



Administration of Transboundary Movement of Wastes in China

State Environmental Protection
Administration

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Outline

- Implementation of Basel Convention
- Administration of export of hazardous waste in China
- Administration of import of solid waste in China
- Control of transboundary movement of wastes by Hong Kong SAR. China



Implementation of Basel Convention in China

- Signed on Mar. 22, 1990.
- Ratified at the 21st Session of the Standing Committee of Seventh National People's Congress of P. R. China (NPC) on September 4th 1991.
- Competent authority: State Environmental Protection Administration – SEPA (named as National Environmental Protection Agency - NEPA before 1998)



Implementation of Basel Convention in China

- Formulated laws, regulations as well as standards in relation to management of import & export of wastes
- established management system and coordination mechanism
- put export of hazardous waste and import of solid waste under strict control
- drastic measures were taken to crack down on illegal transboundary movement of hazardous waste
- training and technical exchange on management of hazardous waste



Laws, regulations and standards on management of import & export of wastes in China

- *The Law of People's Republic of China on Prevention and Control of Pollution by Solid Wastes* (adopted at the 16th session of the standing committee of the 8th NPC held on Oct. 30, 1995, and enacted on Apr. 1, 1996; amendment was made and adopted at the 13th session of the standing committee of the 10th NPC on Dec. 29, 2004. Revised law came into effect on Apr. 1, 2005)
- *Interim Provisions on Administration of Environmental Protection on Import of Waste* and its supplementary provisions (File No. SEPA [1996]204 and [1996]629) (Promulgated by SEPA, MOFTEC, China General Administration of Customs, State Administration of Industry & Commerce and State Administration for Import and Export Commodity Inspection. It is now being revised)
- *Measures on the Export Certificates of Hazardous Waste* (being drafted)



Laws, regulations and standards on management of import & export of wastes in China

- *National Catalogue of Hazardous Wastes*
- Promulgated by SEPA, the State Economic and Trade Commission, MOFTEC and the Ministry of Public Security in Jan. 1998. 47 types of hazardous wastes were included.
- Now being revised



Laws, regulations and standards on management of import & export of wastes in China

- *List of Restricted Import Solid Wastes that Can Be Used as Raw Materials and List of Automatic-Licensing Import Solid Wastes that Can Be Used as Raw Materials*
- *The Interim Provisions on Administration of Environmental Protection on Import of Waste*, issued in 1996, allowed the import of 30 types of wastes used as raw materials under 9 categories including iron & steel scraps, copper and aluminum scraps, waste paper and plastics, etc. **Other wastes excluded from the 9 categories are prohibited against import.**
- The latest version: Bulletin No. 5, promulgated by SEPA, China General Administration for Customs and AQSIQ, including 45 types of solid wastes used as raw materials.
- Now being revised



Laws, regulations and standards on management of import & export of wastes in China

- **List of Wastes Prohibited against Import**
- *Catalogue of Goods Prohibited against Import (Batch III)* (bulletin No. 36, 2001, issued by MOFTEC, China General Administration for Customs and SEPA) identified 18 kinds of solid wastes prohibited against import.
- *Catalogue of Goods Prohibited against Import (Batch IV and V)* (bulletin No. 25, 2002, issued by MOFTEC, China General Administration for Customs and SEPA) added 37 kinds of solid wastes prohibited against import.
- Now being revised.



Laws, regulations and standards on management of import & export of wastes in China

- *Control Standards for Import of Waste Used as Raw Materials for Environmental Protection*
- 12 tentative standards were released in 1996, setting down environmental indicators for imported wastes including restricted indicators for radioactive waste, hazardous waste, municipal waste and other inclusions to prevent entry of wastes prohibited against import.
- 13 formal standards were issued in 2006.



Establishment of Management System and Coordination Mechanism

- **Competent authority for administration of waste import and export: SEPA**
 - organizes related departments to draft laws, regulations, catalogues and policies
 - coordination among different departments
 - responsible for the implementation of Basel Convention and licensing of waste import and export
 - Supervision of pollution prevention efforts of waste exporters and users of imported waste



Establishment of Management System and Coordination Mechanism

- **Other department of waste import:**
 - **The General Administration of Quality Supervision, Inspection and Quarantine (AQSIQ):** responsible for the registration of overseas suppliers of waste materials and domestic recipients, conducting pre-shipment inspection and entrance inspection, and quarantine according to environmental control standards. Customs Clearance Form of Entry Goods will be issued for accepted wastes.
 - **China General Administration of Customs:** takes charge of entry inspection, duty collection and clearance against import permit as well as combating smuggling of wastes.
 - Other departments like **NDRC** and **Ministry of Commerce** are also involved in the work of measures of waste import and adjustment of catalogues.



