

Decision of Ministry of Environment, Forest & Climate Change with respect to import and export of hazardous waste under the Hazardous and other Wastes (Management, Handling & Trans-boundary Movement) Rules, 2016 as approved by the Competent Authority on the basis of decision of the 71st meeting of Expert Committee held on 11th -12th August 2016 for appraisal of such applications

AGENDA ITEM 2.1: IMPORT OF ELECTRICAL AND ELECTRONIC ASSEMBLIES (EEAs), ETC.

2.1.1M/s Samsung India Electronics Pvt. Ltd., Noida (F. No. 23-86/2011-HSMD):

Decision: The Committee's decision with regard to each of the three applications are as follows:

- i. 11 items for production of LCD/LED TVs being imported from their unit in Egypt are electro-mechanical in nature. They have been physically inspected by an Indian CE and residual life is reported as 8-10 years and the year of manufacture is 2008. Since the items are capital equipment for manufacturing purposes and are electro-mechanical in nature, the Committee recommended their import.
- ii. 120 nos. of 2nd hand equipment being imported from their unit in Korea. They are meant for manufacturing 4G mobile phones. The year of manufacture of the equipment is 2011-2014. The CEC from Korea has given the residual life as 6-10 years. The Committee therefore recommended the import.
- iii. 12 nos. of 2nd hand equipment being imported from their unit in China. They are meant for manufacturing of 4G mobile phones. The year of manufacture of all the equipment is 2014. The CEC from China has given the report on functionality of the items. The Committee therefore recommended the import.

2.1.2 M/s Oracle India Pvt. Ltd., New Delhi (F. No. 23-27/2013-HSMD):

Decision: During presentation the applicant submitted that the defective components would be exported within one year of import of the refurbished spare parts. The Committee noted that since such items now are covered under the Schedule III D of the HW Rules, 2016, they can be imported without the permission of this Ministry subject to providing the listed documents in Schedule VIII to the Customs Authority.

2.1.3. M/s On Semiconductor Technology India Pvt. Ltd., Bangalore (F. No. 23-86/2016-HSMD):

Decision: The applicant submitted a letter from the CE firm whose representative had earlier given the certificate. In this letter they have mentioned that at the time of inspection, the condition of all the equipment was excellent and all of them appeared as new in spite of their being two to six years old. Moreover all these items are being imported from their own unit in Singapore. The Committee therefore recommended the import.

2.1.4. M/s HCL Technologies Ltd., Noida (F. No. 23-77/2011-HSMD):

Decision: During presentation the applicant submitted that the equipment is being imported on loan basis from companies for whom the applicant's company is carrying out a software development project. The equipment will be exported back within 3 years. The CEC has given the residual life as 8 and 13 years for the two equipments. The Committee therefore recommended the import subject to the condition that these items will be exported within three years.

2.1.5 M/s Flextronics Technologies Pvt. Limited (F.no. 23-133/2013-HSMD):

Decision: The applicant could not import the refurbished hard disk drive against permission given by the Ministry as per OM dated 5th March 2015 due to permission not given by the MoCIT. The applicant has stated that now they expect permission from MoCIT and have therefore requested for extension of validation of their earlier permission. The refurbished hard disk drives are being imported from the Original equipment Manufacturers OEMs and equivalent no. of defective ones will be exported back to the OEMs. The Committee therefore recommended extension of validity of permission by 18 months.

2.1.6 M/s Competition Team Technology (India) Pvt. Ltd. Bangalore (F.no. 23-120/2016-HSMD):

Decision: The Committee noted that year of manufacture of the equipment is 2008 and there is no evidence of its refurbishment. In view of the guidelines, being followed by the Committee with respect to age of the equipment, the import of the instrument was not recommended.

2.1.7 M/s Philips India Ltd. (F.No. 23-207/2014-HSMD):

Decision: The Committee noted that both the items have been manufactured in 2014 and have been refurbished by OEM, MRI in August 2016 and IXR earlier in 2016 respectively. The items will be supplied to users with warranty and with service contract The Committee therefore recommended the import.

AGENDA ITEM NO. 2.2.: IMPORT OF BATTERY/LEAD SCRAP/TITANIUM SCRAP, ETC.

