

[To be published in the Gazette of India, Extraordinary, Part-II, Section-3, Sub-section (ii) dated the 28 September 2007]

**Government of India
MINISTRY OF ENVIRONMENT AND FORESTS
NOTIFICATION**

New Delhi, the 28 September 2007

S.O. 1676 (E) WHEREAS by notification of the Government of India in the Ministry of Environment and Forests Hazardous Wastes (Management and Handling) Rules, 1989, vide, S.O. 594(E) dated the 28th July 1989 as amended from time to time imposed restrictions and prescribed procedures for management, handling and disposal of hazardous wastes.

AND WHEREAS, the Central Government considers it necessary in the public interest and to address sustainable development concerns, to review the rules published earlier, to enable the recovery and/or reuse of useful materials from hazardous materials generated from a process, thereby, reducing the hazardous wastes destined for final disposal and to ensure the environmentally sound management of all hazardous materials.

DRAFT RULES

AND WHEREAS the following draft rules, which the Central Government proposes to make in exercise of the powers conferred in clause (c) and (d) of sub-section (2) of sections 6, 8 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), and in supersession of the Hazardous Wastes (Management and Handling) Rules, 1989, is hereby published for information of the public likely to be affected thereby; and notice is hereby given that the said draft rules will be taken into consideration by the Central Government after expiry of a period of sixty days from the date of publication of this notification in the Official Gazette;

The objections or suggestions which may be received from any person in respect of the said draft rules before the period specified will be taken into consideration by the Central Government.

Any person desirous of making any objection or suggestion with respect to the said draft rules may forward the same within the period so specified to the Secretary, Ministry of Environment and Forests, Paryavaran Bhawan, Central Government Offices Complex, New Delhi-110003.

CHAPTER - I

PRELIMINARY

1. Short title and commencement.- (1) These rules may be called the Hazardous Materials (Management, Handling and Transboundary Movement) Rules, 2007.

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

2. Application.- These rules shall apply to the handling of hazardous materials or wastes as specified in Schedules and shall not apply to-

(a) Waste-water and exhaust gases as covered under the provisions of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) and the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981) and rules made thereunder;

(b) Wastes arising out of the operation from ships beyond five kilometres of the relevant baseline as covered under the provisions of the Merchant Shipping Act, 1958 (44 of 1958) and the rules made thereunder;

(c) Radio-active wastes as covered under the provisions of the Atomic Energy Act, 1962 (33 of 1962) and rules made thereunder;

(d) Bio-medical wastes covered under the Bio-Medical Wastes (Management and Handling) Rules, 1998 made under the Act;

(e) Wastes covered under the Municipal Solid Wastes (Management and Handling) Rules, 2000 made under the Act;

3. Definitions.- (1) In these rules, unless the context otherwise requires, -

(a) "Act" means the Environment (Protection) Act, 1986 (29 of 1986);

(b) "Basel Convention" is the United Nations Environment Programme (UNEP) Convention on the Control of Transboundary Movement of Hazardous Wastes and their Disposal;

(c) "Central Pollution Control Board" means the Central Pollution Control Board constituted under sub-section (1) of section 3 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974);

(d) "disposal" means treatment and deposition of any hazardous wastes on land;

(e) "export" with its grammatical variations and cognate expressions, means taking out of India to a place outside India:

- (f) "exporter" means any person under the jurisdiction of the exporting country who exports hazardous materials including the country, who exports hazardous materials;
- (g) "environmentally sound management of hazardous materials or wastes" means taking all steps required to ensure that the hazardous materials or wastes are managed in a manner which shall protect health and the environment against the adverse effects which may result from such materials;
- (h) "environmentally sound technologies" means any technology approved by the Central Pollution Control Board and included in its guidelines from time to time;
- (i) "facility" means any location wherein the processes incidental to the generation, collection, reception, treatment, storage and disposal of hazardous wastes are carried out;
- (j) "Form" means a form appended to these rules;
- (k) "hazardous materials" means any material which conform to one or more criteria set forth in Schedule I or contains or contaminated with hazardous constituents listed in Schedule II exceeding the concentration limits indicated therein;
- (l) "hazardous waste" means any waste which are destined for final disposal and conform to one or more criteria set forth in Schedule I or contains or contaminated with hazardous constituents listed in Schedule II exceeding the concentration limits indicated therein;
- (m) "hazardous wastes site" means a place for collection, reception, treatment, storage and disposal to the environment of hazardous wastes which has been duly approved by the competent authority;
- (n) "illegal traffic" means any transboundary movement of hazardous wastes as specified in rule 15;
- (o) "import" with its grammatical variations and cognate expressions, means bringing into India from a place outside India;
- (p) "importer" means an occupier or any person who imports hazardous materials;
- (q) "license" means a written or printed permission granted by the Central Government in the Ministry of Environment and Forests or an authority designated by it for this purpose;

- (r) "manifest" means transporting document prepared and signed by the occupier in accordance with rule 7;
- (s) "occupier" in relation to any factory or premises, means a person who has, control over the affairs of the factory or the premises and in relation of any substance, the person in possession of the substance;
- (t) "operator of facility" means a person who owns or operates a facility for collection, reception, treatment, storage or disposal of hazardous wastes;
- (u) "recycler" means an occupier who procures and processes hazardous materials for recovery;
- (v) "recycling" means reclamation and reprocessing of hazardous materials from a production process in an environmentally sound manner for the original purpose or for other purposes.
- (w) "reuse" means hazardous materials that are used for the purpose for its original use or another use.
- (x) "registered recycler or re-refiner or reuser" means a recycler or re-refiner or reuser registered for reprocessing hazardous material with the Central Government in the Ministry of Environment and Forests or the Central Pollution Control Board, as the case may be, for recycling or reprocessing hazardous materials;
- (y) "recovery" means to any operation in the recycling activity wherein specific materials are recovered;
- (z) "safe for recycling" means any hazardous material not containing hazardous constituents more than sixty percent of the recoverable materials and recycled using environmentally sound technologies;
- (za) "Schedule" means a Schedules appended to these rules;
- (zb) "State Government" in relation to a Union territory means, the Administrator thereof appointed under article 239 of the Constitution;
- (zc) "State Pollution Control Board or Committee" means the Board or Committee constituted under sub-section (1) of section 4 of the Water(Prevention and Control of Pollution) Act, 1974 (6 of 1974);
- (zd) "State of transit" means any State, other than the State of export or import, through which a movement of hazardous wastes or other wastes is planned or takes place;

- (ze) "storage" means storing any hazardous materials in a licensed storage facility for a temporary period, at the end of which such materials are processed;
 - (zf) "transboundary movement" means any movement of hazardous materials or wastes or other wastes from an area under the jurisdiction of one country to or through an area under the jurisdiction of another country or to or through an area not under the jurisdiction of any country, provided at least two countries are involved in the movement;
 - (zg) "transport" means off-site movement of hazardous materials or wastes by air, rail, road or water;
 - (zh) "transporter" means a person engaged in the off-site transportation of hazardous materials by air, rail, road or water;
 - (zi) "treatment" means a method, technique or process, designed to modify the physical, chemical or biological characteristics or composition of any hazardous material so as to reduce its potential to cause harm;
 - (zj) "wastes" are materials which are disposed of, or intended to be disposed of, or required to be disposed of, to the environment.
- (2) Words and expressions used in these rules and not defined but defined in the Act shall have the meanings respectively assigned to them in the Act.'

CHAPTER - II

IMPORT AND EXPORT OF HAZARDOUS MATERIALS

4. Transboundary movement (import and export) of hazardous materials.- The Ministry of Environment and Forests shall be the nodal Ministry to deal with the trans-boundary movement of all hazardous materials and to grant permission of transit of hazardous materials through any part of India.

5. Import and export hazardous wastes.- (1) Import of hazardous wastes from any country to India for disposal shall not be permitted.

(2) Export of hazardous wastes from India is allowed to an actual user of the wastes or operator of disposal facility with the Prior Informed Consent of the importing country to ensure environmentally sound management of the hazardous waste in question.

6. Import and export of hazardous material.- (1) The hazardous materials not listed as a hazardous waste in Part A and Part B of Schedule III, of these rules and which do not exhibit hazard characteristics specified in Part C of that

Schedule shall be allowed for imports to actual users licensed by Central Pollution Control Board for its reuse, recycling or reprocessing under these rules.

(2) The hazardous materials listed as hazardous wastes in Part A and B of Schedule III or which exhibit one or more hazard characteristics specified in Part C of that Schedule shall be regulated for imports and exports.

(3) All hazardous materials listed in Part B of Schedule III not containing or contaminated with hazardous materials specified in Part B of that Schedule and which exhibit one or more of the hazard characteristics specified in Part C of that Schedule are safe for recycling shall be free for import and export;

(4) All hazardous materials listed in Part B of Schedule III containing or contaminated with hazardous materials of Schedule I or Schedule II or Part A of Schedule III and which exhibit one or more hazard characteristics specified in Part C of Schedule III and are recyclable shall be allowed for imports for recycling by units having a valid license for recycling under rule 12 of these rules. Such import shall require a Prior Informed Consent in writing from the importing country's competent authority. All exports of such hazardous materials mentioned in sub-rules 4 shall also require Prior Informed Consent in writing for such exports.

(5) The import of hazardous materials listed in Part A and B of Schedule III which are containing or contaminated with hazardous materials and which exhibit one or more hazards characteristics specified in Part C of that Schedule and are not safe for recycling or reuse shall be considered as hazardous waste and shall not be permitted for imports in any circumstances.

(6) The Schedule IV containing "list of hazardous materials for recycling, reprocessing and reuse" is only an indicative list of hazardous materials suitable for recycling, reprocessing and reuse and in case any other hazardous material is proposed to be imported the Ministry of Environment and Forests shall determine whether the hazardous material is a waste, in that case the same shall not be allowed to be imported and in case the hazardous material is not a waste, it may be allowed in accordance with the provisions of these rules.

(7) The import of hazardous materials listed in Schedule V shall not be permitted.

