

Decision of Ministry of Environment, Forest & Climate Change with respect to import and export of hazardous waste under the Hazardous and other Wastes (Management & Trans-boundary Movement) Rules, 2016 as approved by the Competent Authority on the basis of decision of the 76th meeting of Expert Committee held on 27th and 28th February 2017 for appraisal of such applications

On the basis of agenda-wise detailed deliberation, following are the decisions of the Expert Committee:

2.1.1 NI Systems India Pvt. Ltd., Bangalore (F. No. 23-166/2015-HSMD):

Decision: The Committee noted that the applicant has submitted the documents related to export of 8 items (controller boards) to Malaysia for calibration. After repair and calibration, the applicant wants to seek the permission from this Ministry for import of these calibrated controller boards. As per the information provided by the applicant the controller boards were exported for repair and calibration between December 2015-March 2016. As per Schedule III D of HW Rules, 2016, “used electrical and electronic assemblies exported for repair and to be re-import after repair” is exempted from the permission of this Ministry.

2.1.2.M/s Maxlinear Technologies Pvt. Ltd., Bangalore (F. No. 23-70/2014-HSMD):

Decision: The Committee recommended the extension of period of re-export upto 31/12/2019 in respect of one item i.e. the test measurement equipment which has been imported out of the six items approved for import vide permission letter no.23-70/2014-HSMD dated 30.11.2015.

In respect of the remaining 5 items to be imported and re-exported within 3 years the permission from the Ministry is not required as per the HW Rules, 2016.

2.1.3.M/s Alcatel-Lucent India Ltd., Gurgaon (F. No. 23-68/2011-HSMD):

Decision: The Committee noted that there is no justification provided regarding extension of the period for re-export for another 36 months and the no. of persons engaged in R&D using these imported items. The Committee also requested for information on items re-exported during the last one year.

2.1.4 M/s Bharat Biotech International Limited, Hyderabad:

Decision: The Committee deferred the matter for want of complete documentation i.e. valid CEC and document depicting the status of employment generation indicating the no. of people benefitted.

AGENDA NO.2.2: IMPORT OF LEAD SCRAP:

2.2.1 M/s Pilot Industries Ltd. Delhi (F.No. 23-213/2012-HSMD):

Decision:

- i. The Committee noted that based on site visit the applicant had been given permission to import 5000 MT of scrap batteries (RAINS) in January 2016. The applicant has now applied for import of 7500 MT of RAINS and Rails for the Bhiwadi plant. The Committee also went through the information provided by applicant on supply of lead ingot to parties abroad as well as in India.**

In relation to the import of scrap batteries against the permission issued by this Ministry it was found that the applicant has imported 4709 out of 5000 MT of scrap batteries and 500 MT has been additionally imported which is lying at the port. In effect it means that he has imported 5209 MT as against the issued permission of 5000 MT and therefore 209 MT is illegal import and action may be taken as per the HW Rules, 2016. As per Rule 15(2) "In case of illegal import of the hazardous or other waste, the importer shall re-export the waste in question at his cost within a period of ninety days from the date of its arrival into India and its implementation will be ensured by the concerned Port and the Custom authority. In case of disposal of such waste by the Port and Custom authorities, they shall do so in accordance with these rules with the permission of the Pollution Control Board of the State where the Port exists". Accordingly, the Committee recommended to re-export the quantity imported without Ministry's permission. The import for 7500 MT of lead acid batteries scrap (ISRI Code: RAILS & RAINS) for Alwar plant, Rajasthan will be considered only after receiving the valid document regarding the re-exporting the quantity imported without Ministry's permission.

- ii. Since the application pertains to import of RAINS for Rudrapur Plant and that the facilities have not yet been inspected, it is therefore recommended that a representative of CPCB along with Dr. G.S. Dang, Expert Committee Member may visit the plant. The case will be considered subsequent to the submission of site visit report.**

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

Decision: Based on the site visit report of the CPCB and taking into consideration the effect that the applicant is the manufacturer of Ni-Cd Batteries, the Ministry recommended the import of 77 MT of Spent Nickel Cadmium Batteries.

2.2.3M/s Shivangi Metal Industries(P) Ltd., Mathura(F. No. 23-127/2016-HSMD):

Decision: Based on the photographs of modifications made by the applicant in compliance with the Decision of CPCB, the Committee recommended import of 4000 MT of Zn residue, Brass dross, Cu residue, Cu druid, Cu dross, copper mill scale, mix non-ferrous metals scrap, Al dross and Al cable scrap.

AGENDA NO.2.3: IMPORT OF RUBBER SCRAP ETC

2.3.1M/s S. P. Rubber, Chittoor, A.P.(F. No. 23-234/2014-HSMD):

Decision: The applicant was given permission to import 3500 MT of scrap rubber tyres and tubes in the month of May 2016. Since their application pertains to financial year 2016-2017, the permission for import of additional 500 MT of scrap rubber tyres and tubes for financial year 2017-18 is recommended by the Ministry.

2.3.2.M/s Sri Eshwar Rubber Crumbs, Srikakulam Distt., A.P.(F. No. 23-234/2014-HSMD):

Decision: The Committee noted that no site visit has been carried out therefore recommended site visit by CPCB before considering the case further in this Ministry.

