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EXTRAORDINARY

PartII—section3—ep-section(i)

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Ministry of Environment, Forest and Climate Change

notification

Nai Dadal Lee, March 12, 2024

S.A.Jan. 177(E).—Section 6 of the Central Government Environment (Protection) Act, 1986 (29 of 1986), s.Hazardous and other wastes (management and transboundary movement), using the powers provided by section 8 and section 25 Make the following rules further to amend the Rules, 2016, namely:-

1. (1) These rules may be called the Hazardous and Other Wastes (Management and Transboundary Movement) Provisions Rules, 2024 ॐ I

(2) These rules, except sections 6 and 7, shall come into force on the 1st day of April, 2024, subject to their publication in the Official Gazette.will be introduced from the date.

2. Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 (hereinafter referred to as the said rules) Provided that, in rule 3, after clause 22, the following clause shall be inserted, namely:-

"22a. In 'Thick Waste Management Rules, 2016' for collection of domestic hazardous waste from 'deposition centre' Publicly designated transmission center shall be defined as ``;

3. In rule 6 of the said rules, after sub-rule (1A), the following sub-regulation shall be inserted, namely:— "(1B) The disposal center shall obtain authorization from the concerned State Pollution Control Board or Pollution Control Committee. Gaga.

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[PART II—SEC. 3(i)]

(1C) The disposal facility shall be the actual user or operator of the domestic hazardous waste disposal facility.Gas and records relating thereto shall be maintained in Form 3 and the relevant State Pollution Control Board shall maintain the same in Form 4.The Pollution Control Committee will have to file commercial returns.

4. In rule 8 of the said rule, in the proviso to sub-regulation (1), for clause (i), the following clause shall be substituted, namely:-

"(i) Small producers (between five to ten tonnes of weight) up to one hundred and eighty days of their commercial capacity andManufacturers (less than five tonnes of consignment) up to three hundred and sixty-five days of their commercial capacity";

5. In rule 12 of the said rule, for sub-regulation (6B), the following sub-regulation shall be substituted, namely:-

(6b) Import of 'post-industrial or pre-consumer polyethylene product' of total commercial turnover Shall be permissible subject to export requirement of minimum thirty-five per cent.";

6. In rule 29 of the said rules, after sub-rule (6), the following sub-regulations shall be inserted, namely:-

"(7) The operation and regulation of the platform established under section 6 (6) shall be on the recommendation of the Central Pollution Control Board. This will be done as per the guidelines made by the Central Government.

(8) Central Pollution Control Board for exchange of Extended Producer Responsibility Certificate and The minimum price will be determined unless the extended producer responsibility under rule 39 is met. In case of Rs. 1,000,000, the environmental tax will be reduced to 100 per cent and 30 per cent respectively.

(9) The effective rate of producer liability certificates issued among registered persons through PAGTAAL "shall vary between the highest and lowest value specified in regulation (8)."

7. In rule 30 of the said rules, after sub-rule (4), the following sub-regulations shall be inserted, namely:-

"(5) Relaxation in the time limit for filing the return - if the Central Government is satisfied that so at any time or by such special order as may be necessary for the effective implementation of these rules. Within which any producer, collection agent, recycler and used oil importer subject to these rules The next period in which the return or return is to be filed may be relaxed not exceeding nine months. I"

8. In Schedule III to the said Rules, in Part B, under item B 3, the following shall be added: entered before 3011 After 'polyethylene terephthalate', the following entry shall be inserted, namely:-

□ Polygesalgcgens-only posterior industrial or former epoch

9. In Schedule VI to the said rules, under item B 3, in column (2), the number of Basel No. 'Pojal Jaslagk Sen' in front of 3011 The wording will be omitted;

10. In Schedule IX to the said Rules,

(i) after clause (5) of section 6, the following clauses shall be inserted, namely:-

"(6) By order issued by the Central Government with the approval of the Central Government, the Central Pollution Control Board For the issue or transfer of the product liability certificate extended as per the guidelines given Will be able to establish one or more platforms.

(7) Operation and regulation of the platform established under section 6 (6) Recommendation of the Central Pollution Control Board But this will be done as per the guidelines made by the Central Government.