7. Illegal Traffic.- (1) The export of hazardous wastes from India shall be deemed illegal:

- (i) if it is without permission of the Central Government; or
- (ii) if the permission has been obtained through falsification, misrepresentation or fraud; or
- (iii) it does not conform to the shipping details provided in the notification and movement document;

(2) Import of hazardous wastes shall not be permitted and any such import shall be treated as a case of illegal traffic.

(3) In case of illegal import of hazardous wastes the importer shall re-export the waste in question within a period of thirty days from the date of its arrival into India.

CHAPTER - III

PROCEDURES FOR IMPORT AND EXPORT OF HAZARDOUS MATERIALS

8. Procedure for export of hazardous wastes from India.- (1) An exporter shall communicate in Form 1 to the Central Government in the Ministry of Environment and Forests of the proposed transboundary movement of hazardous wastes together with the Prior Informed Consent in writing from the importing country and a legal bond or full cover insurance policy for the consignment.

(2) On receipt of such documentation, after authentication of the same, the Central Government shall give a 'No Objection Certificate' to the proposed export and may impose conditions as it may consider necessary.

(3) The Central Government, shall forward a copy of the 'No Objection Certificate' granted, to the Central Pollution Control Board, the concerned State Pollution Control Board, Pollution Control Committee of the UT and the concerned Port and Customs authorities for ensuring compliance of the conditions if any of export and to take appropriate steps for safe handling of the waste shipment.

(4) The exporter shall ensure that no consignment is shipped before the 'No Objection Certificate' is received.

(5) The exporter shall also ensure that the shipment is accompanied with the Movement Document, Form 2.

9. Procedure for Export of Hazardous materials requiring Prior Informed Consent. - (1) The exporter of hazardous material shall apply at least ninety days in advance in Form 1 to the Central Government in the Ministry of Environment and Forests, seeking permission for the proposed export and transboundary movement.

(2) The Central Government, on receipt of the Form 1 accompanied by Prior Informed Consent in writing from the importing country and a test report from an accredited laboratory of analysis of the hazardous material consignment in question shall, after due verification of the facts, grant permission for export by issuing 'No Objection Certificate' in Form-1.

(3) The exporter shall ensure that no consignment is shipped prior to the requisite authentication being received.

(4) The exporter shall also ensure that the shipping document is accompanied with Form 2, an authenticated copy of Form 1, 'No Objection Certificate' and an authenticated copy of the test report from an accredited laboratory of analysis of the hazardous material.

(5) The exporter of hazardous materials shall also submit a bond or an insurance certificate covering full third party liability during the transboundary movement.

(6) The exporter shall inform the Central Government in the Ministry of Environment and Forest upon completion of the transboundary movement.

10. Procedure for import of hazardous materials for recycling requiring Prior Informed Consent.- (1) Every recycler having valid license from Central Pollution Control Board to recycle hazardous materials and seeking permission to import such materials, shall apply to the State Pollution Control Board or Committee at least one hundred and twenty days in advance of the intended import in Form 1 & 3;

(2) The State Pollution Control Board shall forward the application with recommendations and requisite stipulations for safe transport, storage and processing, to the Central Government in the Ministry of Environment and Forests within a period of thirty days of receipt of the application;

(3) The Central Government after satisfying itself, that all relevant provisions of the rules are fulfilled, may grant 'No Objection Certificate' for the import and authenticate copy of Form 1 subject to the following:

- (i) the hazardous material in question is covered under Basel Convention;
- (ii) the importer submits a valid Prior Informed Consent letter along with authenticated copy of Form 1 from the concerned authority of the exporting country; and
- (iii) possesses a valid license from Central Pollution Control Board for undertaking the import in question.

(4) The Central Government shall forward a copy of the 'No Objection Certificate' granted, to the Central Pollution Control Board, the concerned State Pollution Control Board or Pollution Control Committee of UT and the concerned Port and Customs authorities for ensuring compliance of the conditions of imports and safe handling of the hazardous materials.

(5) The Central Government shall communicate the grant of permission by authentication in Form 1 to the exporter and the competent authority of exporting country and endorse a copy of the same to the Central Pollution Control Board and the State Pollution Control Board or Pollution Control Committees of UT as the case may be.

(6) The Port and Custom authorities shall ensure that shipment is accompanied by the Movement Document, Form 2 and the test report from a laboratory accredited by the concerned authority of the exporting country of analysis of the hazardous materials consignment in question.

(7) The Custom authorities shall collect and retain in safe custody, three randomly drawn samples of the consignment for a period of five years, in order to ensure that in the event of any dispute as to whether the consignment conforms to the declaration made in the notification and Movement Document Form 2.

(8) The recycler, importing hazardous materials, shall maintain the records of hazardous material imported as specified in Form 4 and the record so maintained shall be available for inspection by the State Pollution Control Boards or Pollution Control Committees of UT as the case may be.

11. Freely importable materials for recycling.- (1) The following items destined for recycling shall be freely importable:

- (i) items placed under "free category" in Notifications issued by the Directorate General of Foreign Trade;
- (ii) hazardous materials listed under an 'Open General License' of the Directorate General of Foreign Trade shall only be imported by those units who have been granted license for recycling by the Central Pollution Control Board or any other authority or agency designated by the Central Government in the Ministry of Environment and Forests in accordance with the procedure laid down under rule 7.

CHAPTER - IV

PROCEDURE FOR HANDLING HAZARDOUS MATERIALS

12. Responsibilities of the occupier for handling of hazardous materials.- (1) The occupier shall be responsible for safe and environmentally sound handling of all hazardous materials generated in his establishment.

(2) All hazardous waste generated in the establishment of an occupier shall be sent to a licensed facility for disposal.

(3) All hazardous wastes transported from an occupier's establishment to a licensed facility for disposal shall be transported by a transporter licensed for carrying hazardous waste in question.

(4) The occupier or any other person acting on his behalf who intends to get his hazardous waste treated by the operator of a facility Treatment Storage Disposal Facility, shall give, to the operator of a facility, such information as may be determined by the State Pollution Control Board.

(5) The occupier shall take all adequate steps while handling hazardous materials to -

- (i) contain contaminants and prevent accidents and limit their consequences on humans and the environment; and
- (ii) provide persons working on the site with information, training and equipment necessary to ensure their safety.

(6) The Authority specified in Column 2 of the Schedule VI shall to perform the duties as specified in Column 3 of the Schedule subject to the provisions of these rules.

CHAPTER - V

PROCEDURE FOR RECYCLING OR REUSE OF HAZARDOUS MATERIALS.

13. Procedure for Grant of License for recyclers or re-users.- (1) Every person desirous of recycling or reusing hazardous materials shall make an application in Form 5 along with a copy each of the following documents to the Central Pollution Control Board for the grant of license or renewal of license to recycle or reuse hazardous materials -

- (i) letters of consents granted under the Water (Prevention and Control of Pollution) Act, 1974 or the Air (Prevention and Control of Pollution) Act, 1981 as the case may be;
- (ii) certificate of registration with District Industries Centre or Industrial License, if applicable;
- (iii) proof of installed capacity of plant and machinery issued by the District Industries Centre; and
- (iv) in case of renewal, certificate of compliance of effluent and emission standards and treatment and disposal of hazardous wastes, as applicable, from the State Pollution Control Board or the Pollution Control Committee of UT.

(2) The Central Pollution Control Board, on being satisfied that the recyclers possess adequate technical capabilities, requisite facilities, and equipment to recycle or reuse hazardous materials, shall grant a License to such recyclers or re-users, stipulating therein necessary conditions for safe operation.

(3) The Central Pollution Control Board shall dispose of the application for license within a period of one hundred and twenty days of receipt of such application with complete details, after providing an opportunity to the applicant to present his case before the Central Pollution Control Board, and assign reasons for the decision.

(4) The Central Pollution Control Board may cancel or suspend the License granted under these rules, if in it has reasons to believe that the recycler has failed to comply with any of the conditions of the license, or with any provisions of the Act or rules made there under;

(5) The recycler and the re-user shall maintain record of hazardous material purchased and processed and shall file an annual return for the period April to March in Form-6 to the respective State Pollution Control Board or Pollution Control Committee of UT, on or before the 30th day of June of every year.

(6) All licenses issued to recyclers and re-users shall be valid for ten years.

14. Conditions for sale or transfer of hazardous materials for recycling.- (1) Hazardous materials intended for recycling or reuse shall only be sold to the recyclers or re-users having valid license from the Central Pollution Control Board for recycling or reuse.

(2) The occupiers, recyclers or re-users shall not store any hazardous materials for more than ninety days and shall maintain a record of sale of such materials and make these records available for inspections;

(3) The generators and sellers shall file an annual return of the sale for the period commencing from April of the previous year and ending in March of the current year in Form-6 to the respective State Pollution Control Board or Pollution Control Committee of UT on or before the 30th day of June of every year.

15. Standards for recycling.- (1) The Central Government in the Ministry of Environment and Forests, shall issue the guidelines for standards of performance for recycling processes from time-to-time.

CHAPTER - VI

TREATMENT, STORAGE AND DISPOSAL FACILITY FOR HAZARDOUS WASTES

16. Treatment, Storage and Disposal Facility for hazardous wastes. (1) The State Government, occupier, operator of a facility or any association of occupiers shall jointly and severally be responsible for, and identify sites for, establishing common facility for treatment storage and disposal of hazardous wastes in the State.

(2) The operator, shall design and set up Treatment Storage Disposal Facility as per the technical guidelines issued by the Central Pollution Control Board in this regard from time to time.

(3) The State Pollution Control Board shall monitor the setting up and operation of Treatment Storage Disposal Facilities regularly.

(4) The operator of Treatment Storage Disposal Facility shall be responsible for safe and environmentally sound operation of the Treatment Storage Disposal Facility and its closure as per guidelines issued by Central Pollution Control Board from time to time.

CHAPTER - VII

PACKAGING, LABELLING, STORAGE AND TRANSPORT OF HAZARDOUS MATERIALS.

17. Packaging and labelling.- (1) The occupier or operator of Treatment Storage Disposal Facility or recycler shall ensure that the hazardous materials are packaged and labeled, based on the composition in a manner suitable for safe handling, storage and transport.

(2) The labeling and packaging shall be easily visible and be able to withstand physical conditions and climatic factors.

