

## **State Agency for Environment, Nature Conservation and Geology Mecklenburg-Vorpommern**

### **Information on the Export of Scrap Tyres**

This information is intended for companies and persons who are exporting used tyres from Mecklenburg-Vorpommern or selling them for purposes of export.

#### **Distinction used product / scrap tyres**

For the release of scrap tyres from the waste laws, the producer/holder of the waste must state and appropriately prove the fulfilment of the legal requirements of § 5 of the Closed Cycle Management Act (Kreislaufwirtschaftsgesetz). In the event of inspections of trans-boundary transports, the competent authorities can demand proofs that the used tyres are a product and not waste = scrap tyres (Art. 50 Para. 4a of the Regulation (EC) No. 1013/2006 on Shipments of Waste).

Used tyres are not considered waste if they fulfill the following criteria:

- The tyres are guaranteed to be used immediately for the original purpose.
- The tyres have a minimum tread of 1.6 mm.
- The tyres exhibit no visible damages or deformations.
- There is no visible brittleness.
- The tyres are not older than ten years.
- The tyres are properly stored and transported (stacked, packed, labelled, etc.)
- Invoices/contracts (copies) are available confirming the quantity and size of the tyres, as well as their full functionality and use as product.
- The tyres are tripled at most (that is, packages of more than three tyres are not permitted).
- Additionally, for tripled/doubled tyres:
  - Certificates (copies) proving that all the tyres intended for shipment have been tested and verified to be functional and safe in accordance with German law before being tripled/doubled (exception: not required for certified waste management companies (Entsorgungsfachbetriebe))
  - Table listing the tyre sizes fit into one another in each package
  - Proof that the tyres have been tripled/doubled without damage

This proof is considered as having been provided insofar as the requirements for damage-free tripling/doubling of the tyres in the “Decision of the BRV Scrap Tyre Disposal Contractor Working Group of March 2012 Concerning the Requirements for Damage-Free Tripling/Doubling of Scrap Tyres for Purposes of Transport” (“Beschluss des BRV-Arbeitskreises Altreifenentsorger vom März 2012 bezüglich der Anforderungen an eine schadenfreie Triplierung/Duplierung von Altreifen zum Zwecke des Transports”) of the German Tyre Retailer and Vulcanisation Trade Association (BRV) are observed (download at: [http://www.brw-bonn.de/fileadmin/user\\_upload/pdf/Altreifenentsorger/Schadenskatalog-komplett.pdf](http://www.brw-bonn.de/fileadmin/user_upload/pdf/Altreifenentsorger/Schadenskatalog-komplett.pdf)).

The permissible tyre sizes for tripling/doubling are presented on page 36 of the BRV guidelines. In the event of deviations from these requirements, proof that the tripling/doubling involved no damage must be provided by submitting an appropriate assessment for each specifically chosen procedure. The framework conditions for an assessment of this nature must be coordinated with the State Agency beforehand.

If one of these criteria is not met, waste subject to waste laws must be assumed. Even tyres intended to be fully re-treaded are considered waste.

### **Transboundary shipment of scrap tyres**

Scrap tyres are not considered hazardous waste in the EU (EWL 16 01 03). They are listed under Basel Code B3140 in Annex II of the Regulation (EC) No. 1013/2006 on Shipments of Waste (so-called "green" listed waste).

The transboundary shipment of scrap tyres for recycling is subject in the EU to the general information obligations in accordance with Article 18 of Regulation (EC) No. 1013/2006. This means that a prescribed form must be carried along with each transport (see Annex VII of Regulation (EC) No. 1013/2006). Furthermore, the person who arranges the shipment and the consignee must conclude a contract with specific duties before the shipment starts.

Special rules apply when scrap tyres are exported out of the EU (in particular, Regulation (EC) No. 1418/2007). These can make a notification (= approval procedure) necessary or entirely prohibit the shipment.

Note: an illegal shipment of waste can be liable to prosecution (§ 18 a/b Abfallverbringungsgesetz).

### **Competent waste shipment authority**

The State Agency for Environment, Nature Conservation and Geology in Güstrow is competent for enforcing Regulation (EC) No. 1013/2006 on Shipments of Waste and the German Waste Shipment Act (Abfallverbringungsgesetz) in the Federal State of Mecklenburg-Vorpommern (§ 2 No. 26 of the Waste Competence Ordinance M-V (Abfall-Zuständigkeitsverordnung M-V)). This also applies to decisions regarding the waste status of scrap tyres in the event of intended or accomplished transboundary shipments.

If you have any questions, feel free to contact us:

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