

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 30th March, 2010

S.O. 710(E).—In exercise of the powers conferred by sections 6,8, and 25 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby makes the following rules further to amend the Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2008, namely:-

1. (1) These rules may be called the Hazardous Wastes (Management, Handling and Transboundary Movement) Third Amendment Rules, 2010.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2008 (hereinafter referred to as the said rules), in rule 3, sub-rule (1), after clause (r), the following clause shall be inserted, namely,-

“(ra) other wastes:- wastes specified in Part D of Schedule III shall not be Hazardous waste unless they possess any of the Hazardous characteristics specified in Part C of the Schedule in respect of import or export of such wastes in accordance with rules 12,13 and 14”

3. In the said rules, in Chapter III, in rule 8, after sub-rule (7), the following sub-rules shall be inserted, namely:-

“(8) Every trader desirous of import of Metal scrap, paper waste and other wastes as listed in Schedule III (Part D) may make an application in Form 16 to any of the State Pollution Control Boards or Pollution Control Committees.

(9) The State Pollution Control Boards or Pollution Control Committees will register the trader on a one time basis and registration would be considered as deemed if not objected to within a period of 30 days.

(10) The registered trader shall be required to submit details of such import and particulars of the actual users along with quantities to the concerned State Pollution Control Board or Pollution Control Committees on a quarterly basis and registration would be liable for cancellation on failure to furnish these details to the State Pollution Control Boards or Pollution Control Committees:

Provided that the registration granted to the trader shall not be cancelled unless he has been given a reasonable opportunity of hearing.

(11) An appeal shall lie against any order of suspension or cancellation or refusal of registration passed by the Member-Secretary of the State Pollution Control Board or Pollution Control Committees or any other officer designated by the State Pollution Control Boards or Pollution Control Committees as laid down in rule 26 of the said rules.

(12) The appeal shall be in writing and shall be accompanied with a copy of the order appealed against and shall be made within period of thirty days from the date of passing of the order”.

4. In the said rules, in rule 16,-

(a) in the proviso to sub-rule (5),

(i) for the words “hazardous waste”, the words “Metal scrap, paper waste and other wastes”;

(ii) for the word and letter “Part B”, the word and letter “Part D” shall be substituted;

(b) in sub-rule (6A),

(i) for the words “hazardous waste”, the words “Metal scrap, paper waste and other waste”;

(ii) for the word and letter “Part B”, the word and letter “Part D” shall be substituted.

5. In the said rules, in schedule III, for the existing table under Part ‘B’, the following table shall be substituted, namely:-

“PART B

List of Hazardous Wastes applicable for Import and Export not requiring Prior Informed Consent

[Annex IX of the Basel Convention]

Basel No.	Description of Wastes
B1	Metal and metal-bearing wastes
B1010	Metal and metal-alloy wastes in metallic, non-dispersible form:

	- Thorium scrap
	- Rare earths scrap
B1020	Clean, uncontaminated metal scrap, including alloys, in bulk finished form (sheet, plates, beams, rods, etc.) , of:
	- Antimony scrap****
	- Cadmium scrap
	- Lead scrap (excluding lead acid batteries)
	- Tellurium scrap****
B1030	Refractory metals containing residues****
B1031	Molybdenum, tungsten, titanium, tantalum, niobium and rhenium metal and metal alloy wastes in metallic dispersible form (metal powder), excluding such wastes as specified in list A under entry A1050, Galvanic sludges****
B1060	Waste selenium and tellurium in metallic elemental form including powder****
B1070	Waste of copper and copper alloys in dispersible form, unless they contain any of the constituents mentioned in Schedule 2 to the extent of concentration limits specified therein***
B1080	Zinc ash and residues including zinc alloys residues in dispersible form unless they contain any of the constituents mentioned in Schedule 2 to the extent of concentration limits specified therein***
B1090	Waste batteries conforming to a standard battery specification, excluding those made with lead, cadmium or mercury.****
B1100	Metal bearing wastes arising from melting, smelting and refining of metals:
	Slags from copper processing for further processing or refining containing arsenic, lead or cadmium***
	- Wastes of refractory linings, including crucibles, originating from copper smelting
	Tantalum-bearing tin slags with less than 0.5% tin****
B1110	Electrical and electronic assemblies
	- Electronic assemblies consisting only of metals or alloys****
	- Waste electrical and electronic assemblies scrap (including printed circuit boards) not containing components such as accumulators and other batteries included on list A, mercury-switches, glass from cathode-ray tubes and other activated glass and PCB-capacitors, or not contaminated with constituents such as cadmium, mercury, lead, polychlorinated biphenyl) or from which these have been removed, to an extent that they do not possess any of the constituents mentioned in Schedule 2 to the extent of concentration limits specified therein ****
	- Electrical and electronic assemblies (including printed circuit boards, electronic components and wires) destined for direct reuse and not for recycling or final disposal.