(3) The Central Pollution Control Board may issue technical guidelines from time to time in this regard.

(4) All hazardous material containers shall be provided with a general label as given in Form 7.

18. Storage of hazardous materials.- (1) All hazardous materials upon leaving the premises of the occupier shall be stored in licensed storage facilities for a maximum period of ninety days, at the end of which such stored material shall be sent to licensed facilities for recycling, or in the event that these are hazardous wastes these shall be sent to licensed facilities for disposal.

19. Transportation of hazardous materials.- (1) The transport of the hazardous materials shall be in accordance with the provisions of these rules and the rules made by the Central Government under the Motor Vehicles Act, 1988 and other guidelines issued from time to time in this regard.

(2) The occupier shall provide the transporter with relevant information in Form 8, regarding the hazardous nature of the materials and measures to be taken in case of an emergency.

(3) In case of transport of hazardous materials for recycling or reuse or final disposal to a facility for treatment, storage and disposal existing in a state other than the State where the hazardous material is generated, the occupier shall

obtain 'No Objection certificate' from the State Pollution Control Board or Pollution Control Committee of the Union Territory of destination.

(4) In case of transportation of hazardous material through a State other than the State of origin or destination, a copy of the Manifest shall be sent to the State Pollution Control Board or the Pollution Control Committee of the Union Territory of the transit State/Union Territory.

20. Manifest system (Movement Document to be used within the country only).- (1) The occupier shall prepare six copies of the manifest in Form 9 comprising of colour code indicated below and all six copies shall be signed by the transporter:

Copy number with colour code	Purpose
Copy 1 (White)	To be forwarded by the occupier to the State Pollution Control Board or Committee.
Copy 2 (Yellow)	To be retained by the occupier after taking signature on it from the transporter and the rest of the four copies to be carried by the transporter.
Copy 3 (pink)	To be retained by the operator of the facility after signature.
Copy 4 (orange)	To be returned to the transporters by the operator of facility after accepting waste.
Copy 5 (green)	To be returned by the operator of the facility to State Pollution Control Board/Committee after treatment and disposal of wastes.
Copy 6 (blue)	To be returned by the operator of the facility to the occupier after treatment and disposal of hazardous materials/wastes.

(2) The occupier shall forward copy number 1 (white) to the State Pollution Control Board or the Committee as the case may be and in case the hazardous material is likely to be transported through any transit State, the occupier shall prepare an additional copy each for such State or the Union Territory and forward the same to the concerned State Pollution Control Board or Committee before he hands over the hazardous material to the transporter.

(3) No transporter shall accept hazardous materials from an occupier for transport unless it is accompanied by copy numbers 2 to 5 of the manifest.

(4) The transporter shall return copy number 2 (yellow) of the manifest signed with date to the occupier as token of receipt of the other four copies of the manifest and retain the remaining four copies to be carried and handed over to respective agencies as specified in sub-rule (1).

CHAPTER - VIII

MISCELLANIOUS

21. Records and returns.- (1) The occupier generating hazardous materials and operator of a facility for disposal of hazardous waste shall maintain records of such operations in Form 10.

(2) The occupier and operator of a facility shall send annual returns to the State Pollution Control Board or the Committee of Union Territory as the case may be in Form 10.

(3) The State Pollution Control Board or the Committee of union Territory as the case may be shall prepare an inventory of hazardous materials in Form 10, within its jurisdiction and compile other related information like recycling of hazardous materials and treatment and disposal of hazardous wastes based on the returns filed by respective occupier and operator of facility as per sub-rule (2).

22. Liability of the occupier, transporter, operator of a facility and importer.- (1) The occupier, importer, transporter and operator of a facility shall be liable for all damages caused to the environment or third parties due to improper handling of hazardous materials or disposal of hazardous wastes in violation of the conditions of the respective license.

(2) The occupier and the operator of a facility shall be liable to pay financial penalties as levied for any violation of the provisions under these rules by the State Pollution Control Board under the direction issued by the Central Pollution Control Board.

23. Appeal. –

(1) Any person aggrieved by an order of suspension or cancellation or refusal of license or its renewal passed by the Central Pollution Control Board or State/Union Territory Pollution Control Board/Committee may, within a period of thirty days from the date on which the orders is communicated to him, prefer an appeal in Form 11 to the Appellate Authority comprising of the Secretary, Ministry of Environment and Forests:

Provided that the Appellate Authority may entertain the appeal after the expiry of the said period of thirty days if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(2) Every appeal filed under this rule shall be disposed of within a period of ninety days from the date of its filing.

24. Repeal and savings.-

(1) The Hazardous Wastes (Management and Handling) Rules, 1989 is hereby repealed.

(2) Notwithstanding such repeal, any thing done or any action taken under the said rules, shall be deemed to have been done or taken under the corresponding provision of these rules.

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SCHEDULE- I

[See rule 3(k), (l) & (za)]

Hazardous materials are materials possessing any one or more of the following characteristics:

(i) Toxicity

Materials having the following values of acute toxicity and which, owing to their physical and chemical properties, are capable of producing major risk to human health and other living organisms.

SNo.	Degree of Toxicity	Medium lethal dose by the oral route (oral toxicity) LD ₅₀ (mg/kg) body weight of test animals	Medium lethal dose by the dermal route (dermal toxicity) LD ₅₀ (mg/kg) body weight of test animals	Medium lethal concentration by inhalation route (four hours) LD ₅₀ (mg/kg) body weight of test animals
1.	Extremely toxic	1-50	1-200	0.1-0.5
2.	Highly toxic	51-500	201-2000	0.5-2.0

(ii) Flammable materials

Flammable materials with flash point 20°C or below.

(iii) Explosive

Materials which may explode under the effect of flame, heat or photo-chemical conditions. Any other materials included in the Indian Explosive Act.

(iv) Acidity

Materials with pH ≤ 5 which may be corrosive, by chemical action, will cause severe damage when in contact with living tissue.

(v) Alkalinity

Hazardous materials/wastes with pH ≥ 9 which may be corrosive and will cause severe damage when in contact with living tissue.

(vi) Carcinogenicity

Materials which through exposure are established to cause cancer in humans and animals.

SCHEDULE – II
[See rule 3(k) & (l)]

List of hazardous materials Constituents with Concentration Limits*
[Hazardous materials having constituents of or contaminated with any of the following]

Class A

Concentration limit: ≥ 50 mg/kg

- A1 Antimony and antimony compounds
- A2 Arsenic and arsenic compounds
- A3 Beryllium and beryllium compounds
- A4 Cadmium and cadmium compounds
- A5 Chromium (VI) compounds
- A6 Mercury and mercury compounds
- A7 Selenium and selenium compounds
- A8 Tellurium and tellurium compounds
- A9 Thallium and thallium compounds
- A10 Inorganic cyanide compounds
- A11 Metal carbonyls
- A12 Napthalene
- A13 Anthracene
- A14 Phenanthrene
- A15 Chrysene, benzo (a) anthracene, fluoranthene, benzo (a) pyrene, benzo (K) fluoranthene, indeno (1, 2, 3-cd) pyrene and benzo (ghi) perylene
- A16 halogenated compounds of aromatic rings, e.g. polychlorinated biphenyls, polychloroterphenyls and their derivatives
- A17 Halogenated aromatic compounds
- A18 Benzene
- A19 Organo-chlorine pesticides
- A20 Organo-tin Compounds

* The constituents and their concentration limits given in this list are based on BAGA (the Netherlands Environment Protection Agency) List of Hazardous Substances. In order to decide whether a specific material listed above is hazardous or not, following points be taken into consideration:

- (i) If a component of the materials/waste appears in one of the five risk classes listed above (A, B, C, D or E) and the concentration of the component is equal to or more than the limit for the relevant risks class, the material is then classified as hazardous waste.
- (ii) If a chemical compound containing a hazardous constituent is present in the waste, the concentration limit does not apply to the compound, but only to the hazardous constituent itself.
- (iii) If multiple hazardous constituents from the same class are present in the waste, the concentrations are added together.
- (iv) If multiple hazardous constituents from different classes are present in the waste, the lowest concentration limit corresponding to the constituent(s) applies.
- (v) For substances in water solution, the concentration limit for dry matter must be used. If the dry matter content is less than 0.1% by weight, the concentration limit, reduced by a factor of one thousand, applies to the solution.

Class B

Concentration limit: $\geq 5,000$ mg/kg

- B1 Chromium (III) compounds
- B2 Cobalt and Cobalt compounds
- B3 Copper compounds
- B4 Lead and lead compounds
- B5 Molybdenum compounds
- B6 Nickel and Nickel compounds
- B7 Inorganic Tin compounds
- B8 Vanadium compounds
- B9 Tungsten compounds
- B10 Silver compounds
- B11 Halogenated aliphatic compounds
- B12 Organo phosphorus compounds
- B13 Organic peroxides
- B14 Organic nitro-and nitroso-compounds
- B15 Organic azo-and azoxy compounds
- B16 Nitriles
- B17 Amines
- B18 (Iso-and thio-) cyanates
- B19 Phenol and phenolic compounds
- B20 Mercaptans
- B21 Asbestos
- B22 Halogen-silanes
- B23 Hydrazine (s)
- B24 Fluorine compounds
- B25 Chlorine compounds
- B26 Bromine compounds
- B27 White and red phosphorus
- B28 Ferro-silicon
- B29 Manganese-silicon
- B30 Halogen-containing compounds which produce acidic vapours on contact with humid air or water, e.g. silicon tetrachloride, aluminium chloride, titanium tetrachloride

Class C

Concentration limit; $\geq 20,000$ mg/kg

- C1 Ammonia and ammonium compounds
- C2 Inorganic peroxides
- C3 Barium compounds except barium sulphate

- C4 Fluorine Compounds
- C5 Phosphate compounds except phosphates of aluminium, calcium and iron
- C6 Bromates, (hypo-bromites)
- C7 Chlorates, (hypo-chlorites)
- C8 Aromatic compounds other than those listed under A12 to A18
- C9 Organic silicone compounds
- C10 Organic sulphur compounds
- C11 Iodates
- C12 Nitrates, nitrites
- C13 Sulphides
- C14 Zinc compounds
- C15 Salts of per-acids
- C16 Acid amides
- C17 Acid anhydrides