2.3.3. M/s Balaji Rubber Industries, Bahadurgarh, Haryana (F. No. 23-110/2015-HSMD):

Decision: The Committee noted that the applicant had been issued permission in July 2015 for import of 7000 MT of rubber tyre scrap for manufacturing rubber crumbs. With the application now received for import of 30000 MT of used rubber tyre scrap, the applicant has not provided any information about import against that permission.

The Committee noted that a letter has also been received from M/s International Trade Law Consultants enclosing a copy of the permission letter dated 31st July 2015 purported to have been issued by this Ministry

which on examination seems to be forged and not a true copy of the original permission from MoEF&CC. The DGFT and applicant's response to this is also required; the Committee therefore suggested that the applicant may be invited for discussion in the next meeting. The DGFT may be requested to verify the letter submitted to them.

2.3.4.M/s Green Rubber Industries, Sonapat (F. No. 23-229/2014-HSMD):

Decision: The case will be considered subsequent to submission of site visit report by CPCB with regard to the verification of improvements as well as of the enhanced capacity carried out in the plant by the applicant.

2.3.5 M/s India Eco-Venture Tyres Recycling (P) Ltd., Alwar, Rajasthan (F. No. 23-200/2015-HSMD):

Decision: The Committee noted that the applicant has submitted photographs of the ETPs and letter from the Fire Dept. of Alwar Municipal Corporation as evidence of compliance with the recommendation of CPCB after the site visit. The Ministry therefore recommended import of 3300 MT rubber tyres scrap which would be issued subsequent to the submission of authorization by the applicant.

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

Decision: The Committee noted that the application is for import of used rubber tyre scrap for 3 plants namely Wada Plant, Gummudipundi Plant and Panipat Plant. However, one of the plants namely Wada plant is yet to be inspected. The application would be considered after the site visit report of the Wada plant is received.

2.3.8. Quality Suitings Pvt. Ltd., Rajasthan (F. No. 23-31/2016-HSMD):

Decision: As per the site visit report of the sub-committee, the unit is complying with the SOP prescribed by this Ministry. The Ministry recommended import of 7000 MT of crumb rubber, rubber chips, shredded tyres, rubber compounds, rubber tube scrap and plastic waste subsequent to submission of authorization under the HW rules, 2016.

2.3.9 M/s Royal Rubbers, Ernakulam, Kerala (F. No. 23-155/2016-HSMD):

Decision: The Committee considered the matter on the basis of site inspection report. The Committee noted that unit is not complying with SOP and need to implement the following:

- i. To set up all the equipment in tact as per the permission given by Kerala PCB;
- ii. To provide suction arrangement at the crusher, cracker and grinder to extract fugitives and fine particles and to connect with cyclone/bag filters;
- iii. To provide the safety guards on all the machineries and Air Pollution control Devices;
- iv. To submit the copy of IEC certificate issued by the office of the DGFT;
- v. To install the fire extinguishers and fire hydrant system in the premises to cover the entire plant area and submit the clearance certificate obtained in this regard from State disaster Response & Fire Services Department;
- vi. To fulfill all the points mentioned in SOP to consider its application;
- vii. To inform CPCB for inspection after completion of all above issues and justify with documents evidence

The applicant should submit the evidence with regard to aforesaid suggestions for further consideration of case for import, till then the case is deferred.

2.3.10 M/s Zion Industries, Kottayam, Kerala (F. No. 23-6/2015-HSMD):

Decision: The Committee considered the matter on the basis of site inspection report. The Committee noted that unit is not complying with SOP and need to implement the following:

- i. Install the fire hydrant system in the premises to cover the entire plant area;
- ii. Provide the safety guards on the equipment namely Bar/sheet cutter and block cutter;
- iii. Cover the uncovered portion in main feeding conveyor and to install a guard to prevent the spreading of pieces and also to cover the bottom portion of the main conveyor in order to avoid falling of the fine particles on the floor from the conveyor;
- iv. Provide suction hoods to control fugitive emission which is emitted due to physical process involved like cutting, grinding and sieving. The suction hoods are connected to the APCDs such as cyclone followed by bag filter;
- v. The Cracker/shredder should have adequate arrangement for capturing fibre and fugitive particulates leading to cyclone separator/bag filters;
- vi. Cover the magnet conveyor bottom side and further extend it up to front side so that all iron particles could be collected in one place.

The applicant should submit the evidence with regard to aforesaid suggestions for further consideration of case for import, till then the case is deferred.

2.3.11 M/s MSS Rubber and Reclaims Pvt. Ltd., Kerala (F. No. 5-1/2014-HSMD):

Decision: The Committee considered the matter on the basis of site inspection report. The Committee noted that unit is engaged in the re-processing of waste pneumatic tyre for the production of reclaim rubber and complying with SoPs except the certificate of fire clearance. The applicant should submit the evidence with regard to aforesaid suggestion for further consideration of case for import, till then the case is deferred.

2.5.1M/s Umicore India Pvt. Ltd., Mumbai (F. No. 23-128/2016-HSMD):

Decision: The applicant has submitted the requisite authorization from Maharashtra PCB. The Ministry therefore recommended the export of 15 MT of Ceramic/Metallic/Cake Catalyst Waste from India to Belgium.

2.5.2 M/s Rise Chemicals Industries (F.No. 23-91/2015-HSMD):

Decision: The Committee noted that the items proposed to be exported fall under Schedule III B, Item B1090 of HW Rules, 2016. The applicant has to obtain authorization under HW Rules, 2016 from the concerned State Pollution Control Board for collection and handling of used lithium ion mobile batteries before the application is considered.