

Minutes of 32nd meeting of the Technical Review Committee (TRC) under the Hazardous Waste (Management, Handling and Transboundary Movement) Rules, 2008 held on 24th September, 2014 under the chairmanship of Shri R.K.Garg.

The decisions of the Ministry as per the agenda are as follows:

Agenda item No 01: Import of second hand tyre for direct re-use purpose

- (i) M/s Imrose Traders, Delhi (No.23-141/2014-HSMD);
- (ii) M/s S.K. Enterprises, Delhi (No.23-12/2014-HSMD);
- (iii) M/s A.D. International Delhi (No.23-76/2014-HSMD);
- (iv) M/s Luxmi Tyres Limited (No.23-11/2014-HSMD);

Decision for agenda items no 01 (i to iv): During the discussion on import of used tyres for direct re-use, the representative from All India Tyres Manufacture Association could not attend the meeting. The Committee as per the suggestion of CRRRI also felt that for road worthiness testing input is required from CIRT (Central Institute of Road Transport) and for standards for tyres, if any, the presence of the representative of BIS would be desirable. Since, from the presentations made by the importers, the method of test for road worthiness and the manner in which residual life of used tyres is determined could not be satisfactorily explained by the applicant, the Ministry deferred the decision and decided to have another meeting of TRC wherein representatives of the aforesaid organization would be invited.

Agenda Item No. 02: DGFT seeking clarification on import of cut tyres. (23-208/2014-HSMD)

Decision: The Ministry is of the view that cut (waste/used) tyres are either for recycling or for resource recovery and no distinction need to be made based on the number of cuts.

Agenda item No 03: Clarification sought by M/s Mady Walker Estate Management Pvt. Ltd. for import of tyre for re-treading (23-197/2014-HSMD)

Decision: The Ministry decided to discuss it again, when representatives of CIRT, BIS and ATMA are present as recommended above with respect to agenda item 01.

Agenda Item No.04: Representation by M/s Philips India Ltd Gurgaon regarding import of refurbished medical equipment forwarded by DGFT, Ministry of Commerce (5-9/2014-HSMD)

Decision: The Committee heard the representation from M/s Philips for ban or restriction on the import of refurbished medical equipment by third party since it will impact the standard of health care in the country. At the same time they have advocated free import of second hand medical equipment by Original Equipment Manufacturers (OEMs). The Committee also took note of OM from the Health Ministry that second hand medical equipment may not be allowed to be imported in view of generation of e-waste at a faster rate, likely problems associated with use of such equipment in critical areas like ICU, CCU as well as availability of spares etc. The Committee has so far been recommending the import of second hand refurbished medical equipment having certificate from Chartered Engineer about the residual life of the equipment and the importer providing warranty for maintenance. The committee is of the view since all medical equipment (new and old ones) are anyway being imported and the cost of the second hand equipment is usually much lower, sometimes less than 50%, the import of second hand equipment may continue to be regulated on a case to case basis. So far as the representation from M/s Philips is concerned the committee was informed by the applicant that BIS standards are available for medical equipment and they would send a copy of the same. The Ministry will take a view thereafter.

Agenda Item No. 05: Clarification sought by Sh Padmanabhan Sridharan regarding implementation of E-waste Rules, 2011 (23-203/2014-HSMD)

Decision: The Ministry clarified that (i) From the e-waste Rules, it is seen that refrigerators are included as items in Schedule I of the Rules which enlist the items to which Rules are applicable. Since no specific mention is made of domestic or commercial, it may be inferred that rules are applicable for all types of Refrigerators. (ii) As far as applicability of Hazardous Waste Rules is concerned, it is first necessary to know the various materials used in the process and the nature of wastes and the constituents therein.

Agenda Item No. 06: Clarification sought by M/s Alkali Manufactures Association of India, Delhi regarding disposal of brine sludge generated in Membrane Cell Plants. (23-206/2014-HSMD)

Decision: The Committee recommended calling the applicant for presentation.

Agenda Item No. 07: M/s Ashapura Volclay Limited, Bhuj, Gujarat seeking MoEF permission for Back filling of mine from their product (Gypsum) (23-161/2014-HSMD)

Decision: The Committee was informed that the gypsum is produced by the neutralization of sulphuric acid containing leach liquor obtained from the leaching of bentonite clay, by lime. The analysis reports by SGS and Pollucon laboratories, Surat submitted by the applicant does not indicate the presence of any hazardous constituents above the limits. The Ministry therefore decided that the gypsum from this source can be categorized as non-hazardous.

Agenda Item No. 08: - Clarification sought by M/s DSG Papers Private Limited regarding categorization of ETP Sludge to be hazardous / non-hazardous as per Hazardous Waste Rules, 2008. (23-207/2014-HSMD)

Decision: The Ministry decided to invite the applicant for presentation and they should be advised to get the TCLP test done as prescribed under the Hazardous Wastes Rules, 2008.