Class D

Concentration limit: $\geq 50,000$ mg/kg

- D1 Total Sulphur
- D2 Inorganic acids
- D3 Metal hydrogen sulphates
- D4 Oxides and hydroxides except those of hydrogen, carbon, silicon, iron, aluminum, titanium, manganese, magnesium, calcium
- D5 Total hydrocarbons other than those listed under A12 to A18
- D6 Organic oxygen compounds
- D7 Organic nitrogen compounds expressed as nitrogen
- D8 Nitrides
- D9 Hydrides

Class E

Regardless of concentration limit; Classified as hazardous materials/wastes at all concentrations

- E1 Flammable substances
- E2 Substances which generate hazardous quantities of flammable gases on contact with water or damp air

SCHEDULE – III (Part A)

[See rule 6]

**Lists of Hazardous materials where import shall be permitted with Prior Informed Consent in writing from the importing country
[Annex VIII- List A of the Basel Convention*]**

Basel No.	Description of hazardous materials
AI	Metal and Metal bearing hazardous materials
A1010	Hazardous Materials and waste consisting of alloys of the following metals, but excluding those specified on list B (corresponding mirror entry under List B in brackets) <ul style="list-style-type: none"> - Antimony - Cadmium - Tellurium - Lead
A1020	Hazardous materials having as constituents or contaminants, excluding metal wastes in massive form, any of the following: <ul style="list-style-type: none"> - Cadmium, cadmium compounds. (see B1020) - Antimony, antimony compounds. (see B1020) - Tellurium, tellurium compounds. (see B1020) - Lead, lead compounds. (see B1020)
A1040	Hazardous materials having as constituents of Metal carbonyls
A1050	Galvanic sludges
A1060	Wastes Liquors from the pickling of metals.
A1070	Leaching residues from zinc processing, dusts and sludges such as jarosite, hematite, goethite, etc.
A1080	Zinc residues not included on list B containing lead and cadmium in concentrations sufficient to exhibit hazard characteristics indicated in part B of this schedule (see B1080 and B1100)
A1090	Ashes from the incineration of insulated copper wire
A1100	Dust and residues from gas cleaning systems of copper smelters
A1110	Spent electrolytic solutions from copper electrorefining and electrowinning operations
A1120	Sludges, excluding anode slimes, from electrolytic purification systems in copper electrorefining and electrowinning operations
A1130	Spent etching solutions containing dissolved copper.
A1150	Precious metal ash from incineration of printed circuit boards not included on list' B' (see B-1160)
A1160	Used Lead acid batteries whole or crushed.
A1170	Unsorted used batteries excluding mixtures of only List B batteries. Used batteries not specified on List B containing schedule 2 constituents to an extent to render them hazardous (see B1090)

Basel No.	Description of hazardous materials
A1180	Electrical and electronic waste assemblies or scrap containing, compounds 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 contaminated with Schedule 2 constituents (e.g. cadmium, mercury, lead, polychlorinated biphenyl) to an extent that they exhibit hazard characteristics indicated in part B of this Schedule (see B1110)
A2	Hazardous materials containing principally inorganic constituents, which may contain metals and organic materials
A2010	Glass waste from cathode ray tubes and other activated glasses
A2030	Spent catalysts but excluding those specified on List B
A3	Hazardous materials containing principally organic constituents which may contain metals and inorganic materials
A3010	Materials from the production or processing of petroleum coke and bitumen
A3020	Used mineral oils unfit for their originally intended use
A3050	Materials from production formulation and use of resins, latex, plasticisers, glues/adhesives excluding those specified in List B (B4020)
A3070	Phenol, phenol compounds including chlorophenol in the form of liquids or sludges
A3080	Waste ethers not including those specified in List B
A3120	Fluff: light fraction from shredding
A3130	Waste organic phosphorus compounds
A3140	Waste non-halogenated organic solvents (but excluding such wastes specified on List B)
A3160	Waste halogenated or unhalogenated non-aqueous distillation residues arising from organic solvent recovery operations
A3170	Waste arising from the production of aliphatic halogenated hydrocarbons (such as chloromethanes, dichloroethane, vinylchloride, vinylidene chloride, allyl chloride and epichlorhydrin)
A4	Materials which may contain either inorganic or organic constituents
A4010	Materials from the production and preparation and use of pharmaceutical products but excluding those specified on List B
A4040	Wastes from the manufacture formulation and use of wood preserving chemicals
A4070	Waste from the production, formulation and use of inks, dyes, pigments, paints, lacquers, varnish excluding those specified in List B (B4010)
A4080	Wastes of an explosive nature excluding those specified on List B

Basel No.	Description of hazardous materials
A4090	Acidic or basic solutions excluding those specified in List B(B2120)
A4100	Materials from industrial pollution control devices for cleaning of industrial off-gases excluding such wastes specified on List B
A4110	Wastes that contain, consist of or are contaminated with any of the following: <ul style="list-style-type: none"> • Any congener of polychlorinated dibenzo-furan • Any congener of polychlorinated dibenzo-dioxin
A4120	Materials that contain, consist of or are contaminated with peroxides.
A4130	Packages and containers containing any of the constituents mentioned in Schedule 2 to the extent of concentration limits specified therein.
A4140	Materials consisting of or containing off specification or out-dated chemicals containing any of the constituents mentioned in Schedule 2 to the extent of concentration limits specified therein.
A4150	Chemical substances arising from research and development or teaching activities which are not identified and/or are new and whose effects on human health and/or the environment are not known
A4160	Spent activated carbon not included on List B (B2060)

* List A given as Annex VIII of the Basel Convention on Transboundary Movement of Hazardous materials/wastes and their disposal comprises of wastes characterized as hazardous under Article 1, paragraph 1(a) of the Convention. Inclusion of wastes on this list does not preclude the use of hazard characteristics given in Annex III of Basel Convention to demonstrate that the wastes are not hazardous.

Above list is modified to the extent that certain waste categories given in List 'A' (Annex VIII) of Basel Convention have been prohibited for import and export under the Environment(Protection) Act, 1986. Hazardous materials/wastes in the above list are restricted and cannot be allowed to be imported into the country without DGFT licence.

SCHEDULE 3 (PART- B)

[See rule 6]

List of Hazardous Materials for Import/Export not requiring Prior Informed Consent unless otherwise contains or contaminated with List A materials to the extent exhibiting Schedule 3 Part B characteristics [Annex IX List B of the Basel Convention*]

Basel No.	Description of hazardous materials
B1	Metal and metal-bearing materials
B1010	Metal and metal-alloy in metallic, non-dispersible form: <ul style="list-style-type: none">- Precious metals (gold, silver, platinum)**- Iron and steel scrap**- Nickel scrap**- Aluminum 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**- Thorium scrap- Rare earths scrap

* List B given as Annex. IX of the Basel Convention on Transboundary Movement of Hazardous Wastes and their Disposal comprises of wastes not covered by Article 1, paragraph 1(a) of the Convention, unless they contain material listed under Annex. I of the Convention to an extent causing them to exhibit Annex. III characteristics.

Status of wastes in the above list with regard to their import in the country is indicated in respective footnotes. (for details, refer to ITC-HS Classification (EXIM Policy) brought out by the Directorate General of Foreign Trade, Ministry of Commerce). Other residual and waste products of chemical and allied industries appearing in the above list but not specified in the EXIM Policy are restricted and cannot be allowed to be imported into the country without DGFT licence.

** Import permitted in the country without any licence or restriction.

*** Restricted, import permitted with DGFT licence only for the purpose of re-processing or reuse.

Basel No.	Description of hazardous materials
B1020	Clean, uncontaminated metal scrap, including alloys, in bulk finished form (sheet, plate, beams, rods, etc.) , of: <ul style="list-style-type: none"> - Antimony scrap*** - Cadmium scrap*** - Lead scrap*** - Tellurium scrap**
B1030	Refractory metals containing residues
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 2 to the extent of concentration limits specified therein
B1060	Selenium and tellurium in metallic elemental form including powder
B1070	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	Used batteries conforming to specification, excluding those made with lead, cadmium or mercury.
B1100	Materials arising from melting, smelting and refining of metals: <ul style="list-style-type: none"> - Hard Zinc Spelter** - Zinc-containing drosses: ** <ul style="list-style-type: none"> • 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 - Slags from copper processing for further processing or refining containing arsenic, lead or cadmium unless they contain any of the constituents mentioned in Schedule 2 to the extent of concentration limits specified therein - Slags from precious metals processing for further refining. - Wastes of refractory linings, including crucibles, originating from copper smelting - Aluminum skimmings (or skims) excluding salt slag - Tantalum-bearing tin slags with less than 0.5% tin

** Import permitted in the country without any licence or restriction.

*** Restricted, import permitted with DGFT licence only for the purpose of re-processing or reuse.

Basel No.	Description of hazardous materials																																
B1110	<p>Electrical and electronic assemblies</p> <ul style="list-style-type: none"> - Electronic assemblies consisting only of metals or alloys ** - Waste Electrical and electronic assemblies scrap (including printed circuit boards, electronic components and wires) destined for direct reuse and for recycling *** - 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 style="width: 100%; border: none;"> <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 style="width: 100%; border: none;"> <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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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																																

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*** Restricted, import permitted with DGFT licence only for the purpose of re-processing or reuse.

Basel No.	Description of hazardous materials
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**
B1230	Mill scaling arising from manufacture of iron and steel
B1240	Copper Oxide mill-scale***
B2	Materials containing principally inorganic constituents, which may contain metals and organic materials
B2010	Materials arising from mining operations in non-dispersible form: <ul style="list-style-type: none"> - Natural graphite waste** - Slate wastes*** - Mica wastes** - Leucite, nepheline and nepheline syenite waste** - Feldspar waste (lumps & powder)** - Fluorspar waste** Silica wastes in solid form excluding those used in foundry operation
B2020	Glass wastes in non-dispersible form: <ul style="list-style-type: none"> - Cullet and other wastes and scrap of glass except for glass from cathode ray tubes and other activated glasses**
B2030	Ceramic wastes in non-dispersible form:
	Ceramic wastes and scrap (metal ceramic composites)** <ul style="list-style-type: none"> - Ceramic based fibres
B2040	Other materials containing principally inorganic constituents: <ul style="list-style-type: none"> - 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

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*** Restricted, import permitted with DGFT licence only for the purpose of re-processing or reuse.

