Paints (excluding specialist and industrial paints, wood preservatives, aerosol and spray paints, inks, adhesives and resins) pending reuse as paints:

- the waste is stored in a container
- the waste is stored with secondary containment

Paper and cardboard (excluding food and drink cartons):

- the waste is stored in a baled form, in a container or indoors
- within the quantity limit specified and despite this additional specific condition, up to 1,000 tonnes may be stored outdoors as long as it is stored in an enclosure designed and maintained to prevent litter escaping

Photographic films and papers:

- the waste is stored in a baled form, in a container or indoors

Poultry litter ash only:

- the waste is stored indoors
- the waste is stored at a dock before being exported or after being imported

Printer cartridges only:

- the waste is stored indoors

Scrap metal:

- the storage place has sealed drainage
- the waste is stored at a dock before being exported or after being imported

Solder metal, skimmings, ashes and residues:

- the waste is stored in bags or in drums

Solvents and solvent mixtures:

- the waste is stored in a container
- the waste is stored with secondary containment

Synthetic gypsum and pulverized fuel ash only:

- the waste is stored indoors
- the waste is stored at a dock before being exported or after being imported
- the waste must arrive at the storage place in bags and must be stored there in bags or in drums

Tyres, tyre chip and crumb:

- the total quantity of waste stored together does not exceed 10 tonnes; this is to reduce the risk of fire spreading

Waste cleaning solution containing 2% sodium metasilicate and 1% to 2% waste oil only:

- the waste is stored in a container
- the waste is stored with secondary containment

Waste electrical and electronic equipment (WEEE):

- you must comply with the requirements in paragraph 1 of [Annex VIII of the WEEE Directive](#)
- the WEEE is stored on an impermeable surface
- where you are storing WEEE containing hazardous materials or fluids, or storing whole appliances or parts that are to be reused, the WEEE is stored with weatherproof covering

What else you need to know

Hazardous waste is subject to the [Hazardous Waste Regulations](#).

Related exemptions

[T1: Cleaning, washing, spraying or coating relevant waste](#)

[T2: Recovering textiles](#)

[T4: Preparatory treatments, such as baling, sorting, shredding](#)

[S1: Storing waste in secure containers](#)

Related permits

You will need an environmental permit if you want to store:

- waste at an intermediate site for treatment or use not covered in related exemptions or under a permit for recovery
- mixed waste at an intermediate site for treatment
- waste prior to disposal

Find out more about [environmental permits for waste](#).

T8 waste exemption: mechanically treating end-of-life tyres

The T8 exemption allows you to treat small amounts of waste end-of-life tyres for recovery by baling, shredding, peeling, shaving or granulating.

From: [Environment Agency](#)

Published 28 April 2014

Last updated 10 May 2024 — [See all updates](#)

Applies to England

Contents

1. [Types of activity you can carry out](#)
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3. [Types of waste you can treat](#)
4. [Amount of waste you can treat](#)
5. [Key conditions](#)
6. [Other things you need to know](#)
7. [Related exemptions](#)
8. [Register a T8 exemption](#)
9. [Related permits](#)
10. [Definitions](#)

Print this page

Waste exemptions are changing and this will affect anyone who carries out a waste exemption activity. Defra's [consultation supplementary response document](#) and its annexes explain the changes. This sets out which exemptions will be withdrawn or restricted. Changes to the exemptions are likely to start in 2025 but timescales have not been finalised.

Types of activity you can carry out

These include:

- baling end-of-life tyres to use in construction
- granulating end-of-life tyres to use in horse manéges

- re-treading end-of-life tyres so they can be reused as tyres
- granulating end-of-life tyres again where the granulate is too big or needs further processing to comply with PAS 107

Types of activity you cannot carry out

You cannot:

- treat any other types of waste other than end-of-life tyres or shredded/granulated end-of-life tyres
- treat hazardous waste
- sort tyres under this exemption as an associated prior treatment when T8 is registered - see [Sorting waste pneumatic tyres under a T8 waste exemption: LRWP 72](#)

Types of waste you can treat

The waste codes are those listed in the List of Wastes (LoW) Regulations. You must make sure your waste fits within the relevant waste code and description.

Waste code	Type of waste
160103	End-of-life tyres
191204	Shredded or granulated end-of-life tyres only

Amount of waste you can treat

You can store or treat 60 tonnes of truck tyres or 40 tonnes of any other tyres over any 7-day period.

Key conditions

You can treat end-of-life tyres under this exemption, by:

- granulating
- baling
- peeling
- shaving
- shredding

- re-treading

You can treat shredded or granulated end-of-life tyres by granulating (you must do this indoors).

You can clean tyres and separate them from wheel rims before further treatment.

Within the 7-day limit, you must store the tyres in piles no bigger than 10 tonnes with a gap as a fire break between each pile.

Other things you need to know

There are two relevant Publicly Available Specifications (PAS) for end-of-life tyres:

- [PAS 108 standard – specification for production of tyre bales for use in construction](#)
- [PAS 107 standard – specification for the manufacture and storage of size reduced tyre materials](#)

There is a Waste Quality Protocol for the use of waste derived rubber materials produced under [PAS 107 Waste Quality Protocols](#).

If you recover waste materials and sell them as products (recycled materials) rather than waste, you must comply with the [REACH \(Registration, Evaluation, Authorisation and Restriction of Chemicals\) Regulations](#)

Related exemptions

You can use end-of-life tyres that have been baled to PAS 108 standard under [U2 – Using baled end-of-life tyres in construction](#).