B1120	<p>Spent catalysts excluding liquids used as catalysts, containing any of:</p> <p>Transition metals, excluding waste catalysts (spent catalysts, liquid used catalysts or other catalysts) on list A:</p> <table border="0"> <tr><td>Scandium</td><td>Titanium</td></tr> <tr><td>Vanadium</td><td>Chromium</td></tr> <tr><td>Manganese</td><td>Iron</td></tr> <tr><td>Cobalt</td><td>Nickel</td></tr> <tr><td>Copper</td><td>Zinc</td></tr> <tr><td>Yttrium</td><td>Zirconium</td></tr> <tr><td>Niobium</td><td>Molybdenum</td></tr> <tr><td>Hafnium</td><td>Tantalum</td></tr> <tr><td>Tungsten</td><td>Rhenium</td></tr> </table> <p>Lanthanides (rare earth metals):</p> <table border="0"> <tr><td>Lanthanum</td><td>Cerium</td></tr> <tr><td>Praseodymium</td><td>Neodymium</td></tr> <tr><td>Samarium</td><td>Europium</td></tr> <tr><td>Gadolinium</td><td>Terbium</td></tr> <tr><td>Dysprosium</td><td>Holmium</td></tr> <tr><td>Erbium</td><td>Thulium</td></tr> <tr><td>Ytterbium</td><td>Lutetium</td></tr> </table>	Scandium	Titanium	Vanadium	Chromium	Manganese	Iron	Cobalt	Nickel	Copper	Zinc	Yttrium	Zirconium	Niobium	Molybdenum	Hafnium	Tantalum	Tungsten	Rhenium	Lanthanum	Cerium	Praseodymium	Neodymium	Samarium	Europium	Gadolinium	Terbium	Dysprosium	Holmium	Erbium	Thulium	Ytterbium	Lutetium
Scandium	Titanium																																
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Manganese	Iron																																
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Copper	Zinc																																
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Gadolinium	Terbium																																
Dysprosium	Holmium																																
Erbium	Thulium																																
Ytterbium	Lutetium																																
B1130	Cleaned spent precious metal bearing catalysts																																
B1140	Precious metal bearing residues in solid form which contain traces of inorganic cyanides																																
B1150	Precious metals and alloy wastes (gold, silver, the platinum group) in a dispersible form																																
B1160	Precious-metal ash from the incineration of printed circuit boards (note the related entry on list A A1150)																																
B1170	Precious metal ash from the incineration of photographic film																																
B1180	Waste photographic film containing silver halides and metallic silver																																
B1190	Waste photographic paper containing silver halides and metallic silver																																
B1200	Granulated slag arising from the manufacture of iron and steel																																
B1210	Slag arising from the manufacture of iron and steel including slag as a source of Titanium dioxide and Vanadium																																
B1220	Slag from zinc production, chemically stabilized, having a high iron content (above 20%) and processed according to industrial specifications mainly for construction																																
B1240	Copper Oxide mill-scale***																																
B2	Wastes containing principally inorganic constituents, which may contain metals and organic materials																																