2.2.1 M/s Narayan Metals, Alwar (F. No. 5-24/2015-HSMD):

Decision: Since the applicant has applied for import for the first time and has not supplied any details of the equipment installed for pollution control, the Committee recommended site visit by a sub-committee before the case is considered further.

2.2.2. M/s HBL Power Systems Ltd., Hyderabad (F. No. 5-30/2010-HSMD):

Decision: The Committee noted that no site visit has been executed till date in the case of this unit, therefore the Committee recommended site visit by CPCB and asked the applicant to submit Form 5 as per the newly notified HW Rules, 2016.

2.2.3 M/s Pilot Industries Ltd., Alwar, Rajasthan (F. No. 23-213/2012-HSMD):

Decision: The Committee recommended inclusion of lead scrap (Radio, Racks, Relay, Ropes, Rakes) in the existing permission of this Ministry as requested by the applicant.

2.2.4 M/s Recmet Alloys Pvt. Ltd., Vadodara, Gujarat (F. No. 23-44/2014-HSMD):

Decision: Since the applicant has applied for import of lead scrap for the first time, the Committee recommended a site visit by CPCB before the case is considered further.

AGENDA NO.2.3: IMPORT OF RUBBER SCRAP ETC.

2.3.1 M/s Fishfa Rubbers Ltd., Rajkot (F.No.23-80/2014-HSMD):

Decision: The Committee noted that in June 2016, the applicant had sent a request to the Ministry to include crumb rubber powder in their earlier permission granted vide O.M. dated 4/3/2016 for import of 6000 MT of used rubber tyre scrap/tube scrap. This was required to obtain license from the DGFT. The Committee recommended that the applicant may be informed that import of rubber crumb/powder does not require permission of this Ministry.

Now, in July the applicant has sent fresh application for import of 27,000 MT used rubber tyres Scrap /tube scrap /crumb rubber (multiple cuts/shreds/press baled/powder form). Apparently, the applicant has not so far imported material against the earlier permission issued by this Ministry. The Committee therefore recommended that the applicant may be called for technical discussion/ presentation in the next meeting.

2.3.2.M/s A.K. Rubber, Valsad, Gujarat (F. No. 23-40/2015-HSMD):

Decision: The Committee noted that the applicant has given details of the product (rubber crumbs) made from the earlier import and list of buyers to whom the product has been supplied.

However, it was observed that no inspection of the unit has ever been made. In view of this, the Committee recommended that a site visit may be carried out by CPCB along with inspection of unit of M/s Dashmesh Rubber to whom they have claimed supplying the crumb rubber for making reclaimed rubber, before further import is considered.

2.3.3 M/s A.P. Rubber Industries, Haridwar (F. No. 23-91/2014-HSMD):

Decision: The Committee noted that the unit had been visited in 2014 and the applicant was issued permission for import of 1200 MT of rubber tyre scrap on 3.3.2016. The Committee recommended import of 3000 MT of scrap rubber tyre for manufacturing of crumb rubber during the year 2016-2017.

2.3.4 M/s S.S. Endothermics Pvt. Ltd., Mumbai (F.No.23-56/2015-HSMD):

Decision: The Committee noted that based on site visit and presentation, the applicant had been earlier given permission for import of 17,000 MT of rubber tyre scrap. The Committee recommended import of 17,000 MT of rubber tyre scrap for making rubber chips during the year 2016-2017.

2.3.5 M/s V.K. Rubber & Plastic Industries, Nashik, Maharashtra (F. No. 23-71/2015-HSMD):

Decision: The Committee noted that in the inspection report attached to the letter from the Maharashtra PCB certifying compliance with SOP, it is stated that crumb rubber was found stored for feeding to the reactor. However no mention is made of existence of the crumb making facility from scrap tyre. Moreover it is apparent that the visit was undertaken when the plant was not in operation. The Committee therefore recommended that the site visit be made by a sub-committee comprising the Chairman Shri R.K. Garg and Expert Member, Shri K.P. Nyati along with a representative of Maharashtra PCB before considering the case further and also asked the applicant to submit as well as asked the applicant to submit Form 5 as per the newly notified HW Rules, 2016.

