Control of Transboundary Waste Movement in Hong Kong

by Kenneth Chan

HKSAR
Introduction
Waste Import/Export Activities in HK

- Convenient location
- Gateway to the Southern China
- Efficient harbour facilities
- Major cargo transshipment port in the Asia-Pacific Region
Waste Volume

Total Quantity (Import + Export)

Thousand Tons


Quantities:
- 1996: 4,000
- 1997: 4,500
- 1998: 5,000
- 1999: 5,500
- 2000: 6,000
- 2001: 6,500
- 2002: 7,000
- 2003: 7,500
General Flow of Waste

Total Import: 2.8 million tons
Total Export: 4.2 million tons
Control on Waste Import and Export
BASEL
CONVENTION
Application to Hong Kong

- Applied to HK through China’s extension of its ratification
- EPD designated as the Competent Authority for HK
- Implemented through the Waste Disposal Ordinance, Cap.354 (Part IVA)
WDO Control

- Control through a permit system

- A permit is required for import and export of:
  - any hazardous waste;
  - any contaminated waste; or
  - any waste NOT for recycling

- No permit required for import and export of uncontaminated recyclable waste for recycling purposes
Control Strategy
Focus of Control

Focus :-

- import of non-recyclable and hazardous waste shipments from overseas;

- illegal waste export shipments to the Mainland China
Intelligence Based Control Strategy

- Establishing communication channels for intelligence and waste shipment information with the concerned parties
Collaboration with Local Parties

- Local Customs/Marine Police
  - Manifest screening
  - Waste shipment referrals
  - Joint inspections

- Landfill operators
  - Interception of illegal disposal of imported waste

- Local Shipping Companies/Agents
  - Referrals of dubious waste shipments
  - Advance information of waste shipments heading HK
Liaison with Mainland China

- Establishing link with the State Environmental Protection Administration

- Signing a MOU on Control of Hazardous Waste Shipments in early 2000
  - adopted a prior notification and consent system
  - in line with the spirit of the Basel Convention
Liaison with Mainland China

- Direct liaison with the State Environmental Protection Administration on waste shipments between HK and the Mainland.

- Control framework set out in a cooperation agreement in the year 2000:
  - adopted a prior notification and consent system in line with the spirit of the Basel Convention;
  - Clarify control requirements of both sides.
Overseas Intelligence Links

- Connection at working level with overseas control authorities, e.g. customs, CAs, etc.
- Exchange information of dubious waste shipments and latest control requirements
- Coordination in return of illegal waste shipments
- Participating in the EU IMPEL/TFS conference
Networking with IMPEL/TFS
IMPEL/TFS

- European Union Network for Implementation and Enforcement of Environmental Law (IMPEL)
- IMPEL/TFS is a sub-network dealing specifically with matters on transfrontier shipments of waste
- Expanded in 2003 to cover 28 countries
Objectives of IMPEL/TFS

- Promote compliance with the Council Regulation (EEC) 259/93 through enforcement
- Carry out joint enforcement projects
- Promote exchange of knowledge and enforcement experience
Networking with IMPEL/TFS

- HKEPD was first invited to join the Annual Conference in 2000 to share control experience.
- Conduct joint project in 2001 to set up intelligence link between HK and IMPEL/TFS.
- Project concluded in 2003.
Objectives of the Project

• To advise on the appropriate system/framework for the intelligence network

• To work out the detail arrangement of the information exchange system
Proposed Intelligence Network

- Based on the current mode of cooperation with the Netherlands, Belgium and UK
  - Simple
  - Direct
  - Flexible
General Arrangement

- **Composition** - all interested member states
- **Contact Point** - control staff at operation level
- **Communication** - e-mail supplemented by fax and phone call
- **Information** - day-to-day waste shipment information
General Arrangement

- **Response** - prompt and efficient response without delay
- **Following up** - highly flexible within its own legal system
- **Performance indicators** - ensure efficient handling of shipment information
Manual for Information Exchange

- Compiled for reference and use of Member States
- Sets out procedures and provides guidelines
Procedure for Information Referral

Come across Suspected Waste shipment

Complete standard referral form

Pass information to concerned authorities

Received acknowledgement?