Agenda Item No. 09: Request forwarded by DGFT of M/s Metallurgical Products (India) P. Ltd., Maharashtra. (5-21/2010-HSMD)

Decision: The Committee observed that under the Hazardous Wastes Rules, 2008; Niobium and Tantalum scrap falls under Schedule III (Part D) Basel no. B 1010 and can be imported by actual users without permission from the Ministry of Environment, Forests and Climate Change.

Agenda Item No. 10: Clarification sought by Punjab State Pollution Control Board regarding coverage of small scale electroplating units. (23-210/2014-HSMD)

Decision: *The Ministry clarified that:*

- i. All wastes generated in the electro plating units(Category no. 12.1, 12.2,12.3 and 12.8 of Schedule I) are hazardous wastes and are covered under the purview of Hazardous Wastes Rules, 2008. The effluent if sent to CETP, the sludge therefrom will then come under the category 34.3 of Schedule I as hazardous waste.
- ii. Flue gas cleaning residue arising from the air pollution control systems attached to the cupola furnace comes under the category 34.1of Schedule I and is thus hazardous as per the Rules.

Agenda Item No. 11: DGFT seeking clarification regarding enlistments of Pre-shipment inspection Agencies (PSIA) with respect to Baltic Control Ltd., Denmark. (23-209/2014-HSMD)

Decision: The committee was of the view that nomination of PSIA falls under the purview of DGFT and does not pertain to the Ministry and hence the Ministry has no comments to offer.

Agenda Item No. 12: DGFT seeking clarification regarding import of second hand medical equipments into India by M/s Stryker (India) Private Ltd, New Delhi. (23-66/2014-HSMD)

Decision: The Ministry clarified that MOEF&CC's permission is required for import of such medical and surgical equipment under Schedule -III B1110 of H.W.Rules, 2008 as all these equipments are comprised of Electronics and Electrical Assemblies under the Rules.

Agenda Item No.13: Clarification sought by M/s Ishwardas Clearing Pvt. Ltd, regarding difference between hard Zinc Pelter and Zinc Dross and permission for quantum of zinc content allowed in Zinc Dross (23-195/2014-HSMD)

Decision: The Ministry clarified that hard zinc spelter and zinc dross come in the same category namely B1100 and are required to have minimum of 85% zinc. The difference between spelter and dross is mainly physical shape and size.

Agenda item No 14: Department of Industrial Works, Thailand has requested for clarification on import procedure for import of zinc skimming from zinc oxide production. (23-190/2014-HSMD)

Decision: The Ministry clarified that Zinc skimming are allowed for import under the HWM Rules, 2008 with a provision of skimming having zinc in dispersible form containing zinc more than 65% and having lead less than 1.25% and cadmium less than 0.1%.

Agenda Item No.15: Clarification sought by Shri P P Vasudevan regarding use of indigenous patented Technology for Solid Fuel from Waste Phosphote Gypsum and Iron Oxide i.e. approval in principle by the MoEF for starting new industries on the basis of technology. (23-202/2014-HSMD)

Decision: On the recommendation of the Committee, the Ministry decided to invite the applicant for technical presentation in the next meeting.

Agenda Item No.16:

- (i) **Clarification sought by M/s Pasco Beam with respect to import of small quantity of waste oil sample for testing purpose in their machine (23-194/2014-HSMD)**
- (ii) **Clarification sought by Shri Ram Institute regarding import Soil sample for analysis to be received from Kuwait(23-175/2014-HSMD)**

Decision for agenda item no 16 (i) and (ii): The Ministry decided that since only a sample is being imported for testing purposes and the quantity is in Kgs, import may be permitted.

Agenda Item No.17: Review of "Spent Alumina Catalyst" as a Hazardous waste classified in Scheduled-I request by M/s Panipat Refinery and Petrochemical Complex. (23-191/2013-HSMD)

Decisions: The analysis of the spent alumina catalyst submitted by the refinery indicates cyanide is more than 5mg/Kg (the test result reported cyanide values of the order of 2000mg/kg). The Ministry therefore confirmed that such wastes

cannot be categorized as non-hazardous and hence cannot be de-categorized from the Rules.

Agenda item No 18: DPCC sought clarification regarding if imaging products /cameras are covered under schedule-I of the E-waste Rules, 2011 or not. (23-189/2014-HSMD)

Recommendation: The Ministry was of the view that camera and other such imaging products are not covered under the Schedule I of e-waste Rules, 2011.

Agenda item No 19: Requirement to testing Certificate by Customs- DGFT (23-201/2014-HSMD)

Decision: The committee observed that the issue of test certificate pertains to import/export of products and not the waste. Therefore, the Ministry has no comments to offer.

Agenda item No 20: Metal Recycling Association of India (1-16/2013-HSMD) (VIP reference)

Decision: The Committee noted that the issue of quarterly return is already being considered under proposed 5th amendment to the HW Rules wherein it is proposed to be amended to filing of annual return. As far as filling of Form 9 is considered the Ministry recommended that this issue may be considered by MoEF&CC while amending the HWM Rules. The other issues raised by the applicant don't fall under the purview of the Ministry.