While discussing this case, the Committee noted that earlier in December 2015 M/s Nutec Oil and Energy Pvt. Ltd Chennai had been recommended import of 1000 MT of scrap rubber tyres for their continuous pyrolyser based on the report of SPCB and the presentation made by the applicant. It had also been mentioned that a sub-committee would visit the plant at the time of operation of the pyrolyser after the material has been imported. Subsequently, CPCB zonal office inspected the plant and pointed out a no. of deficiencies in March 2016 in reference to SOP prescribed by the Ministry which were also conveyed to the applicant. Since then no response has been received from the applicant. Glaring deficiencies were pointed out by CPCB in their site visit report such as given below:

- i. To provide suitable suction hoods at raw material handling and transfer points to collect fugitive emissions;
- ii. To provide separate storage facility for storing raw material;

- iii. To install mechanized raw material feeding system for reactor;
- iv. To provide full fledged ETP to treat their trade effluent to achieve prescribed standards of TNPCB;
- v. To make proper floors in the working place to avoid external fugitive emission during handling of raw material;
- vi. To provide personal protective equipment/gadgets such as safety apron, masks, shoes, gloves, goggles, helmet and earplugs to all workers;
- vii. To improve bagging area of carbon black by providing proper curtains around the filling area to prevent fugitive emissions from the bagging area;
- viii. To provide proper platform with porthole to stack attached to boiler as per emission regulation part III;
- ix. To provide work space for manufacturing of pyrolysis oil by using crumb rubber as per SOP i.e. of about 3000 sqm to store raw material, oil and carbon black;
- x. To reuse treated effluent in the process area or as cooling water;
- xi. To improve house keeping in the process area;
- xii. To obtain prior permission from TNPCB to install machineries & infrastructure for manufacturing of crumb rubber by using waste tyres as per SOP and not to procure imported tyres without obtaining the permission from the MoEF&CC.

The Committee was of the view that in case of pyrolysis plants a cautious approach is necessary, therefore the Committee recommended the following:

- a. The permission of 1000 MT granted earlier may be revoked with immediate effect;
- b. If the applicant has imported the scrap tyres against the above permission without having complied with aforesaid deficiencies pointed out by CPCB, the applicant may be asked to discontinue the processing of imported material with immediate effect and TNPCB shall be asked to ensure compliance to the above direction including installation of crumb making facilities.

2.3.6 M/s Tinna Rubber and Infrastructure Ltd., Delhi (F.No. 5-22/2010-HSMD):

Decision: The Committee noted the evidence in the form of video CD and photographs submitted by the applicant in support of compliance of the modifications as suggested in the inspection report of CPCB. However, it is noted that the applicant is yet to submit a no. of documents including authorization from concerned SPCB as required under the HW Rules, 2016.

The Committee therefore recommended that permission for import of 5,000 MT of scrap rubber tyres may be granted on receipt of requisite documents.

2.3.7 M/s Ocean Rubber Industries, Amreli (Gujarat) (F.No. 23-87/2013-HSMD):

Decision: The Committee recommended that the following suggestions made by CPCB should be conveyed to the applicant for

implementation for further consideration of their case for import/export:

- i. The industry should provide adequate APCD (no. of bags in bag filter) along with suction hood for shredder, conveyor belt, proper suction arrangement for pulverisers, vibrating screen, stack, and steps to control noise from machineries;
- ii. The industry should install firefighting system (portable extinguisher/hydrant/water tank of adequate capacity) and to obtain fire adequacy certificate from the concerned department.

AGENDA NO. 2.4 : IMPORT OF OIL

2.4.1 M/s Global Natural Petro Industries, Bahadurgarh (F. No. 23-44/2015-HSMD):

Decision: The Committee noted that the applicant has not provided the certificate from the exporter on the characteristics of the used oil as specified in Schedule V A of HW Rules, 2016. The Committee therefore deferred the case for want of the requisite document from the applicant. The committee also suggested that in the meantime CPCB may carry out another visit to verify whether all the improvements suggested in their earlier visit have been incorporated.

2.4.2 M/s APJ Refineries Pvt. Ltd., Kerala (F. No. 23-112/2015-HSMD):

Decision: The Committee noted that the necessary documents including the test report from the exporting country have now been received. The Committee therefore recommended import of 4500 MT of Used oils meeting the specifications as laid down in Schedule V A of the HW Rules, 2016.