Check correctness of contact point and resent the information

Received feedback on the final outcome

Collect/clarify further information and forward to the concerned CA

Yes

No

Yes

No

Receive further request for information?
Procedure for Handling Referral

1. Receive Waste shipment information
2. Acknowledge receipt of information
3. If Adequate information?
   - Yes: Conduct inspection and investigation
   - No: Request for further information
4. If Illegal waste shipment?
   - Yes: Required return shipment?
     - Yes: Follow up according to local legislation
     - No: Liaise with concerned CAs
   - No: Provide feedback to the concerned CAs
5. Follow up according to local legislation
6. Liaise with concerned CAs
7. Required return shipment?
   - Yes: Follow up according to local legislation
   - No: Liaise with concerned CAs
Concluding Remark

- The network provides an effective channel of communication at operation level and thus facilitate control of waste shipments between Europe and Hong Kong.
Latest Concern:
Electronic Waste
Electronic Waste

- A complex mixture of over 1,000 materials which may contain toxic substances
- Growing global concern as more and more e-wastes are generated each year
- High disposal cost in developed countries
- Relatively cheap disposal at developing countries including China
Common Hazardous E-waste

- Glass waste from the CRT of waste monitor contain a high level of lead
- Lead - poisonous to kidneys, liver and central nervous system, children are particularly vulnerable
Common Hazardous E-waste

- Lead acid batteries in equipment
- Lead - poisonous to kidneys, liver and central nervous system, children are particularly vulnerable
- Acid - corrosive and damaging to the environment
Common Hazardous E-waste

- PCB oils found in waste transformers
- Highly toxic to human health
- Persistent in natural environment, causing prolonged and serious damage
Latest Trend Observed

- Increasing flow of used electronics from developed countries
- Imported in the name of second-hand goods such as used appliances
- Major sources: USA, Canada, Japan, Korea and Malaysia
- Major recipients: China, Vietnam, India, Pakistan and the Philippines.
Our Investigations

- Most are used for recovery of usable parts in particular the CRTs.
- Non-reusable parts, e.g. plastic casings, are used for material recycling.
- Classified as waste under the WDO.
Recycling Process

Used Monitors → Recovered CRTs

Plastic Scrap → Casings
Health Concern

- Primitive recycling methods
- No personal protection

Release of toxic substance
Worker w/o protection
Pollution Caused

- Poor waste management
- Improper disposal

Unwanted e-wastes deposited on river bank
Open burning
Control on Movement of E-wastes

- Hazardous e-wastes are subject to Import and export permit control in HK
- Waste electronics with hazardous components
  - Used computer monitors
  - Used televisions
  - Any used appliance with waste batteries or other hazardous components
Major Enforcement Difficulties

- Misleading declarations such as used electronics, used appliances
- Import under the disguise of second hand products or even normal goods
- Difficulty to distinguish waste from second hand goods
Solutions

Strengthen cooperation

- Strengthen cooperation with the Customs and Marine Police to intercept those dubious waste shipments for inspection
- Joint operation with customs to inspect cargo of common interest to increase the deterrent effect
- Strengthen cooperation with overseas CA in collecting waste shipment intelligence
Advise to trade to raise the standard for importing genuine second hand electronics

- Pre-shipment testing done before export;
- Record the model names, manufacturing dates, physical condition and testing results;
- Adequate protective packaging provided – no direct physical contact;
- Genuine second hand outlet secured before export.
Some Enforcement Results

- Initiated 42 prosecutions since 1996
- Control further strengthened in early 2004 resulted in -
  - interception of more than 80 illegal shipments
  - More than 60 shipments have been returned to the exporting countries.