

**Recommendations from Stakeholder Consultation**  
**Hazardous and Other Waste**  
**(Management & Transboundary Movement) Amendment Rules, 2015**

**Consultation conducted on May 28, 2015**

About 20 delegates participated in the stake holder consultations on Hazardous and Other waste (Management) Rules 2015. They represented various industrial sectors such as chemical, refinery, automobile, FMCG, engineering, cement, pharmaceutical etc.

Below are the points discussed during the meet along with the recommendations made by the stakeholders:

1. **Concern:** Point number 4 of notification elaborates the inclusion of Other Wastes in the HWM Rules 2015. It was discussed that inclusion of “Other wastes” may dilute the Rules and may even lead to mis-interpretation at various levels

**Recommendation:** If it is important to categorize “other wastes” separately then it would be better to make separate set of Rules for them and not include the same in HWM Rules.

2. **Concern:** Point number 18 suggests that movement of hazardous wastes for disposal and recycling should be allowed with the process of intimation to SPCBs. A concern was raised that the receiving states may raise objection due to quicker filling up of their available landfill capacity and transfer of the liability along with this waste.

**Recommendation:** For disposal option, the existing mechanism of NOC of the SPCBs for sending and receiving wastes should continue. Whereas for recycling or coprocessing option, the wastes can be sent across with intimation to the concerned SPCBs since these recovery options will help conserve the resources that otherwise get utilized in the receiving state.

3. **Concern:** Wastes generated by small industries are small in quantity and there are problems in getting them appropriately disposed due to economic considerations. As a result waste from small industries does not generally get to the appropriate disposal option and tends to remain a cause of environmental concern.

**Recommendations:** There should be a provision in the rules to form a waste collection centre where an operator can collect the wastes from small industries, store it and send

the waste to appropriate recycle, recovery or disposal facility after enough waste is collated at his end.

4. **Concern:** There is no clarity on methodology to be adopted for recycling, recovery or disposal of wastes (Haz/Non Haz/non moving) from Warehouses.

**Recommendation** The warehouses to be considered as the extended arm of the manufacturing facility and the authorisation for recycling, recovery or disposal of wastes from warehouses to be based on the authorisation received by the manufacturing facility..

5. **Concern:** There are some waste streams that are still remaining listed in the hazardous waste category even through the process of manufacture from which they get generated has undergone change and waste are no more hazardous.

**Recommendation:** To review and update at regular intervals the Hazardous waste listing in Schedule I based on process of revisions in the manufacturing processes and institute policies favouring reuse / recycle / recovery from these wastes getting generated from them.

6. **Concern:** The applicable fee structure is not defined for granting authorization along with CTO that will be valid for five years. Various states have different treatment mechanism, fee structure and time factors for grant of authorization and CTO and the same is not uniform across the states.

**Recommendations:** In addition to having uniform procedure and timeline for grant of authorization along with CTO, it is desired to specify uniform fee structure also based on clear considerations.

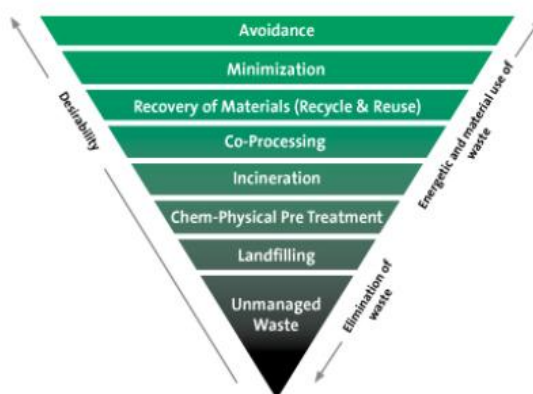
7. **Concern:** Although intent of the new HWM Rules (2015) is to ensure environmentally sound management of Hazardous and other wastes, they do not yet address the waste management hierarchy in its design. In the existing HWM Rules, Although landfill and incineration are substantially lower in the waste management hierarchy, all kinds of Hazardous and other wastes get disposed in the landfill and incineration facilities without any specific evaluation consideration. Whereas for recycling / recovery technologies, several waste stream wise trial demonstration and approval processes are mandated.

**Recommendations:** The wastes should be authorized for disposal through incineration or landfill option only when the recycling or recovery options are not feasible for those wastes. Proven technologies for recycling / recovery such as solvent recovery, metal recovery, coprocessing etc should find a preferential mention in SOPs as well as in

Hazardous waste authorizations processes so that there is auto approval process is there as is the case with waste oil recycling, drum recycling etc.

To discourage disposal of wastes through landfill technology, landfill tax should be introduced, to make landfill as an expensive proposition compared to recycling or recovery options.

### Waste management Hierarchy.



**8. Concern:** Point number 8 of notifications suggests formation of prescribed SOPs, but there is no clarity on the same.

**Recommendation:** A clarification on the SOPs and its contents is required.

**9. Concern:** There is very less information available regarding waste, which creates problems for transporters and waste management.

**Recommendation:** Waste Safety data sheets should be provided by waste generators.

**10. Concern:** Tracking of waste is not efficient.

**Recommendation:** A system based online tracking tool should be developed for tracking movement and management of hazardous waste; a similar tool has already been developed by Gujarat and Maharashtra. This will make hazardous waste transportation and management more efficient.

**11. Concern:** No clarity has been given on management of non hazardous waste

**Recommendation:** For non hazardous waste it should be clearly mentioned regarding disposal mechanism through intimation to SPCBs as per the acceptable waste

management practices. Of course, the preferred criteria should be waste management hierarchy.

**12. Concern:** There is no clarity on de-listing of hazardous waste to non- hazardous:

**Recommendation:** It should be clearly mentioned that the waste streams which do not meet the criteria of parameters in Schedule II should be classified as non-hazardous or a provision should be clearly stated that if the process changes and the waste no longer meets the criteria of parameters as set in Schedule II should be allowed to get delisted.

**13. Concern:** Limit of 90 days storage of Hazardous wastes

**Recommendation:** There are some wastes which require processing before disposal. Some wastes are generated in batches of 2000-3000 MT. When such generation takes place, they need to be first processed and then disposed. This processing could take long time e.g. one year. In such case within 90 days disposal is not possible. E.g. oily sludge from Crude Oil Tank Bottom. Hence the permitted storage time limit needs to be considered appropriately.

\*\*\*\*\*