FAQ – cross-border shipments of waste for Saxony-Anhalt

Foreword: Waste shipment law, based on the European Waste Shipment Regulation, regulates the requirements for cross-border shipments of waste throughout the EU and directly. Because of its cross-border nature and its complex design, it is an area of increased activity for all parties involved. The purpose of this FAQ is to answer basic procedural questions and to provide specific guidance for Saxony-Anhalt in the context of international waste shipments, in order to make it easier for all those involved in cross-border shipments of waste to act correctly and in a targeted manner.

Currently, the waste shipment law is subject to a profound change. The present FAQ relates to the legal situation in force until 20 May 2026 under the Waste Shipment Regulation (Regulation (EC) No 1013/2006). Some guidance on the amended Waste Shipment Regulation (Regulation (EU) 2024/1157) can be found at the end of the FAQ.

General

Which authority in Saxony-Anhalt is responsible for cross-border shipments of waste?

In Saxony-Anhalt, the *Landesverwaltungsamt Sachsen-Anhalt (LVwA)* is normally the competent authority for cross-border waste shipments. Depending on the case, the LVwA is the competent authority of dispatch (waste exported from Saxony-Anhalt) or the competent authority of destination (wastes are imported into Saxony-Anhalt).

Landesverwaltungsamt Sachsen-Anhalt

Address: Dessauer Straße 70, 06118 Halle (Saale)

Referat Kreislauf- und Abfallwirtschaft, Bodenschutz

https://lvwa.sachsen-anhalt.de/das-lvwa/landwirtschaft-umwelt/kreislauf-und-abfallwirtschaft-bodenschutz

The *Landesamt für Geologie und Bergwesen Sachsen-Anhalt (LAGB)* is responsible for deciding on the disposal of waste in underground landfills or for the purpose of using waste to stabilize former mining sites in Saxony-Anhalt.

Landesamt für Geologie und Bergwesen Sachsen-Anhalt

Address: An der Fliederwegkaserne 13, 06130 Halle (Saale)

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Is there any other legislation on waste shipment law in Germany?

Yes, in addition to the Waste Shipment Regulation, the Waste Shipment Act (*Abfallverbringungsgesetz - AbfVerbrG)* is relevant in Germany: https://www.gesetze-im-internet.de/abfverbrg_2007/

In addition, the LAGA M25 provides enforcement aid: https://www.laga-online.de/Publikationen-50-Mitteilungen.html would be appreciated.

Further legal information and the underlying international agreements can be found on the website of the Federal Environment Agency (*Umweltbundesamt - UBA*): https://www.umweltbundesamt.de/themen/abfall-ressourcen/grenzueberschreitende-abfallverbringung/rechtliche-grundlagen-der-grenzueberschreitenden

The procedure of prior written notification and consent (notification procedure)

The notification procedure is a permit procedure to verify shipments of waste subject to notification by all competent authorities concerned prior to the actual shipment. Depending on the "direction" of the shipment (import or export), different requirements need to be met.

Where do I know if waste needs to be shipped subject to notification?

The obligation to notify arises from Article 3(1) of Regulation (EC) No 1013/2006.

Who submits a notification request?

In principle, the notification application is submitted to the competent authority of dispatch by the notifier (the definition of notifier can be found in Article 2(15) of Regulation (EC) No 1013/2006). However, if waste is to be shipped across borders to Saxony-Anhalt, it is recommended that the necessary scope of the notification documents be agreed with the applicant/notifier in advance in order to avoid any requests for missing information.

What documents should be submitted with the notification application?

The document '*Angaben und Unterlagen im Notifizierungsverfahren'* is available on the website of the LVwA.
You can find the document here in German and English: https://lvwa.sachsen-anhalt.de/das-lvwa/landwirtschaft-umwelt/kreislauf-und-abfallwirtschaft-bodenschutz/abfallrechtliche-nachweisverfahren

In principle, the scope of the documents to be submitted is based on the requirements of Annex II to Regulation (EC) No 1013/2006.

Since the documents under Regulation (EC) No 1013/2006 are still to be submitted on paper, they should be submitted in accordance with the structure of Annex II to Regulation (EC) No 1013/2006.

Can I submit copies of documents, or do I have to submit originals? Can documents be signed electronically?

The notification document must be submitted in the original with a handwritten signature in box 17. Documents relating to the financial guarantee (bank guarantees or insurance) must also be submitted either in the original with a handwritten signature or with a facsimile signature.

What should be taken into account when compiling the application documents?

All information shall be related to the specific notification request. Information provided in the notification request should be complementary and not contradictory (e.g. information on the transport route and border crossing points).