Basel No.	Description of hazardous materials
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 AA4160)
B2070	Calcium fluoride sludge
B2080	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	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 metallurgical industry)
B2100	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) (Note A4090)
B2120	Waste acidic or basic solutions with a pH greater than 2 and less than 11.5, which are not corrosive or otherwise hazardous (A4090)
B3	Wastes containing principally organic constituents, which may contain metals and inorganic materials
B3010	Solid plastic waste*: The following plastic or mixed plastic materials, provided they are not mixed with other wastes and are prepared to a specification: - Scrap plastic of non-halogenated polymers and copolymers, including but not limited to the following:
	Ethylene
	Styrene
	polypropylene
	polyethylene ere-phthalate
	acrylonitrile
	Butadiene
	polyacetals
	polyamides
	polybutylene tere-phthalate
	polycarbonates
	polyethers
	polyphenylene sulphides
	acrylic polymers
	alkanes C10-C13 (plasticiser)
	polyurethane (not containing CFC's)

** Import permitted in the country without any licence or restriction.

*** Restricted, import permitted with DGFT licence only for the purpose of re-processing or reuse

Basel No.	Description of hazardous materials
	polysiloxanes
	polymethyl methacrylate
	polyvinyl alcohol
	polyvinyl butyral
	polyvinyl acetate
	Cured waste resins or condensation products including the following:
	urea formaldehyde resins
	phenol formaldehyde resins
	Melamine formaldehyde resins
	epoxy resins
	alkyd resins
	polyamides
	The following fluorinated polymer wastes (excluding post-consumer wastes):
	Perfluoroethylene/ propylene
	Perfluoroalkoxy alkane
	Metafluoroalkoxy alkane
	polyvinylfluoride
	polyvinylidene fluoride
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.
B3130	Waste polymer ethers and waste non-hazardous monomer ethers incapable of forming peroxides
B3140	Used pneumatic tyres, excluding those which do not lead to resource recovery, recycling, reclamation or direct reuse*
B4	Materials which may contain either inorganic or organic constituents
B4010	Materials 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)

Basel No.	Description of hazardous materials
B4020	Materials 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 Annex III characteristics, e.g. water-based, or glues based on casein starch, dextrin, cellulose ethers, polyvinyl alcohols (note the related entry on list A A3050)
B4030	Used single-use cameras, with batteries not included on list A

Note:

* List B given as Annex. IX of the Basel Convention on Transboundary Movement of Hazardous Wastes and their Disposal comprises of wastes not covered by Article 1, paragraph 1(a) of the Convention, unless they contain material listed under Annex. I of the Convention to an extent causing them to exhibit Annex. III characteristics.

Status of wastes in the above list with regard to their import in the country is indicated in respective footnotes. (for details, refer to ITC-HS Classification (EXIM Policy) brought out by the Directorate General of Foreign Trade, Ministry of Commerce). Other residual and waste products of chemical and allied industries appearing in the above list but not specified in the EXIM Policy are restricted and cannot be allowed to be imported into the country without DGFT licence.

** Import permitted in the country without any licence or restriction.

*** Restricted, import permitted with DGFT licence only for the purpose of re-processing or reuse.

**** Import of material covered by ISRI code permitted without licence; others, DGFT licence is necessary.

***** Import of copper scrap namely copper wire covered under ISRI code "Druid" and Jelly filled copper cables is permitted without a licence to units registered with the Ministry of Environment & Forests.

(1) Copper dross containing copper greater than 65% and lead and cadmium equal to or less than 1.25% and 0.1% respectively; spent cleaned metal catalyst containing copper; and Copper reverts, cake and residues containing lead and cadmium equal to or less than 1.25% and 0.1% respectively are allowed for import without DGFT licence to units (actual users) registered with MoEF upto an annual quantity limit indicated in the Registration letter. Copper reverts, cake and residues containing lead and cadmium greater than 1.25% and 0.1% respectively are under restricted category for which import is permitted only against DGFT licence for the purpose of processing or reuse by units registered with MoEF (actual users).

(2) Zinc ash/skimmings in dispersible form containing zinc more than 65% and lead and cadmium equal to or less than 1.25% and 0.1% respectively and spent cleaned metal catalyst containing zinc are allowed for import without DGFT licence to units registered with MoEF (actual users) upto an annual quantity limit indicated in Registration Letter. Zinc ash and skimmings containing less than 65% zinc and lead and cadmium equal to or more than 1.25% and 0.1% respectively and hard zinc spelter and brass dross containing lead greater than 1.25% are under restricted category for which import is permitted against DGFT licence and only for purpose of processing or reuse by units registered with MoEF (actual users).

SCHEDULE III (PART C)
LIST OF HAZARDOUS CHARACTERISTICS

UN Class¹	Code	Characteristics
1	H1	Explosive
		An explosive substance or waste is a solid or liquid substance or waste (or mixture of substances or wastes) which is in itself capable by chemical reaction of producing gas at such a temperature and pressure and at such a speed as to cause damage to the surroundings.
3	H3	Flammable liquids
		The word "flammable" has the same meaning as "inflammable". Flammable liquids are liquids, or mixtures of liquids, or liquids containing solids in solution or suspension (for example, paints, varnishes, lacquers, etc., but not including substances or wastes otherwise classified on account of their dangerous characteristics) which give off a flammable vapour at temperatures of not more than 60.5°C, closed-cup test, or not more than 65.6°C, open-cup test. (Since the results of open-cup tests and of closed-cup tests are not strictly comparable and even individual results by the same test are often variable, regulations varying from the above figures to make allowance for such differences would be within the spirit of this definition.)
4.1	H4.1	Flammable solids
		Solids, or waste solids, other than those classed as explosives, which under conditions encountered in transport are readily combustible, or may cause or contribute to fire through friction.
4.2	H4.2	Substances or wastes liable to spontaneous combustion
		Substances or wastes which are liable to spontaneous heating under normal conditions encountered in transport, or to heating up on contact with air, and being then liable to catch fire.
4.3	H4.3	Substances or wastes which, in contact with water emit flammable gases
		Substances or wastes which, by interaction with water, are liable to become spontaneously flammable or to give off flammable gases in dangerous quantities.
5.1	H5.1	Oxidizing
		Substances or wastes which, while in themselves not necessarily combustible, may, generally by yielding oxygen cause, or contribute to, the combustion of other materials.

¹ Corresponds to the hazard classification system included in the United Nations Recommendations on the Transport of Dangerous Goods (ST/SG/AC.10/1Rev.5, United Nations, New York, 1988).

UN Class¹	Code	Characteristics
5.2	H5.2	Organic Peroxides
		Organic substances or wastes which contain the bivalent-o-o-structure are thermally unstable substances which may undergo exothermic self-accelerating decomposition.
6.1	H6.1	Poisonous (Acute)
		Substances or wastes liable either to cause death or serious injury or to harm human health if swallowed or inhaled or by skin contact.
6.2	H6.2	Infectious substances
		Substances or wastes containing viable micro organisms or their toxins which are known or suspected to cause disease in animals or humans.
8	H8	Corrosives
		Substances or wastes which, by chemical action, will cause severe damage when in contact with living tissue, or, in the case of leakage, will materially damage, or even destroy, other goods or the means of transport; they may also cause other hazards.
9	H10	Liberation of toxic gases in contact with air or water
		Substances or wastes which, by interaction with air or water, are liable to give off toxic gases in dangerous quantities.
9	H11	Toxic (Delayed or chronic)
		Substances or wastes which, if they are inhaled or ingested or if they penetrate the skin, may involve delayed or chronic effects, including carcinogenicity.
9	H12	Ecotoxic
		Substances or wastes which if released present or may present immediate or delayed adverse impacts to the environment by means of bioaccumulation and/or toxic effects upon biotic systems.
9	H13	Capable, by any means, after disposal, of yielding another material, e.g., leachate, which possesses any of the characteristics listed above.

¹ Corresponds to the hazard classification system included in the United Nations Recommendations on the Transport of Dangerous Goods (ST/SG/AC.10/1Rev.5, United Nations, New York, 1988).

SCHEDULE – 4

[See rules 6, 10,13,14 &15]

List of Hazardous Materials for Recycling, Reprocessing and Reuse (Listed in Basel Convention)

Category	Materials Type
1	Brass Dross
2	Copper Dross
3	Copper Oxide mill scale
4	Copper reverts, cake and residue
5	Waste Copper and copper alloys
6	Slags from copper processing for further processing or refining
7	Insulated Copper Wire Scrap/copper with PVC sheathing including ISRI-code material namely "Druid"
8	Jelly filled copper cables
9	Spent cleared metal catalyst containing copper
10	Spent catalyst containing nickel, cadmium, zinc, copper and arsenic
11	Zinc Dross-Hot dip Galvanizers SLAB
12	Zinc Dross-Bottom Dross
13	Zinc ash/skimmings arising from galvanizing and die casting operations
14	Zinc ash/skimming/other zinc bearing wastes arising from smelting and refining
15	Zinc ash and residues including zinc alloy residues in dispersible form
16	Spent cleared metal catalyst containing zinc
17	Lead acid battery plates and other lead scrap/ashes/residues not covered under Batteries (Management and Handling) Rules, 2001. [*Battery scrap, namely: Lead battery plates covered by ISRI, Code word "Rails" Battery lugs covered by ISRI, Code word "Rakes". Scrap drained/dry while intact, lead batteries covered by ISRI, Code word "Rains".]
18	Electrical and electronic assemblies and scrap <ul style="list-style-type: none">- Electronic assemblies consisting only of metals or alloys- Electrical and electronic assemblies scrap (including printed circuit boards, electronic components and wires) destined for recycling.- 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 recycling.
19	Used Oil and Waste Oil as per the specifications prescribed from time to time

Schedule - V

[See rule 6]

