

NATIONAL TECHNICAL REGULATION ON ENVIRONMENT FOR IMPORTED PAPER SCRAP

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NATIONAL TECHNICAL REGULATION ON ENVIRONMENT FOR IMPORTED PAPER SCRAP

1. GENERAL PROVISIONS

1.1. Scope of regulation

1.1.1. This Regulation stipulates on types of paper scrap be permitted to import, types of paper scrap not be permitted to import, component and quantity of impurities that may be adhered and other technical requirement for paper scrap imported from foreign.

1.1.2. This Regulation shall not apply to paper scrap imported from enterprises in non-tariff zones in Vietnam territory.

1.2. Subjects of application

1.2.1. This Regulation applies to organizations, individuals importing paper scrap, using import paper scrap, state management agencies, and organizations of conformity assessment relating to activities of import of paper scrap from foreign.

1.2.2. This Regulation shall not apply to organizations, individuals importing scrap that arising from production of enterprises in non-tariff zones in Vietnam territory.

1.3. Interpretation of terms

In this Regulation, the below terms shall be construed as follows:

1.3.1. Impurity means materials that not be paper mixing in paper scrap; including materials adhered or not adhered with paper.

1.3.2. Harmful impurity: means harmful impurities according to provisions in the QCVN 07:2009/BTNMT National Technical Regulation on threshold of harmful scrap promulgated together with the Circular No. 25/2009/TT-BTNMT, of November 16, 2009, of the Ministry of Natural Resources and Environment.

1.3.3. Code HS: means code to classify import and export goods stated in the import and export tariff promulgated by the Ministry of Finance.

1.3.4. Block of import paper scrap cargo: means quantity of paper scrap imported by an organization or individual and registered to inspect one time for permission of import into Vietnam; a cargo of import paper scrap may contain one or a number of blocks of paper scrap cargo with different code HS.

1.3.5. Block of import paper scrap cargo: means quantity of paper scrap that being classified according to a defined code HS, belonging to cargo of paper scrap imported by an organization or individual and registered to inspect; the block of scrap cargo maybe a part or whole of block of import scrap cargo.

2. TECHNICAL PROVISION

2.1. Provision on classification, cleaning scrap:

2.1.1. The block of import paper scrap cargo shall only include a or a number of blocks of paper scrap cargo which have been classified particularly according to code HS under the List of scrap permitted to import from foreign to use as materials for production promulgated by the Ministry of Natural Resources and Environment.

2.1.2. Each block of import paper scrap cargo must be arranged to separate with import cargo aiming to facility inspection at the gate.

2.1.3. In each block of import paper scrap cargo, volume of paper scraps with code HS different from code HS declared in the import dossier shall not exceed rate 20% of total volume of block of cargo.

2.1.4. The block of import paper scrap cargo must be cleaned to eliminate tailings, types of materials, stuffs, goods banned to import under Vietnamese law and national treaties in which the Socialist Republic of Vietnam is a party, and to satisfy particular requirements in the section 2.3 and 2.4 of this Regulation.

2.2. Provision on type of paper scrap permitted to import:

Types of paper (including types of paper which have been coated on their surface) and cardboards being selected, classified from papers and cardboards having been used or eliminated during course of production, printing and be used to remanufacture in pulp, paper, and cardboard.

2.3. Provision on type of paper scrap not permitted to import:

2.3.1. Used shell of paper wrapping for containing oil, motor oil, grease, chemicals, food; type of paper wrappings that are still closed.

2.3.2. Paper or cardboard has been used to cover door inside of hotels, tenement houses with component of flameproof substance (PBDE compound (Polybrominated diphenyl ether), PBB compound (Poly Brominated Biphenyl), compounds with radical from phthalate).

2.3.3. Paper or cardboard has been burnt partly.

2.4. Impurities, stuffs, materials that not be permitted to mix in import paper scrap, include:

2.4.1. Materials contain or contaminate radioactive, explosive substances, medical waste.

2.4.2. Other materials that are not paper or cardboard, except these materials still adhered with paper scrap or be broken off in course of packing, transport, palletizing.

2.4.3. Harmful impurity

2.5. Impurities that not be expected to mix in import plastic scrap, include:

2.5.1. Impurities adhered because of the course of transport, palletizing, such as: Dust, soil, sand

2.5.2. Materials are still residuary and often used together with paper. pins, lanyards, nylon, glue, materials be used to bale paper scrap. In each block of cargo, total of volume of types of impurities prescribed in this section shall not exceed 2% of volume of block of cargo.