Combat illegal transport of wastes

- based upon the *Law of People's Republic of China on Prevention and Control of Pollution by Solid Wastes*
- Those who ship solid waste from outside China and dump, store, or dispose of the waste inside the country, and those who import solid wastes that are prohibited from import or import restricted solid wastes used as raw materials without permission, shall be ordered by the customs to ship the wastes back and may be subject to penalties.
- Those who transport hazardous waste via the territory of China, shall be ordered by the customs to ship the waste back and may be subject to penalties.



Training and Technical Exchange on Management of Hazardous Waste

- National Center for Hazardous Waste Management Training and Technology Transfer was established at Tsing Hua University in 1993.
- Asia-Pacific Regional Center of Basel Convention was established in 1995 to provide technical and resource support for enhanced management capacity of hazardous waste among countries in the region.
- Since 1997, EPAs at all levels and related enterprises have received many training courses on management of hazardous waste
- International and national workshops on management, treatment and disposal of hazardous waste



Administration of export of hazardous waste

- export of hazardous waste is put under strict control
- strengthen management of hazardous waste in China, build more disposal facilities and improve disposal capacity of hazardous waste
- Compared with developed countries, China is still not capable enough in disposal of / recovery / reuse all the hazardous waste generated in an environmental sound way within the country.
- Hazardous wastes that cannot be disposal of / recovery / reuse in an environmental sound way in China at present and need to be exported to other countries shall be handled strictly according to Basel Convention.



Administration of export of hazardous waste

- **prior informed consent procedure**
- Applicants for exporting hazardous waste must provide application letter, notification of transboundary movement of hazardous waste, agreement or contract between exporter and importer and documents on the basic information of waste. SEPA will scrutinize all the documents strictly.
- SEPA will invite advice of parties to Basel Convention on the import and transit of waste by written letter as for eligible export application. Export of hazardous waste will not be approved unless the parties concerned agree in written form.
- Each batch of exported hazardous waste must go with a transferring document from starting point to destination.



Administration of import of solid waste

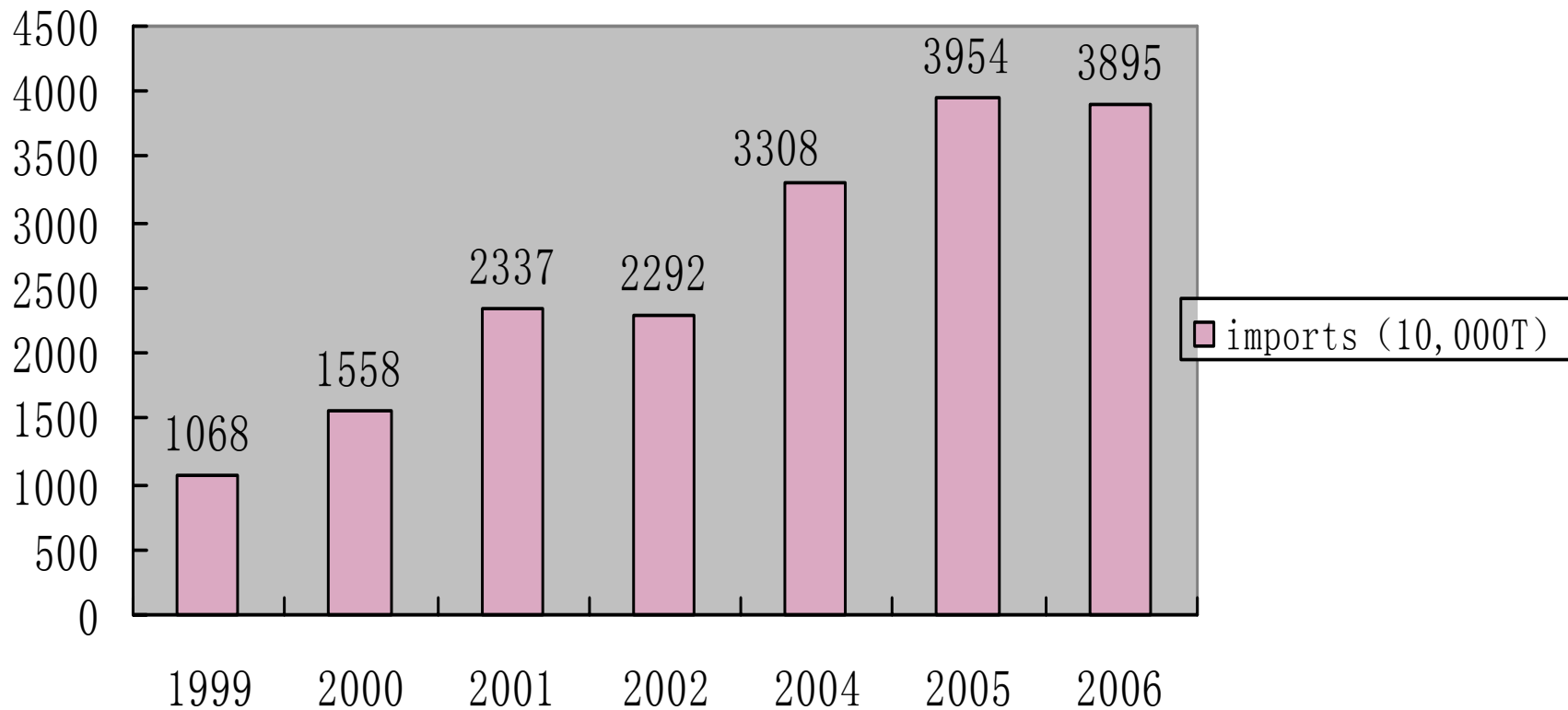
- **Prohibition of import:** Dumping, storage and disposal of imported solid wastes in the territory of PRC is prohibited. A ban is imposed on solid wastes that cannot be used as raw materials or used in environmental sound way. No hazardous wastes are allowed to transfer via the territory of PRC.
- **Import licensing:** Solid wastes used as raw materials are not allowed to import without consent (import licence obtained) and environmental control standards must be met.