Hazardous Wastes Prohibited for Import and Export

SNo.	Basel* No.	OECD ** No.	Description of hazardous material
1.	A 1010	AA 100	Mercury bearing wastes
2.	A 1030	AA 100	Waste having Mercury: Mercury Compounds as constituents or contaminants
3.	A 1010	AA 070	Beryllium bearing wastes
4.	A 1020	AA 070	Waste having Beryllium: Beryllium Compounds as constituents or contaminants
5.	A 1010	AA 090	Arsenic bearing wastes
6.	A 1030	AA 090	Waste having Arsenic: Arsenic compounds as constituents or contaminants
7.	A 1010	AA 070	Selenium bearing wastes
8.	A 1020	AA 070	Waste having Selenium; Selenium Compounds as constituents or contaminants
9.	A 1010	AA 080	Thallium bearing wastes
10.	A 1030	AA 080	Waste having Thallium; Thallium Compounds as constituents or contaminants
11.	A 1040	AA 070	Hexavalent Chromium Compounds bearing wastes
12.	A 1140		Wastes Cupric Chloride and Copper Cyanide Catalysts bearing wastes
13.	A 2020		Waste inorganic fluorine compounds in the form of liquids or sludge but excluding calcium fluoride sludge
14.	A 2040 B 2080		Waste gypsum arising from chemical industry processes if it contains any of the constituents mentioned in Schedule 2 to the extent of concentration limits specified therein
15.	A 2050	RB 010	Waste Asbestos (Dust and Fibres)
16.	A 3030		Wastes that consist of or are contaminated with leaded anti-knock compound sludge or leaded petrol (gasoline) sludges.
17.	A 3040		Waste Thermal (heat transfer) fluids
18.	A 3060		Waste Nitrocellulose.
19.	A 3090		Waste Leather dust, ash, sludges or flours when containing hexavalent chromium compounds or biocides
20.	A 3100		Waste paring and other wastes of leather or of composition leather not suitable for the manufacture of leather articles, containing hexavalent chromium compounds and biocides
21.	A 3110		Fellmongery wastes containing hexavalent chromium compounds or biocides or infectious substances.
22.	A 3150		Halogenated organic solvents
23.	A 3180	AC 120	Waste, Substances and articles containing, consisting of or contaminated with polychlorinated biphenyls(PCB) and/or polychlorinated terphenyls. (PCT) and/or polychlorinated naphthalenes (PCN) and/or polybrominated biphenyls (PBB) or any other polybrominated analogues of these compounds
SNo.	Basel*	OECD **	Description of hazardous material

	No.	No.	
24.	A 3190		Waste tarry residues (excluding asphalt cements) arising from refining, distillation and pyrolytic treatment of organic materials)
25.	A 4020		Clinical and related wastes; that is wastes arising from medical, nursing, dental, veterinary, or similar practices and wastes generated in hospital or other facilities during the investigation or treatment of patients, or research projects.
26.	A 4030	AD 020	Waste from the production, formulation and use of biocides and phyto-pharmaceuticals, including waste pesticides and herbicides which are off-specification, out-dated, and/or unfit for their originally intended use.
27.	A 4050	AD 040	Waste that contain, consist of, or are contaminated with any of the following; Inorganic cyanides, excepting precious metal bearing residues in solid form containing traces of inorganic cyanides. Organic cyanides.
28.	A 4060		Waste oil/water, hydrocarbons/water mixtures, emulsions
29.	A 4110		Wastes that contain, consist of or are contaminated with any of the following: -Any congener of polychlorinated dibenzofuran -Any congener of polychlorinated dibenzo-dioxin.
30.			

* **Basel Convention on Control of Transboundary Movement of Hazardous Waste and their Disposal**

** **Organisation for Economic Cooperation and Development."**

Schedule - VI

[See rule 12]

LIST OF AUTHORITIES AND CORRESPONDING DUTIES

S.No.	Authority	Corresponding Duties
1.	Ministry of Environment and Forests under the Environment (Protection) Act, 1986	(i) Identification of hazardous materials/wastes (ii) Permission to exporters (iii) Permission to importers (iv) Permission for transit of hazardous materials/wastes through India
2.	Central Pollution Control Board constituted under the Water (Prevention and Control of Pollution) Act, 1974	(i) Co-ordination of activities of State Pollution Control Boards/Committees (ii) Conduct training courses for authorities dealing with management of hazardous wastes (iii) Recommend standards and specifications for treatment and disposal of wastes and leachates Recommend procedures for characterization of hazardous wastes. (iv) Sector specific documentation to identify waste streams(s) for inclusion in Hazardous materials/wastes Rules (v) Prepare guidelines to prevent/reduce/minimize the generation and handling of hazardous wastes (vi) Registration and renewal of registration of Recyclers/Re-refiners of non-ferrous metal wastes and used oil/waste oil (vii) Any other function under Rules delegated by the Ministry of Environment and Forests
3.	State Government/Union Territory Government/ Administration	(i) Identification of site(s) for common treatment, storage and disposal facility (TSDF) (ii) Assess EIA reports and convey the decision of approval of site or otherwise (iii) Acquire the site or inform operator of facility or occupier or association of occupiers to acquire the site (iv) Notification of sites (v) Publish periodically an inventory of all disposal sites in the State/Union territory
4.	State Pollution Control Boards or Pollution Control Committees constituted under the Water (Prevention and Control of Pollution) Act, 1974	(i) Inventorisation of hazardous materials/wastes (ii) Grant and renewal of authorisation (iii) Monitoring of compliance of various provisions and conditions of authorisation including exports and imports (iv) Issue of public notice and conduct public hearing (v) Examining the applications for imports submitted by the importers and forwarding the same to Ministry of Environment and Forests (vi) Implementation of programmes to prevent/reduce/minimise the generation of hazardous materials/wastes (vii) Action against violations of Hazardous materials/wastes (Management and Handling) Rules, 1989

S.No.	Authority	Corresponding Duties
5.	Directorate General of Foreign Trade constituted under the Foreign Trade (Development and Regulation) Act, 1992.	<ul style="list-style-type: none"> (i) Grant of licence for import of hazardous materials/wastes (ii) Refusal of licence for hazardous materials/wastes prohibited for imports or export
6.	Port Authority under Indian Ports Act, 1908 (15 of 1908) and Customs Authority under the Customs Act, 1962 (52 of 1962).	<ul style="list-style-type: none"> (i) Verify the documents (ii) Inform the Ministry of Environment and Forests of any illegal traffic (iii) Analyse wastes permitted for imports and exports (iv) Train officials on the provisions of the Hazardous materials/wastes Rules and in the analysis of hazardous wastes (v) Take action against export/import violations under the Indian Ports Act, 1908/Customs Act, 1962

FORM - 1

[See rules 8, 9 & 10]

Transboundary Movement – NOTIFICATION DOCUMENT

1. Exporter (Name & Address):		3. Notification concerning (1):- Notification	N2
		A. (i) Single movement	Recovery operation
Contact person: Tel.:		(ii) General notification (multiple movements)	
Fax/Telex:			
Reason for export:		C. Pre-authorized recovery facility - Yes/No	
2. Importer/Recycler (Name & Address):		4. Total intended number of shipments:	5. Estimated quantity (3):
			Kg
			Liters
Contact person: Tel.:		6. Intended date(s) or period of time for shipment(s)	
Fax/Telex:		9. Method(s) of recycling(4)	
		R Code	
		Technology employed	
7. Intended carrier(s) (name, address(2):		10. Means of transport (4):	
Contact person: Tel.:		11. Packaging type(s) (4):	
Fax/Telex:			
8. Waste generator (s)(Name, address) (2):		12. (i) Designation and complete chemical composition of waste(attach details)	
Contact Person Tel.:		(it) Special handling requirements	
Fax/Telex			
Site of generation & Process:		13. Physical characteristics (4):	
14. Material identification code			16. Y-number (4):
Basel No:	OECD No.:		
UN No. :	ITC (HS)		17. H-number (4):
Customs code (H.S.):	Other (specify): I		
15, OECD classification (1): amber. E]	Red [] and number:	18.(i) UN identification N ²	(ii) UN class (4):

Other []		UN shipping name:	
* (attach details)			
19. Concerned states, code number of competent authorities, and specific points of entry and exit:			
State of export	States of transit State of import		
20. Customs Aces of entry and/or departure		2 1. Exporter's/Generator's declaration:	
Entry:		I certify that the information is complete and	
		Correct to my best knowledge. I also certify that	
Departure		Legal y-enforceable written contractual obligations	
		have been entered into and that any applicable	
		insurance or other financial guarantees are or shall be	
		in force covering the transboundary movement.	
22. Number of annexes attached		Name: Signature:	
		Date:	
FOR USE BY COMPETENT AUTHORITIES			
23. To be completed by competent authority of- import		24. Consent to the movement provided by the competent authority	
Notification received on:	- transit (Basel)	of(country):	
Acknowledgement sent on:		Consent given on: Consent expires on:	
		Specific conditions (1): [] Yes, see block 24 overleaf annex	
Name of competent authority, stamp		[] No	
And/or signature:		Name of competent authority,	
		Stamp and/or signature:	

(1) Enter X in appropriate box (2) Attach list if more than one (3) Attach detailed list of multiple shipment (4) See codes on the reverse

List of abbreviations used in the Movement Document

RECOVERY OPERATIONS (Block 9)		
R I Use as a fuel (other than in direct incineration) or other means to generate energy		
R2 Solvent reclamation/regeneration R3 Recycling/reclamation of organic substances which are not used as solvents		
R4 Recycling/reclamation of metals and metal compounds		
R5 Recycling/reclamation <i>of</i> other inorganic materials		
R6 Regeneration <i>of</i> acids or bases		
R7 Recovery of components used for pollution abatement		
R8 Recovery <i>of</i> components from catalysts		
R9 Used oil re-refining or other reuses of previously used oil		
RIO Land treatment resulting in benefit to agriculture or ecological improvement		
R11 Uses of residual materials obtained from any of the operations numbered R I to 10		
R12 Exchange of wastes for submission to any of the operations numbered RI to R I I		
R13 Accumulation of material intended for any operation numbered RI to RI 2		
MEANS OF TRANSPORT	PACKAGING TYPES (Block 16)	H NUMBER AND LIN CLASS (Block 17)
(Block 8-10)		
R = Road	1. Drum	LIN Class H No. Designation
	2. Wooden barrel	
T = Train/Rail	3. Jerrican	I H I Explosive
	4. Box	3 H3 Inflammable liquids
S = Sea	5. Bag	4.1 H4.1 Inflammable solids
	6. Composite packaging	4.2 H4.2 Substances or wastes liable to Air

