

Decision of Ministry of Environment, Forest and Climate Change with respect to discussion on issues pertaining to clarifications sought on Hazardous and Other Wastes (Management & Transboundary Movement) Rules, 2016, as approved by the Competent Authority on the basis of recommendation of the 72nd Meeting of the Technical Review Committee (TRC) held on 30th May, 2022-reg.

AGENDA No. 2. Clarification with respect to Hazardous and other Wastes (Management & Trans-boundary Movement) Rules, 2016

Agenda 2.1 Regarding adverse impact of import of PET Waste/flakes in India.

MoEF&CC vide notification dated 12th November, 2021 has moved “Polyethylene terephthalate (PET)” having Basel No. 3011 from prohibited list (Schedule VI) to restricted list (Part B of Schedule III) of Hazardous and Other Wastes (Management and Trans boundary Movement) Rules, 2016. Accordingly, DGFT was requested to take further necessary action at their end. Now, an OM dated 24th March, 2022 has been received from Director General of Foreign Trade, Ministry of Commerce and Industry forwarding therewith representation received from Pt. Deendayal Upadhyay Smiriti Manch, Mumbai regarding the adverse impact of import of PET Waste/flakes in India for examine and furnish comments. Similar representations have also been received from Chemical & Petrochemicals Manufacturers Association (CPMA) and Recycle India Foundation with request to ban the import of PET Waste/ Flake.

Deliberation: The committee deliberated upon the issue and heard the views of representatives from All India Recycled Fibre & Yarn Manufacturers Association (AIRFYMA), Pt. Deendayal Upadhyay Smiriti Manch, Mumbai (PDUSM) & Recycle India Foundation (RIF). Representative of AIRFYMA informed the committee that there is shortage of raw material i.e. waste PET bottles in India by approx. 7.11 Lac Tons during FY 2022-23 and requested to allow import of PET flakes which is processed recycled PET flakes for the survival of the MSME recycling industry. He further mentioned that if the recycling industry will not survive, the demand for the PET bottle waste will also not be there, and the collection may reduce in future. Also, allowing the development of the recycling industry will save the CO2 emission which is much higher in the case of production of virgin plastic compared to the recycled plastic. Representative of PDUSM informed the committee that there is no shortage of raw material in India and allowing the import will diminish the value of locally consumed and collected PET Bottles and the industry will again look at importing it from other countries to increase their profit margins. Also, the relaxation in the plastic waste import will make way for more illegal dumping of hazardous and toxic waste. Representative of RIF informed the committee that there is no shortage of PET waste and if imports are allowed, then PET Waste collection system might become non-viable, reduce the domestic waste collection by 15%, reduce the income of rag pickers by 30-40%.

Recommendation: After detailed deliberation on the issue, the committee recommended that the capacity and production data from 2010 onwards and the data on domestic waste and imported waste used may be submitted by AIRFYMA as early as possible for further deliberation and decision in the matter. Till then the matter is deferred.

Agenda 2.6 Representations from FICCI, All India Pre-Owned Medical Equipment Supplier Association and CDSCO regarding query related to import of Pre-owned/ Refurbished devices & Clarification regarding import of Critical Care Medical Equipment.

FICCI has given reference to the list of critical care medical equipment finalized through Agenda 1.1 of 62nd meeting of the ‘Technical Review Committee (TRC)’ on 25th May 2017. In the meeting, the committee concluded on import prohibition of 25 used critical care medical equipment for re-use under the provisions of Schedule VI of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016. From the conclusion of the meeting, it is understandable that the import of used medical equipment other than those of 25 critical care medical equipment are permitted for import. Further, they have requested to clarify and confirm on the same.

AIPOMESA (All India Pre-Owned Medical Equipment Supplier Association) has mentioned that they are importers of refurbished Medical Equipment and Third Party Service Provider of various Medical Devices. They have sold numbers of refurbished equipment across the Country and Provide services for various medical devices to Hospitals/ Nursing Homes/Clinics, but due to import Restriction of refurbished medical devices by Ministry, they are unable to import the Required Spare parts for servicing of these devices.

Deliberation: The committee deliberated upon the issue and heard the views of representatives from AIPOMESA (All India Pre-Owned Medical Equipment Supplier Association) & FICCI.

Recommendation: After detailed deliberation on the issue the committee recommended that the combined representation from both association & other companies may be submitted clearly stating name of equipment/ items for the purpose of import from the list of equipment for the critical/ intensive care unit as per the Guidelines issued by the Indian Society of Critical Care Medicine. Representation should contain list of specific items sought to be imported, whether import is by the OEM (through Indian subsidiary or partner), or by third party, whether refurbishment is carried out in India or at the place of origin, the quality control and certification Protocols, warranties, servicing arrangements. The committee also recommended that after receiving the requisite details, DGHS, Ministry of Health and Family Welfares may be requested to revise the list of Critical Care

Medical Equipment for further deliberation and decision in the matter, considering the healthcare status in the country and the nature of equipment's included in the list. Till then the matter is deferred.

Agenda 2.4 Representation from Gujarat Paper Mill Association regarding Streamlining of Import of Waste Paper.

Gujarat Paper Mill Association (GPMA) has requested to withdraw the present norms under the Hazardous and Other Wastes (Management & Transboundary Movement) Rules 2016 and its subsequent amendments and OM issued by MOEF&CC dated 11-May-2010, specifying different out-throws for different kinds of waste paper. GPMA has also requested to merge all grades as only one item Waste Paper and have a uniform allowable non-fiber as per below chart:

Norms Proposed for import of Waste paper		
Item	%	Remarks
All Kind of Plastic	5	
Wood	2	Combined max allowed
Sand		
Metal		
Textile		
Glass		
Bio Medical Waste, Municipal Solid Waste, Post Consumer domestic waste	0	If found, will be sorted out and sent to Cement Factory for co-incineration

Further, they have mentioned that in the rare case of higher prohibitive content received, currently the matter is put to litigation and drags on for years and some shipments are abandoned. Under the vision of “**Vivad Se Vishwas**”, such contaminations from rare shipments should be allowed to be incinerated at Kiln in Cement Industries for **swift resolution**, since Container detention and Ground rent at Port multiply daily leading to huge cost implications and Port congestions. Material can be taken to the paper mill, rejects to be sorted out and sent to Cement factory. Compliance format may be submitted to customs and SPCB's.

GPMA has further requested to stop Imports of all kinds of Waste Paper by Traders. This will ensure only genuine users are importing waste paper with sense of Responsibility and not profit only agenda.

Recommendation: Due to paucity of time, the committee only have an introductory meeting with representative of Gujarat Paper Mill Association (GPMA) and informed them that matter will be discussed in the next TRC meeting.

Agenda 2.2, Agenda2.3, Agenda 2.5, Agenda 2.7, Agenda 2.8 & Agenda 2.9

Recommendation: Due to paucity of time, the committee decided to discuss these matter in the next TRC meeting.