Administration of import of solid waste

- Approval of permits is subject to public supervision by means of **network examination and openness of information**.
- **“To the nearest port” and “one license one customs”** principle: port of entry should near the user as close as possible to reduce the environmental risk during transportation.
- Users are required to use imported waste in environmental sound way and are **forbidden to sell the import wastes to other units** beyond the prescribed scope in order to prevent environmental pollution from processing and using imported waste.
- Imported wastes posing high environmental risks such as waste hardware, electric wires & cables and electric machines are subject to management by **designated units and reuse in renewable resource parks**. Strict requirements are set for the designated units.

Administration of import of solid waste

Total imports and trade volume of wastes in history

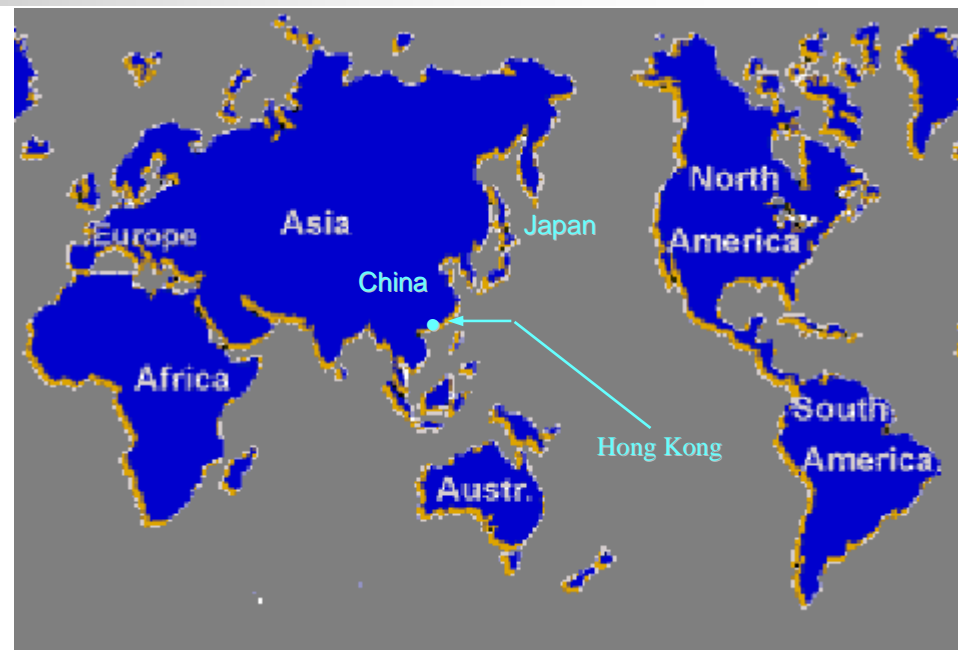




Basel Convention Application to Hong Kong

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

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 Import and Export Control in HK