A= Air	7. Pressure receptacle	spontaneous combustion		
	8. Bulk	4.3 H4.3 Substances or wastes which, in W		
W= Inland Waterways	9. Other (specify)	contact with water emit		
		inflammable gases		
PHYSICAL CHARACTERISTICS (Block 12)		5.1 H5.1 Oxidizing		
		5.2 H5.2 Organic peroxides		
1. Powdery/powder 5. Liquid		6.1 H6.1 Poisanous (acute)		
2. Solid 6. Gaseous		6.2 H6.2 Infectious substances		
3. Viscous/paste 7. Other (specify)		8 H8 Corrosives		
4. Sludge		9 H10 Liberation <i>of</i> toxic gases in		
		Contact with air or water		
		9 H11 Toxic (delayed or chronic)		
		9 H12 Ecotoxic		
		9 H13 Capable, by any means, after disposal <i>of</i> yielding another material e.g. leachate, which		
		Possesses any <i>of</i> the characteristics listed above		
FOR USE BY CUSTOMS OFFICES				
2~. COUNTRY OF EXPORT/DISPATCH OR		27. STAMPS OF CUSTOMS OFFICES OF TRANSIT COUNTRIES		
CUSTOMS OFFICE OF EIXIT		Name <i>of</i> country:	Name <i>of</i> Country:	
The waste described overleaf has left the country				
on:		Entry	Departure	Entry
Stamp:				

Signature:				
26. COUNTRY OF IMPORT/DESTINATION	Name of Country		Name of Country	
described overleaf has entered the The wase country on:				
	Entry	Departure	Entry	Departure
Stamp:				
Signature:				

FORM - 2

[See rules 8,9 & 10]

Transboundary Movement - MOVEMENT DOCUMENT

I.A Exporter (name, address):		3. Corresponding to	4. Serial Number
		Notification N'	of shipment:
Contact person: Tel.:		Movement subject of(2) single notification	
Fax/Telex:			general notification
ii) Waste Generator (name, address)(1):		8. Disposer (name, address):	
Contact person Tel		Contact person	Tel.:
Fax/Telex:			Fax/Telex:
Site of generation:		Actual site of disposal:	
2. Importer recycler (name, address):		9. Method(s) of recovery (4):	
		R code:	
		Technology employed:	
Contact person Tel.:			
Fax/Telex:		*(Attach details if necessary	
5. Ist Carrier (Name, address):	6. 2"d Carrier (name, address)(4):	7. Last Carrier (name, address):	
Registration N2:	Registration N':	Registration N2:	
lei: Fax/Telex: Tel.:	Fax/Telex: Tel.:	Fax/Telex:	
8. Identity of means of transport (3)	9. Identity of means of transport (3)	10. Identity of means of transport (3)	
Date of transfer:	Date of transfer:	Date of transfer:	

Signature of Carrier's representative	Signature of Carrier's representative	Signature of Carrier's representative
11. Designation and chemical composition of the waste		12. Physical characteristics (3):
		13. Actual quantity
		Kg. Liter
14. Waste identification code		16. Packaging
		Type (3): Number:
Bales No: OECD No.		
UN No. : ITC (HS)		17. UN Classification:
Customs code (H.S.):	Other (specify):	UN shipping name:
		LIN Identification No.:
15. OECD Classification (2): amber	Red EJ and Number:	UN class (3):
Other		H Number (3): Y No.:
(attach details)		
18. Special handling requirements	20. Exporter's declaration,	
	I certify that the information in blocks I to 19 above is complete and correct to my best knowledge. I also certify that legally-enforceable written contractual obligations have been entered into, that any applicable insurance or other financial guarantees are in force covering the transboundary movement and that all necessary authorizations have been received from the competent authorities of the States concerned.	
	Date :	Signature:
19. Actual date of shipment	Name:	

TO BE COMPLETED BY IMPORTER/RECYCLER		
21. Shipment received by Importer/Recycler		23. I certify that the Recycling of the
Quantity received:	Kg. Liters accepted	waste described above has been
Date :		completed.
Name: Signature: rejected (x)		
		Date:
		Name:
22. Shipment received at Recycler		
Quantity received:	Kg. Liters accepted 0	Signature & stamp-
Date:	C3	
Name Signature:	rejected (x)	
Approximate date of recycler		
Method of recycling		

(1) Attach list, if more than one (2) Enter X in appropriate box (3) See codes on the reverse (x) Immediately contact Competent Authority.

(4) If more than three carriers, attach information as required in blocks 6 and 11.

List of abbreviations used in the notification

RECOVERY OPERATIONS (Block 9)	
R1 Use as a fuel (other than in direct incineration) or other means to generate energy	
R2 Solvent reclamation/regeneration	
R3 Recycling/reclamation of organic substances Which are not used as solvents	
R4 Recycling/reclamation of metals and metal compounds	

R5 Recycling/reclamation of other inorganic materials			
R6 Regeneration of acids or bases			
R7 Recovery of components used for pollution abatement			
R8 Recovery of components from catalysts			
R9 Used oil re-refining or other reuses of previously used oil			
R10 Land treatment resulting in benefit to agriculture w ecological improvement			
R11 Uses of residual materials obtained from any of the operations numbered RI to RIO			
R12 Exchange of wastes for submission to any of the operations numbered RI to RI I			
R13 Accumulation of material intended for any operation numbered RI to PL12			
MEANS OF TRANSPORT (Block 10)	PACKAGING TYPES (Block 11)	H NUMBER (Block 17) & UN CLASS (Block 18)	
R = Road	1. Drum	UN Class H Number	Designation
	2. Wooden barrel		
T = Train/Rail	3. Jerrican	I H I	Explosive
	4. Box	3 143	Inflammable Liquids
S = Sea	5. Bag	4.1 H4.1	Inflammable solids
	6. Composite packaging	4.2 H4.2	Substances or wastes liable
A Air	7. Pressure receptacle		to spontaneous combustion-
	8. Bulk	4.3 H4.3	Substances or wastes
W Inland Waterways	9. Other (specify)		which, in contact with
			Water, emit inflammable
			Gases
		5.1 H5.1	Oxidizing
PHYSICL CHARACTERISTICS (Block 13)		5.2 H5.2	Organic peroxides

	6.1 H6.1	Poisonous (acute)
1. Powdery/ powder 7. Other (specify)	6.2 H6.2	Infectious substances
2. Solid	8 H8	Corrosives
3. Viscous/paste	9 H10	Liberation of toxic gases in
4. Sludgy		contact with air or water
5. Liquid	9 H11	Toxic (delayed or chronic).
6. Gaseous	9 H12	Ecotoxic
	9 H13	Capable by any
		means after
		disposal of
		yielding
		another material e.g.
		leachate, which
		possesses any of the
		characteristics listed
		above.
<p><i>Y numbers (block 16) refer to categories of waste listed in Annex I and II of the Basel Convention, as well as more detailed information can be found in an instruction Manual available from the Secretariat of the Basel Convention. .</i></p>		
<p>25. SPECIFIC CONDITIONS ON CONSENTING TO THE MOVEMENT</p>		

FORM – 3

[See rule 10]

Application for importing hazardous materials for recycling

From:

To : **TO BE MAILED BY IMPORTER**

The Member Secretary,
State Pollution Control Board

Sir,

I/we apply for 'No Objection' under sub-rule 5.3 of rule 5 of the Hazardous Materials Management, Handling and Transboundary Movement Rules, 2007, for importing hazardous materials for recycling.

FOR OFFICE USE ONLY

1. Code No. :
2. Whether the unit is situated in a critically polluted area as identified by the Ministry of Environment and Forests :

TO BE FILLED IN BY APPLICANT

PART 1 :

(To be filled by Exporter or a person authorized by the exporter)

1. Name and Address of the Exporter
2. Details of material (hazardous materials in the form of raw material) to be exported.

S.No.	Particulars	Six digit Code No.*	Concentration(s) expected	Quantity	Whether any special handling requirement?

The material permitted shall be fully insured for transit as well as for any accidental occurrence and its cleanup operation.

4. The exported material shall be taken back, if it creates a genuine Environmental hazard or shall take all such measures to treat and dispose in an environmentally benign manner upto the satisfaction of concerned SPCB. All such costs involved in such operation shall be borne by Exporter and/or Importer.

PART 2:

(To be filled in by Importer)

Name and Address :

1. Details of material to be imported

S.No.	Particulars	Six digit Code No.*	Concentration(s) expected	Quantity	Whether any special handling requirement?

* (Here enter as reference nomenclature, the equivalent six digit code no. from European Waste Catalogue EWC, issued pursuant to the Article 1(a) of Council Directive 75/442/EEC on waste or its equivalent as the case may be)

Whether you have received such imported hazardous materials in the form of raw materials in the past and if yes give details

S.No.	Name of Material	Country of Export	Year	Quantity in tonnes

Whether the importer has :

5. Adequate facility to handle imported hazardous waste in the form of his raw material **if yes furnish details.** Yes / No

- a. Adequate facility to handle the hazardous wastes generated by the use of such imported hazardous materials in the form of his raw material
Yes / No
- b. Requisite laboratory testing facility Yes / No

6. Break-up of the imported material
 - a. The total quantity applied for T
 - b. Out of (a) above, how much quantity after initial in-situ purification, will be available as raw material T
 - c. Out of (b) above, how much quantity will be converted to be the useful product or co-product T
7. Means of Transport (Road, Rail, inland waterway, sea, air) including country of export, transit and import, also point of entry and exit where these have been designated.
8. Information on special handling requirements including emergency provision in case of accident.