You can use granulated end-of-life tyres in horse manège under [U8 – Using waste for a specified purpose](#).

Where it is appropriate, you can use treated end-of-life tyres under [U9 – Using waste to manufacture finished goods](#).

Register a T8 exemption

You need to register this exemption with the Environment Agency if you will meet the requirements:

Register an exemption.

Related permits

If you want to treat more than the amount of waste allowed under this exemption, you must [apply for an environmental permit](#).

Summary

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Appendix 10 High Level Implementation Plan - Enhanced checks for waste pneumatic tyres

24 June 2025

Context

We have conducted an internal review of our regulatory powers, and our understanding of the legal framework related to the export of waste pneumatic tyres, specifically to India. This implementation plan outlines our proposed approach for how the most significant recommendation that has been identified could be delivered. This recommendation is significant because it will change our regulatory approach regarding waste tyre exports.

About recommendation

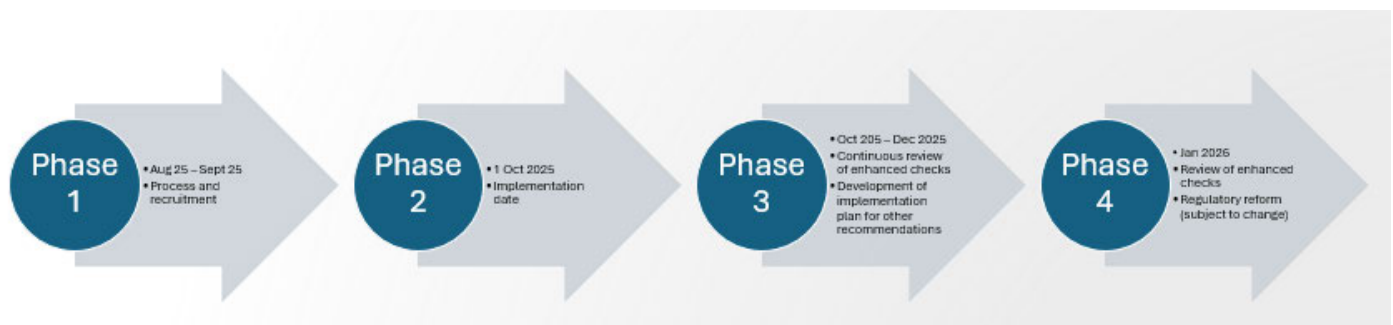
The action that has been proposed, is for us to implement enhanced verification checks on all movements of waste pneumatic tyres to India. There are on average between 200,000 – 400,000 tonnes per annum of waste pneumatic tyres shipped to India. Shipments of waste pneumatic tyres will be held until such time that we have confidence that the pneumatic tyres will be handled in an environmentally sound manner throughout the period of shipment, be received at the intended destination, and will be recovered or recycled to ESM standards that are broadly equivalent to those in the UK.

This confidence will be assured through the provision of additional documentation by the person arranging the shipment (the exporter) and / or by the competent authority in the destination country.

Where this information is not provided, the shipment will be stopped, and the exporter will have the opportunity to identify an alternative facility or return the waste to a facility agreed with us.

Through this approach, we will build up an enhanced database of approved destination recovery facilities in India, which will help to provide us with reason to believe that exports of waste pneumatic tyres are being recovered in an environmentally sound way.

Timeline



Phase 1: 1 Aug 2025 – 30 Sept 2025

Following the publishing of the outcome report on 31 July 2025, phase one will begin.

Phase 1 will focus on staff recruitment and training of the team that will be conducting the activity. Activities to finalise the process changes required to deliver the work will also take place. This phase will deliver:

- Finalise funding for resource to conduct activity
- Recruitment of staff to deliver enhanced checks.
- Training / onboarding of new starters.
- Finalise process changes to support change of work.
- Develop intelligence and data regarding exporters of waste pneumatic tyres.

Phase 2: 01 Oct 2025

Phase 2 will be the planned 'go live' date for the enhanced checks taking effect. Activities within this phase will include:

- Data will be requested from all exporters of waste pneumatic tyres to India.
- Data will be processed, and further information will be requested to assist us in determining whether sites meet broadly equivalent standards for ESM.
- We will intervene and prohibit shipments where ESM under Article 49 cannot be confirmed.

Phase 3: 01 Oct 2025 – 31 Dec 2026

Phase 3 outlines how we will work through the other recommendations identified by the internal review. During this period, a continuous review of how the enhanced checks are performing would take place, to ensure this process is effective. This phase would include:

- A continuous review of the enhanced checks.
- An implementation plan for the additional recommendations to be developed and completed by 31 December 2025 (for recommendations where there is an evidence base to do so), which includes timelines for expected delivery.

Phase 4: 2026 onwards

Phase 4 concerns our plan for Regulatory Reform related to Article 18 wastes. This timetable is subject to amendment and may include:

- Implementation of charges for Article 18 shipments.
- Use learning from the enhanced checks for waste pneumatic tyres to inform regulatory activities across the suite of other Article 18 movements.
- Building an efficient, effective regulatory framework for Article 18 wastes.

Summary

We are working to ensure that we are meeting our obligations under the UK Waste Shipment Regulations and the Transfrontier Shipment of Waste Regulations.

To do this, and ensure that any changes are proportionate, sustainable, and effective, we will look to follow a phased approach to implementation against the recommendations identified through the internal review.

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