B2010	Wastes from mining operations in non-dispersible form:
	- Natural graphite waste
	- Slate wastes
	- Mica wastes
	- Leucite, nepheline and nepheline syenite waste
	- Feldspar waste
	- Fluorspar waste
	- Silica wastes in solid form excluding those used in foundry operations
B2020	Glass wastes in non-dispersible form:
	- Glass Culletts and other wastes and scrap of glass except activated glass culletts from cathode ray tubes and other activated glasses
B2030	Ceramic wastes in non-dispersible form:
	Cermet wastes and scrap (metal ceramic composites)
	- Ceramic based fibres
B2040	Other wastes containing principally inorganic constituents:
	- Partially refined calcium sulphate produced from flue gas desulphurisation (FGD)
	- Waste gypsum wallboard or plasterboard arising from the demolition of buildings
	- Sulphur in solid form
	- Limestone from production of calcium cyanamide (pH<9)
	- Sodium, potassium, calcium chlorides
	- Carborundum (silicon carbide)
	- Broken concrete
	- Lithium tantalum & Lillium-niobium containing glass scraps
B2060	Spent activated carbon resulting from the treatment of potable water and processes of the food industry and vitamin production (note the related entry on list A A4160)
B2070	Calcium fluoride sludge
B2080	Waste gypsum arising from chemical industry processes unless it contains any of the constituents mentioned in Schedule 2 to the extent of concentration limits specified therein
B2090	Waste anode butts from steel or aluminium production made of petroleum coke or bitumen and cleaned to normal industry specifications (excluding anode butts from chlor alkali electrolyses and from other metallurgical industry)
B2100	Waste hydrates of aluminum and waste alumina and residues from alumina production, arising from gas cleaning, flocculation or filtration process
B2110	Bauxite residue ("red mud") (pH moderated to less than 11.5)

B2120	Waste acidic or basic solutions with a pH greater than 2 and less than 11.5, which are not corrosive or otherwise hazardous (note the related entry on list A A4090)
B3	Wastes containing principally organic constituents, which may contain metals and inorganic materials
B3010	<p>Solid plastic waste The following plastic or mixed plastic waste, provided they are not mixed with other wastes and are prepared to a specification:</p> <p>- Scrap plastic of non-halogenated polymers and copolymers, including but not limited to the following:</p> <p>Ethylene</p> <p>Styrene</p> <p>Polypropylene</p> <p>polyethylene terephthalate</p> <p>Acrylonitrile</p> <p>Butadiene</p> <p>Polyacetals</p> <p>Polyamides</p> <p>polybutylene tere-phthalate</p> <p>Polycarbonates</p> <p>Polyethers</p> <p>polyphenylene sulphides</p> <p>acrylic polymers</p> <p>alkanes C10-C13 (plasticiser)</p> <p>polyurethane (not containing CFC's)</p> <p>Polysiloxanes</p> <p>polymethyl methacrylate</p> <p>polyvinyl alcohol</p> <p>polyvinyl butyral</p> <p>Polyvinyl acetate</p> <p>- Cured waste resins or condensation products including the following:</p> <p>urea formaldehyde resins</p> <p>phenol formaldehyde resins</p> <p>melamine formaldehyde resins</p> <p>epoxy resins</p> <p>alkyd resins</p> <p>polyamides</p> <p>- The following fluorinated polymer wastes (excluding post-consumer wastes):</p> <p>Perfluoroethylene/ propylene</p> <p>Perfluoroalkoxy alkane</p> <p>Metafluoroalkoxy alkane</p>

	polyvinylfluoride
	polyvinylidene fluoride
B3130	Waste polymer ethers and waste non-hazardous monomer ethers incapable of forming peroxides
B3140	Waste pneumatic tyres, excluding those which do not lead to resource recovery, recycling, reclamation or direct reuse
B4	Wastes which may contain either inorganic or organic constituents
B4010	Wastes consisting mainly of water-based/latex paints, inks and hardened varnishes not containing organic solvents, heavy metals or biocides to an extent to render them hazardous (note the related entry on list A A4070)
B4020	Wastes from production, formulation and use of resins, latex, plasticizers, glues/adhesives, not listed on list A, free of solvents and other contaminants to an extent that they do not exhibit Part C of Schedule 3 characteristics
B4030	Used single-use cameras, with batteries not included on list A.”;

6. In the said rules, in Schedule III, after Part C, the following Part shall be inserted, namely.-

“PART D

Part D: list of Metal scrap, paper waste and other wastes applicable for import/export.