AGENDA NO.2.5: IMPORT OF NON-ACTIVATED GLASS CULLETS

2.5.1 M/s Saint-Gobain India Pvt. Ltd., Chennai (F. No. 23-56/2014-HSMD):

Decision: The Committee noted that the applicant had been earlier issued permission for the import of 15,000 MT of non activated glass cullet. The Committee therefore recommended the import of 60,000 MT of non activated glass cullet during 2016-2017.

AGENDA NO.2.6: IMPORT OF MFDs:

2.6.1 M/s Parag Domestic Appliances, Kolkata (F. No. 23-85/2012-HSMD):

Decision: The Committee noted that the validity period of the earlier permission is 18 months even if it is not stated in the letter. However, now as per the new HW Rules, 2016, import of MFDs fall in the Schedule III D of the aforesaid rules and do not require permission of this Ministry.

AGENDA NO.2.7: IMPORT OF METAL SCRAP:

3.1.1 M/s R.T. Jain & Company, Palghar, Maharashtra (F.No.23-116/2016-HSMD):

Decision: From the application received, it is not clear as to what the applicant wants to import. If what is sought to be imported are metal or metal alloys as specified in the Part D of Schedule III (B1010) of HW Rules, 2016 then the applicant do not need the permission of this Ministry. In case it is anything else other than what is specified in Schedule III D, the applicant needs to give details of the proposed items to be imported and be present for technical discussion in the next meeting.

2.7.2 M/s Shivam Alums & Chemicals, Bharuch, Gujarat: (F. No. 23-184/2015-HSMD):

Decision: The Committee recommended that the following suggestions made by CPCB should be conveyed to the applicant for implementation for further consideration of their case for import:

- i. Proper feeding system of zinc waste (raw material) to the reactor should be provided.
- ii. Housekeeping in respect of zinc waste/manganese waste spread on cemented platform, working area shall be improved. Proper impervious flooring shall be provided in left over work space area.

AGENDA NO.3.1: EXPORT OF ASH CONTAINING PRECIOUS METAL

3.1.1 M/s Johnson Matthey Chemicals Pvt. Ltd., Raigad, Maharashtra (F. No. 23-47/2012-HSMD):

Decision: The Committee noted that the applicant was granted permission to export of 20 MT of ash containing precious metals. The validity of marine cargo open insurance policy which lapsed in April 2015 and the permission from this Ministry was also granted in April 2015. The Applicant has now submitted the requisite insurance policy which is valid till July 2017. The Committee therefore recommend the extension of the validity of the earlier permission of 20 MT ash containing precious metals till the validity of the insurance policy i.e. July 24th 2017.

AGENDA NO.3.2: EXPORT OF LITHIUM METAL BATTERIES

3.2.1 M/s Schlumberger Asia Services Ltd., Mumbai : (F. No. 23-7/2010-HSMD):

Decision: The Committee noted that the applicant was earlier given permission for export of 10,000 and 2,000 kilograms of used Li metal batteries. The applicant has now sent a letter, the intent of which is not clear. It is also not clear whether any export has been made. The Committee therefore recommended to call the applicant for presentation.

AGENDA NO.3.3: EXPORT CERAMIC/METALLIC SPENT CATALYST

3.3.1 M/s Tanmay Overseas, New Delhi (F. No. 23-80/2016-HSMD):

Decision: The Committee considered the case of the spent/ automobile catalyst and recommended the export of 25 MT of such spent catalyst.

AGENDA NO.3.4: EXPORT OF ELECTRONIC SCRAP/WASTE

3.4.1 M/s AER Worldwide India Pvt. Ltd., Chennai (F. No. 23-7/2010-HSMD):

Decision: The Committee noted that the applicant was granted the permission to export of 200 MT of e-waste (PCBs and ICs) in March 2014. Now the applicant has applied for the permission to export above stated e-waste i.e. PCBs and ICs only to the extent of 150 MT. The Committee therefore recommended the export.

3.4.2 M/s Khanija Recycling India Pvt. Ltd., Bangalore (F. No. 23-17/2011-HSMD):

Decision: The Committee noted that the applicant had earlier been given permission for export of 30 MT of scrap PCBs. The Committee recommended export of 280 MT of scrap PCBs.