(Attach separate sheet)

9. Undertaking :

I hereby solemnly undertake that :

1. the full consignment shall be cleared in one lot by arranging authorised transporter under my supervision with due prior intimation to the Board, District Collector and Police station and the imported material shall be admitted in an enclosure especially provided in the premises.
2. The material permitted shall be fully insured for transit as well as for any accidental occurrence and its clean-up operation.
3. The record of consumption and fate of the imported material shall be monitored and report sent to the Board every fortnight.
4. At every step of consumption of 25, 50, 75 and 100% of the imported material, the situation in the store shall be shown to the Board authority at our cost.
5. The hazardous wastes which gets generated in our premises by the use of imported hazardous wastes in the form of raw material, shall be treated and disposed of and only as per conditions of authorisation.
6. I/We agree to share the cost and joint to exporter in undertaking the measures as per undertaking given by Exporter at Part A column No.12(3) of this Form 6.<
7. I am aware that there are significant penalties for submitting a false certificate/ undertaking/ disobedience of the rules and lawful orders including the possibility of fine and imprisonment.

Exporter

Date

Signature

Place

Designation

Importer

Date

Signature

Place

Designation

FORM - 4

[See rule 10]

(Format for maintaining records of hazardous material imported and exported)

1. Name and address of the importer:
2. Date and reference number of issuance of permission to import hazardous material:
3. Description of hazardous material:
 - a. Physical form:
 - b. Chemical form:
 - c. Total volume and weight (in kilograms):
 - d. Test report as per Rule 13(6):
4. Description of storage, treatment and reuse of hazardous material:
 - a. Date:
 - b. Method of Storage:
 - c. Method of treatment and reuse (give details):

FORM - 5
[See rules 13 & 14]

Form of application for Grant of license of Industrial Units Possessing Environmentally Sound Management Facilities for Recycling

{To be submitted to the Central Pollution Control Board in triplicate}

1	Name and Address of the unit		
2	Name of the occupier or owner of the unit with designation, Tel / Fax		
3	Date of commissioning of the unit		
4.	No. of workers (including contract labourers)		
5	Consent Validity	Air (Prevention & Control of Pollution) Act, 1981 Valid up to..... Water (Prevention & Control of Pollution) Act, 1974 Valid up to.....	
6.	Product Manufactured during the last three years (Tonnes / Year)	Name a) b)	Quantity a) b)
7.	Raw material consumption during last three years (Tonnes/ year)	Name a) b)	Quantity a) b)
8.	Manufacturing Process	Please attach manufacturing process flow diagram for each product (s)	
9.	Water Consumption	Industrialm ³ / day Domestic.....m ³ /day	
10	Water Cess paid up to (date)	
11	Waste water generation as per consent.....m ³ /day	Industrial Domestic Actual.....m ³ /day (avg of last 3 months)	
12	Waste water treatment (provide flow diagram of the treatment scheme)	Industrial Domestic	
13	Waste water discharge	Quantity..... m ³ /day Location..... Analysis of treated waste water pH, BOD, COD, SS, O&G Any other	
14.	Air Pollution Control a. Flow diagram for emission control system (s) installed for each process unit, utilities etc. b. Details of facilities provided control of fugitive emission due to material handling, process, utilities etc. c. Fuel consumption d. Stack emission monitoring results e. Ambient air quality	Name..... quantityD/M Stack Emission.....mg/Nm Attach to PM SO ₂ Metals (pb. Zn.) Location parameter mg/m SO ₂ , NO _x ,SPM, Pb, any others	

15.	Hazardous waste management a. Waste generation b. Details on collection , treatment and transport c. Disposal (i) Please attach Details of the disposal facilities (ii) Please attach analysis report of characterisation of hazardous waste generated (including leachate test if applicable)	S.No. Name Category <u>Quantity</u> (last 3 years)
17	Details of hazardous material proposed to be acquired through sale/negotiation/ contract or import as the case may be for use as raw material.	1. Name 2. Quantity required per year 3. Waste listing & No. in Annex VIII (List A)/ Annex IX (List B) of Basel Convention 4. Hazard Characteristic as per Annex III of BC
18	Occupational safety and Health aspects	Please provide details of facilities provided
19	Remarks (i) whether industry has provided adequate pollution control system/ equipment to meet the standards of emission/effluent. (iii) whether HW collection and Treatment , Storage and Disposal Facility (TSDF) are operating satisfactorily (iv) Whether conditions exists or likely to exists of the material being handled /processed of posing immediate or delayed adverse impacts on the Environment. (V) Whether conditions exists or is likely to exists of the material being handled / processed by any means capable of yielding another material eg , leachate which may possess eco-toxicity.	Yes / No. Yes / No Yes / No Yes / No Yes / No
20	Any other Information i) ii) iii)	
21	List of enclosures as per rule	

Signature of applicant

Designation:

Date:.....

Place:.....

FORM – 6

[see rules 14]

Form for Filing Returns and Records by Recyclers

[To be submitted by recyclers to State Pollution Control Board/Committee by 30th June of every year for the preceding period April to March]

1.	Name and address of the generator/recycler	
2.	Name of the authorized person and full address with telephone and fax number	
3.	Installed annual capacity to recycle hazardous materials or dispose hazardous waste (in MTA)	
4.	Quantity hazardous materials (in MTA) purchased/sold (i) Source	
5.	Quantity of hazardous materials processed	
6.	Quantity and type of material recovered (in MTA)	(i) (ii)
7.	Quantity of recyclable materials sent back to the manufacturers* and others#	(i)
8.	Quantity of hazardous waste generated (in MTA) and its disposal methods.	(i) (ii)

* delete whichever is not applicable

enclose list of other agencies

Place :

Date :

Signature:

Designation:

FORM – 7

[See rule 17]

Marking of Hazardous Material and Waste Containers

HAZARDOUS MATERIAL / WASTE *

Handle with Care

Waste Category No	Compatible Group
Total Quantity	Date of Storage
Contents and State of the Waste:	
Sender's Name & Address	Receiver's Name & Address
Phone	Phone
Telefax No	Telefax No
Telex No	Telex No
Contact Person	Contact Person
In case of emergency please contact	

Note :

1. Background colour of lab I fluorescent yellow.
2. The words 'HAZARDOUS MATERIALS / WASTES' & 'HANDLE WITH CARE' to be prominent and written in red
3. Label should be of non-washable material.

* delete which ever is not applicable

FORM-8

[See rule 19]

Transport Emergency (TREM) Card

1. Characteristics of hazardous material :

S.No.	Type of Waste	Physical Properties/	Chemical Constituents	Exposure Hazards	First Aid Requirements

2. Procedure to be followed in case of fire :

3. Procedure to be followed in case of spill age/accident/explosion :

4. For expert services, please contact :

i) Name & Address:

ii) Telephone No.:

(Name and Signature of Occupier)

FORM – 9

[See rule 20]

Hazardous Materials/Waste Manifest				
1. Occupier's Name & Mailing Address: (including Phone No.)		2. Occupier's Registration No.		
		3. Manifest Document No.		
4. Transporter's Name & Address: (including Phone No.)	5. Type of Vehicle:		.6. Transporter's Registration No.	
	Truck		7. Vehicle Registration No.	
	Tanker			
	Special Vehicle			
8. Designated Facility Name & Site Address:		9. Facility's Registration No.		
		10. Facility's Phone		
11. Material Description:		12. Total Quantity		
		m ³		t
		13. Consistency		
		Solid Oily		
		Semi-Solid Tarry		
		Sludge Slurry		
14. Transport Description of Waste	15. Containers		16. Total	17. Unit
	No.	Type	Quantity	Wt/Vol.
				18. Waste Category
				No.
18. Special Handling Instructions & Additional Information				
20. OCCUPIER'S CERTIFICATE: I hereby declare that the contents of the consignment are fully and accurately described above by proper shipping name and are categorised, packed, marked, and labeled, and are in all respects in proper condition for transport by road according to applicable national government regulations.				
Typed Name & Stamp Day Year		Signature Month/Day/Year		
21. Transporter Acknowledgement of Receipt of Materials				
Typed Name & Stamp Day Year				
22. Discrepancy Note Space				
23. Facility Owner or Operator's Certification of Receipt of Hazardous Waste				
Typed Name & Stamp Day Year		Signature		Month/Day/Year

FORM – 10

[see rule 21]

Form for Filing Returns and Records by Occupier/Operator of Facility

[To be submitted by occupier/operator of disposal facility to State Pollution Control Board/ Committee by 30th June of every year for the preceding period April to March]

1.	Name and address of the generator/ operator of facility				
2.	Name of the authorised person and full address with telephone and fax number				
3.	Description of hazardous materials/waste	Physical form with description	Chemical form		
4.	Quantity hazardous materials/wastes (in MTA)				
5.	Description of Storage				
6.	Description of Treatment				
7.	Details of transportation	Name & address of consignee	Mode Of packing	Mode of transportation	Date of transportation
8.	Details of disposal of hazardous waste	Name & address of Operator	Disposal Site	Disposal Method	Date of disposal
9.	Environmental surveillance Data (Date of measurement)	Ground water analysis	Soil Analysis	Air analysis	Other analysis
9.	Quantity of recyclable materials sent back to the manufacturers* and others [#]	(ii)			

* delete whichever is not applicable

enclose list of other agencies

Place :

Date :

Signature:

Designation:

FORM – 11
[see rule 23]

**Application for filing appeal against order passed by Central
Pollution Control Board/State Pollution Control Board/Pollution
Control Committee of the Union Territories b**

1. Name and address of the person making the appeal.
2. Number, date of order and address of the authority which passed the order, against which appeal is being made (certified copy of the order to be attached) .
3. Ground on which the appeal is being made.
4. Relief sought for.
5. List of enclosures other than the order referred in para 2 against which the appeal is being filed.

Signature.....

Date:

Name and address

[F No. 23-17/2006-HSMD]

(R.K.Vaish)

Joint Secretary to Government of India

Note- Principal rules were published in the Gazette of India vide S.O. 549(E), dated 28th July, 1989 and subsequently amended vide S.O. 24(E), dated 6th January, 2000, S.O. 593(E), dated 20th May, 2003, S.O. 826(E), dated 19th July, 2004 S.O. 897(E), dated 6th August, 2004 and S.O. 914(E), dated 12th August, 2004.