
First published in the Government *Gazette*, Electronic Edition, on 9 December 2019 at 5 pm.

No. S 820

HAZARDOUS WASTE (CONTROL OF EXPORT, IMPORT AND TRANSIT) ACT (CHAPTER 122A)

HAZARDOUS WASTE (CONTROL OF EXPORT, IMPORT AND TRANSIT) ACT (AMENDMENT OF SCHEDULE) REGULATIONS 2019

In exercise of the powers conferred by section 48(1) and (3) of the Hazardous Waste (Control of Export, Import and Transit) Act, the Minister for the Environment and Water Resources makes the following Regulations:

Citation and commencement

1. These Regulations are the Hazardous Waste (Control of Export, Import and Transit) Act (Amendment of Schedule) Regulations 2019 and come into operation on 10 December 2019.

Amendment of Schedule

2. The Schedule to the Hazardous Waste (Control of Export, Import and Transit) Act is amended —

- (a) by deleting the words “Paragraph 2” in Article 7 and substituting the words “Paragraph 1”;
- (b) by inserting, immediately after item Y45 in Annex I, the following paragraphs:

“(a) To facilitate the application of this Convention, and subject to paragraphs (b), (c) and (d), wastes listed in Annex VIII are characterised as hazardous pursuant to Article 1, paragraph 1(a), of this Convention, and wastes listed in Annex IX are not covered by Article 1, paragraph 1(a), of this Convention.

- (b) Designation of a waste on Annex VIII does not preclude, in a particular case, the use of Annex III to

demonstrate that a waste is not hazardous pursuant to Article 1, paragraph 1(a), of this Convention.

- (c) Designation of a waste on Annex IX does not preclude, in a particular case, characterisation of such a waste as hazardous pursuant to Article 1, paragraph 1(a), of this Convention if it contains Annex I material to an extent causing it to exhibit an Annex III characteristic.
 - (d) Annexes VIII and IX do not affect the application of Article 1, paragraph 1(a), of this Convention for the purpose of characterisation of wastes.”; and
- (c) by inserting, immediately after Annex VI, the following Annexes:

“ANNEX VIII

LIST A

Wastes contained in this Annex are characterised as hazardous under Article 1, paragraph 1(a), of this Convention, and their designation on this Annex does not preclude the use of Annex III to demonstrate that a waste is not hazardous.

A1 — METAL AND METAL-BEARING WASTES

A1010 Metal wastes and waste consisting of alloys of any of the following:

- (a) Antimony
- (b) Arsenic
- (c) Beryllium
- (d) Cadmium
- (e) Lead
- (f) Mercury
- (g) Selenium
- (h) Tellurium
- (i) Thallium

but excluding such wastes specifically listed on list B

-
-
- A1020 Waste having as constituents or contaminants, excluding metal waste in massive form, any of the following:
- (a) Antimony; antimony compounds
 - (b) Beryllium; beryllium compounds
 - (c) Cadmium; cadmium compounds
 - (d) Lead; lead compounds
 - (e) Selenium; selenium compounds
 - (f) Tellurium; tellurium compounds
- A1030 Wastes having as constituents or contaminants any of the following:
- (a) Arsenic; arsenic compounds
 - (b) Mercury; mercury compounds
 - (c) Thallium; thallium compounds
- A1040 Wastes having as constituents any of the following:
- (a) Metal carbonyls
 - (b) Hexavalent chromium compounds
- A1050 Galvanic sludges
- A1060 Wastes liquors from the pickling of metals
- A1070 Leaching residues from zinc processing, dust and sludges such as jarosite, hematite, etc.
- A1080 Waste zinc residues not included on list B, containing lead and cadmium in concentrations sufficient to exhibit Annex III characteristics
- A1090 Ashes from the incineration of insulated copper wire
- A1100 Dusts and residues from gas cleaning systems of copper smelters
- A1110 Spent electrolytic solutions from copper electrorefining and electrowinning operations
- A1120 Waste sludges, excluding anode slimes, from electrolyte purification systems in copper electrorefining and electrowinning operations

-
-
- A1130 Spent etching solutions containing dissolved copper
 - A1140 Waste cupric chloride and copper cyanide catalysts
 - A1150 Precious metal ash from incineration of printed circuit boards not included on list B¹
 - A1160 Waste lead-acid batteries, whole or crushed
 - A1170 Unsorted waste batteries excluding mixtures of only list B batteries. Waste batteries not specified on list B containing Annex I constituents to an extent to render them hazardous
 - A1180 Waste electrical and electronic assemblies or scrap² containing components such as accumulators and other batteries included on list A, mercury-switches, glass from cathode-ray tubes and other activated glass and PCB-capacitors, or contaminated with Annex I constituents (e.g., cadmium, mercury, lead, polychlorinated biphenyl) to an extent that they possess any of the characteristics contained in Annex III (note the related entry on list B B1110)³
 - A1190 Waste metal cables coated or insulated with plastics containing or contaminated with coal tar, PCB⁴, lead, cadmium, other organohalogen compounds or other Annex I constituents to an extent that they exhibit Annex III characteristics.

*A2 — WASTES CONTAINING PRINCIPALLY INORGANIC
CONSTITUENTS, WHICH MAY CONTAIN METALS AND
ORGANIC MATERIALS*

- A2010 Glass waste from cathode-ray tubes and other activated glasses
- A2020 Waste inorganic fluorine compounds in the form of liquids or sludges but excluding such wastes specified on list B
- A2030 Waste catalysts but excluding such wastes specified on list B

-
-
- A2040 Waste gypsum arising from chemical industry processes, when containing Annex I constituents to the extent that it exhibits an Annex III hazardous characteristic (note the related entry on list B B2080)
 - A2050 Waste asbestos (dusts and fibres)
 - A2060 Coal-fired power plant fly-ash containing Annex I substances in concentrations sufficient to exhibit Annex III characteristics (note the related entry on list B B2050)

A3 — WASTES CONTAINING PRINCIPALLY ORGANIC CONSTITUENTS, WHICH MAY CONTAIN METALS AND INORGANIC MATERIALS

- A3010 Waste from the production or processing of petroleum coke and bitumen
- A3020 Waste mineral oils unfit for their originally intended use
- A3030 Wastes that contain, consist of or are contaminated with leaded anti-knock compound sludges
- A3040 Waste thermal (heat transfer) fluids
- A3050 Wastes from production, formulation and use of resins, latex, plasticizers, glues/adhesives excluding such wastes specified on list B (note the related entry on list B B4020)
- A3060 Waste nitrocellulose
- A3070 Waste phenols, phenol compounds including chlorophenol in the form of liquids or sludges
- A3080 Waste ethers not including those specified on list B
- A3090 Waste leather dust, ash, sludges and flours when containing hexavalent chromium compounds or biocides (note the related entry on list B B3100)