The submitted documentation should provide specific information on the waste and its intended disposal, in particular:

- Description of the generation of the waste;
- Information on the composition of the waste, usually accompanied by a chemical analysis and the associated sampling protocol;
- Information on the disposal of the waste, including a precise description of all interim and non-interim operations.

If a financial guarantee must be lodged in accordance with Article 6 of Regulation (EC) No 1013/2006 (in the case of exports of waste from Saxony-Anhalt, where appropriate as part of a provisional notification for the non-interim route of disposal and, where appropriate, the import of waste into the Union), current offers must be submitted for the transport, alternative disposal of the waste, including all necessary interim operations, and storage of the waste for 90 days. More detailed information can be found in the document '*Angaben und Unterlagen im Notifizierungsverfahren*' (link: https://lvwa.sachsen-anhalt.de/das-lvwa/landwirtschaft-umwelt/kreislauf-und-abfallwirtschaft-bodenschutz/abfallrechtliche-nachweisverfahren

As a general rule, chemical analyses should also be submitted as part of the notification. How old can they be?

The extent to which age affects the meaningfulness of an analysis depends on the waste. However, it is recommended that the a chemical analysis was carried out within the last 365 days at the time of submission of the notification request.

In the context of a new notification, which is identical in content to an existing or expired notification, must all documents be resubmitted or can I refer to existing documents?

As each notification is a separate application, which is independent of other notifications that may have already been submitted in the past, all the required documents must be submitted in full to the competent authority. A reference to documents of prior notification is not sufficient.

Can a notification be modified after consent, e.g. if another carrier is to be used?

Article 17 of Regulation (EC) No 1013/2006 lists a non-exhaustive list of significant changes which entail a review and, if necessary, a new (repeated) notification. The following are listed:

- Modification of the intended quantity,
- Change of transport route;
- Change of routing;
- Change in the date of shipment; or
- Change of carrier.

It is therefore advisable to carefully prepare a notification in advance in order to avoid a costly review of a subsequent amendment or, where appropriate, even repeated submission of the notification request.

Special

What is a pre-consent? What are the advantages of this?

The legal basis for the pre-consent is Article 14 of Regulation (EC) No 1013/2006. Pre-consent may be granted at the request of a recovery facility and is typically limited to 10 years. The LVwA or LAGB may give pre-consent only to installations in Saxony-Anhalt. Pre-consent shall be notified to the Commission.

When processing notification applications in a pre-consent facility, the deadlines within the notification procedure are shortened. In addition, the consent to a notification, which is normally limited to a maximum of one year, may be extended up to 3 years. This reduces the need for repeated applications after the end of a calendar year and allows for greater planning certainty for waste shipments over a longer period.

Are the decision on notification or other administrative acts under waste shipment law subject to a fee?

Yes, the decision on a notification application and other administrative acts related to the transboundary shipment of waste are subject to a fee. In Saxony-Anhalt, the corresponding charges are to be found under Number 2, Sections 10 *(Abfallverbringungsgesetz (AbfVerbrG))* and 20 (Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste) of the *Allgemeinen Gebührenordnung des Landes Sachsen-Anhalt* (AllGO LSA): https://landesrecht.sachsen-anhalt.de/bsst/document/jlr-GebOST2012rahmen would be appreciated.

Can a notification request be submitted electronically to the LVwA already now?

In accordance with the requirements of Regulation (EC) No 1013/2006, the notification procedure as such must still be carried out in paper form.

However, if additional information or documents are requested by the LVwA as part of the review of a notification application, they can normally be sent by e-mail. The exception here is documents which must be submitted in the original (with a handwritten signature). If documents are needed in original form the authority will state this in the letter requesting additional information.

However, the movement documents to be completed in the course of the cross-border shipment can already be sent electronically via the electronic waste identification procedure (eANV) or by e-mail to the LVwA.

The amended Waste Shipment Regulation (Regulation (EU) 2024/1157)

When will the amended Waste Shipment Regulation apply?

The core content of the amended Regulation (EU) 2024/1157 applies from 21 May 2026.

Does the amended Waste Shipment Regulation change the notification procedure?

The amended Regulation (EU) 2024/1157 amends both the basic condition for cross-border shipments of waste (e.g. a fundamental ban on shipments of waste for disposal) and the procedure itself. In future, the notification procedure is to be conducted entirely electronically.

Further guidance can be found, inter alia, on the websites of the Ministry of Science, Energy, Climate Protection and the Environment of Saxony Anhalt (MWU) and the Federal Ministry for the Environment, Climate Protection, Nature Conservation and Nuclear Safety (BMUKN).

Page of the MWU: https://mwu.sachsen-anhalt.de/umwelt/kreislaufwirtschaft/abfallverbringung

BMUKN page: https://www.bmuv.de/gesetz/verordnung-eu-2024-1157-ueber-die-verbringung-von-abfaellen