2.5.3. Residue of chemicals to anti mold, fungi, insects having been used for preservation of paper scrap before transport.

2.6. Import paper scrap must have degree of wetness not exceeding 20%.

3. METHOD OF INSPECTION FOR IMPORT PAPER SCRAP:

3.1. Method of inspection, soliciting the assessment on environmental observance for import scrap:

3.1.1. Customs agencies shall inspect directly in naked eyes on the spot.

3.1.2. If still having doubts, failure to issue a decision on customs clearance or forcing to re-export, customs agencies may apply method of asking for opinion from experts through consulting of the Inspection Council of import scrap in order to assess observance of National Technical Regulation on environment for import scrap of block of import scrap cargo.

The Inspection Council of import scrap is established by customs agencies. The Inspection Council includes members who are representatives of agencies: The customs agency, Public Security of central-affiliated cities and provinces (Division of Police on prevention of environmental criminal), the Service of Natural Resources and Environment (Sub-department of Environmental Protection), the Service of Industry and Trade, the Service of Science and Technology, Vietnam Environment

Administration, Department of Police on prevention of environmental criminal and some relevant ministries, branches, experts of environmental consulting and technical experts of production branch using import scrap and representative of Trade Association. Component and quantity of members of inspection Council shall depend on nature of cases and be decided by customs agencies.

3.1.3. Case inspecting directly in naked eyes, failure to determine the import cargo block eligible for import scrap, customs agencies shall apply one or some methods of soliciting the assessment on environment for the block of import scrap as follows:

a) Taking an accidental sample from some containers or from some different points of bulk cargo block of import block. In case having doubts of import scrap cargo block mixing harmful impurity of materials, stuffs banned from import, the inspection agency may take a sample at the points of doubt to send for soliciting the assessment.

b) Taking a representative sample from all containers or from different points of bulk cargo block of import block. In case having doubts of import scrap cargo block mixing harmful impurity of materials, stuffs banned from import, the inspection agency may take additional samples at the points of doubt to send for soliciting the assessment.

c) Requiring one or many organizations supplying service of goods assessment that are eligible to implement all taking sample and assessment of conformity with this Regulation of import scrap cargo.

3.1.4. For import paper scrap cargo including many blocks of import paper scrap cargo with different code HS, all blocks of cargo must be inspected to assess the conformity with this Regulation of each block of cargo.

3.1.5. Permission of customs clearance or handling violation shall apply to each inspected block of import paper cargo.

3.2. Method of taking representative sample and determine impurity in scrap:

3.2.1. Taking representative sample:

For each container or a bulk cargo block in inspected block of import paper scrap, taking minimally 5 accidental samples at different positions (with distance between points taking sample is relative steady according to rectangle or square, triangular pyramid, zigzag...), then mixing them, with total of volume not less than 10kg.

In addition to the above requirements, quantity and volume of samples shall depend on nature of cases and be decided by customs agencies or authorized testing agencies.

In case having doubts of having positions mixing harmful impurity of materials, stuffs banned from import in the block of scrap cargo, the inspection agency shall be entitled to appoint for taking sample at the position having doubt.

The sample after mixing shall be considered as the representative sample of each container or inspected block of import paper scrap cargo.

3.2.2. Defining volume of impurity:

Executing separation, classification of impurities by physical, mechanical methods in order to segregate impurities from paper and weight volume of these impurities.

Content of impurities is rate of volume of impurities compare to total of volume of test sample, be calculated with percentage unit.

The segregated impurities shall not mix harmful impurities. The harmful impurities are defined according to the QCVN 07:2009/BTNMT National Technical Regulation on threshold of harmful scrap and the List of harmful tailings promulgated by the Ministry of Natural Resources and Environment.

3.2.3. Defining degree of wetness in block of import paper scrap cargo according to the TCVN 1867:2007 National Standard - Paper and cardboard – Defining degree of wetness – Method of drying.

4. ORGANIZATION OF IMPLEMENTATION

4.1. The environmental state management agencies and all organizations, individuals related to import of paper scrap from foreign must observe provisions in this Regulation.

4.2. The environmental state management agencies shall be responsible for guidance, inspection, supervision of implementation of this Regulation.

4.3. In case documents (QCVN 07:2009/BTNMT - National Technical Regulation on threshold of harmful scrap, the List of harmful scraps, the List of scraps permitted to import from foreign to use as materials for production, the TCVN 1867:2007 National Standard) being referenced in this Regulation and be amended, supplemented or replaced, new documents shall be applied.