Basel No.	Description of wastes
B1	Metal and metal- bearing wastes
B1010	Metal and metal-alloy wastes in metallic, non dispersible form:
	- Precious metals (gold, silver, platinum) **
	-Iron and steel scrap **
	-Nickel scrap **
	-Aluminium scrap **
	- Zinc scrap**
	-Tin scrap**
	-Tungsten scrap **
	-Molybdenum scrap **
	- Tantalum scrap **
	- Cobalt scrap **
	- Bismuth scrap **
	- Titanium scrap **
	- Zirconium scrap **
	- Manganese scrap **
	- Germanium scrap **
	- Vanadium scrap **

	- Hafnium scrap **
	- Indium scrap **
	- Niobium scrap **
	- Rhenium scrap **
	- Gallium scrap **
	- Magnesium scrap **
	- Copper scrap **
	- Chromium scrap **
B1040	Scrap assemblies from electrical power generation not contaminated with lubricating oil, PCB or PCT to an extent to render them hazardous**
B1050	Mixed non-ferrous metal, heavy fraction scrap, not containing any of the constituents mentioned in Schedule II to the extent of concentration limits specified therein**
B1100	Metal bearing wastes arising from melting, smelting and refining of metals except:
	- Hard Zinc Spelter **
	- Zinc containing drosses **
	- Galvanizing slab zinc top dross (>90% Zn)
	- Galvanizing slab zinc bottom dross (>92% Zn)
	- Zinc die casting dross (>85% Zn)
	- Hot dip galvanizers slab zinc dross (batch) (>92% Zn)
	- Zinc skimmings (>90%Zn)
	- Slags from precious metals processing for further refining **
	- Aluminium skimming's (or skims) excluding salt slag **
B1230	Mill scaling arising from manufacture of iron and steel**
B3020	Paper, paperboard and paper product wastes** The following materials, provided they are not mixed with hazardous wastes: Waste and scrap of paper or paperboard of: <ul style="list-style-type: none"> • Unbleached paper or paperboard or of corrugated paper or paperboard • Other paper or paperboard, made mainly of bleached chemical pulp, not coloured in the mass • Paper or paperboard made mainly of mechanical pulp (for example, newspapers, journals and similar printed matter) • Other, including but not limited to 1) laminated paperboard 2) unsorted scrap

This list is based on Annex. IX of the Basel Convention on Transboundary Movement of Hazardous Wastes and comprises of wastes not characterized as hazardous under Article -I of the Basel Convention.;

7. In the said rules, after Form 15, the following Form shall be inserted, namely.-

“Form 16

FORM FOR REGISTRATION OF TRADERS FOR SCHEDULE III, PART (D).

[To be submitted by trader to the State Pollution Control Boards/Pollution Control Committees]

1	Name and Address of the Trader with Telephone and Fax Numbers (With proof).
2	TIN/VAT Number/Import Export Code
3	Description of the waste to be imported
4	Details of storage ,if any

Signature of the authorized person.”

Place

Date.....

[F. No. 23-27/2006-HSMD]
RAJIV GAUBA, Jt. Secy.

Note.— The principal rules were published in the Gazette of India, Extraordinary vide notification number S.O. 2265 (E), dated the 24th September, 2008, subsequently amended vide number S.O. 1799 (E), dated the 21st July, 2009 and S.O.2447 (E), dated the 23rd September, 2009.