- 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



Collaboration with HK Local Parties

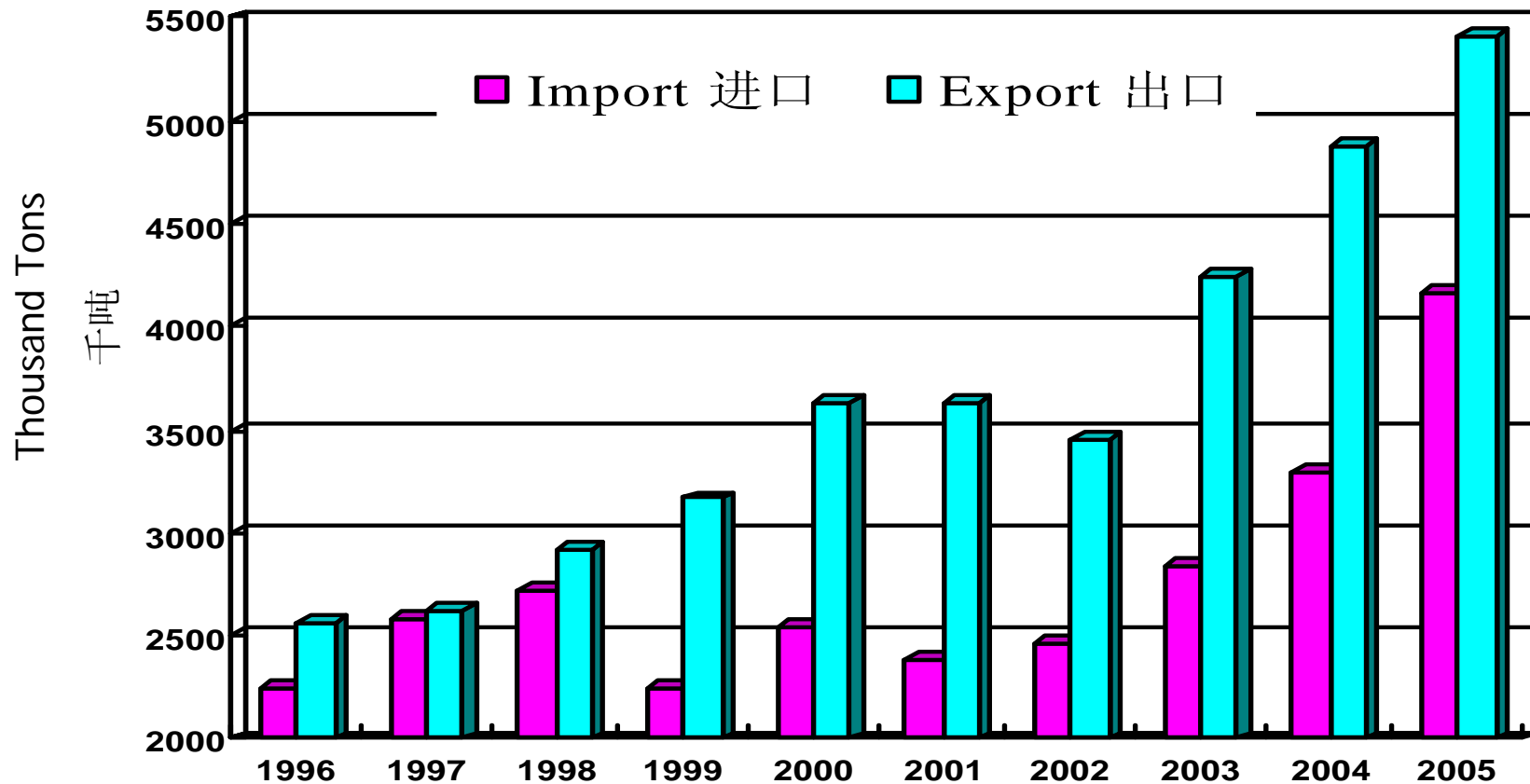
- Local Customs/Marine Police
 - Manifest screening
 - Waste shipment referrals
 - Joint inspections
 - Intelligence network
- Landfill operators
 - Interception of illegal disposal of imported waste
- Local Shipping Companies/Agents
 - Referrals of dubious waste shipments
 - Advance information of waste shipments heading HK
 - Assist with return shipment



Liaison between HK and Mainland China

- Control framework set out in a cooperation agreement in early 2000 adopted a prior notification and consent system in line with the spirit of the Basel Convention
- Direct liaison between EPD and SEPA on waste control issues between HK and the Mainland
- Joint operations since 2003
- Exert deterrent effect on illegal transboundary movement of waste

Waste Import Export Volume in HK





Enforcement Results from 2004 to 2006 in HK

- Illegal Shipments Intercepted = 288
- Summons issued = 139
- Illegal Shipments Returned (import) = 206



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Thank You