(8) Central Pollution Control Board for exchange of Extended Producer Responsibility Certificate and shall determine the minimum price subject to the provisions of extended producer responsibility under paragraph 10 of this Schedule In case of completion, the environmental tax will be reduced to one percent and thirty percent respectively.

(9) Publication of product liability certificates issued among registered persons through PAGTAAL The rate will vary between the highest and lowest values specified in clause (8)."

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(ii) after paragraph 8 and the entries relating thereto, the following paragraph shall be inserted, namely:—

"8.(a) Responsibilities of rereaders - (1) All rereaders shall be responsible for the quantity of tires reread by them, the number of rereadings,

Will submit the certificates and such other relevant information to the portal on monthly basis.

(2) All rereaders shall submit commercial and quarterly statements in the prescribed format after the end of the respective quarter.

Will file the petition on or before the end of the following month."

(iii) After clause (5) of section 9, the following clause shall be inserted, namely:-

"(6) Relaxation in the time limit for filing the return - If the Central Government is satisfied that so at any time or by such special order as may be necessary for the effective implementation of these rules. Within which any producer,

collection agent, recycler and used oil importer subject to these rules

The next period in which the return or return is to be filed may be relaxed not exceeding nine months.

I"

11. In Form (2) of the said rule, in the heading 'General conditions of authorization under Part A', after clause 14, the following clause shall be inserted: shall be inserted, namely:-

"15.(i) Sometimes created due to unexpected circumstances like natural disaster, chemical spill etc. The disposal facility for the application of these rules by providing hazardous waste disposal facilities to be counted as such. Will be forwarded to the operator or the actual user.

(ii) Hazardous waste is regularly generated during the approved manufacturing process at the authorized premises. Any such waste shall be incorporated in the Authority within one month from its detection:

But this will not apply if the production is more than the sanctioned capacity."

[Fr. No. 23/151/2022-HSM]

Naresh Pal Gangwar, Additional Secretary Note: The principal rules were published in the Gazette of India, Extra-ordinary, Part II, Section 3, Sub-section (i), number G.S.R. 395(a) date 04 April, 2016 and numbered G.S.R. 677(E) dated 18th September, 2023 Were last suspected by.

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 12th March, 2024

G.S.R. 177(E).—In exercise of the powers conferred by sections 6, 8 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby makes the following rules further to amend the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016, namely: -

1. (1) These rules may be called Hazardous and Other Wastes (Management and Transboundary Movement) Amendment Rules, 2024.

(2) They shall come into force on the date of their publication in the Official Gazette except para 6 and para 7 of these rules, which shall come into force from the 1st Day of April, 2024.

2. In the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 (hereinafter referred to as the said rules), in rule 3, after clause 22, the following clause shall be inserted, namely:-

___22A. —deposition centers means the deposition centre specified in the Solid Waste Management Rules, 2016 for collection of domestic hazardous wastes.";

3. In rule 6 of the said rules, after sub-rule (1A), the following sub-rule shall be inserted, namely:-
—(1B) The deposition centers shall obtain authorization from the State Pollution Control Board or the Pollution Control Committee concerned.

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(1C) The deposition centers shall provide the domestic hazardous waste to the actual user or operator of the disposal facility and maintain records of the same in Form 3 and shall file annual return in Form 4 to the State Pollution Control Board or the Pollution Control Committee concerned.

4. In rule 8 of the said rules, in sub-rule (1) in the proviso, for clause (i), the following clause shall be substituted, namely:-

___(i) small generators (between five to ten tonnes per annum) up to one hundred and eighty days of their annual capacity and small generators (less than five tons per annum) up to three hundred and sixty five days of their annual capacity";

5. In rule 12 of the said rules, in sub-rule (6B), the following sub-rule shall be substituted, namely:-

___(6B) The import of post-industrial or pre-consumer polyethylene wastes shall be permitted with a requirement to export at least thirty five percent of the total annual turnover";

6. In rule 29 of the said rules, after sub-rule (6), the following sub-rules shall be inserted, namely: -

—(7) The operation of the platform established under sub-paragraphs (6) shall be operated and regulated in accordance with the guidelines made by the Central Government on the recommendation of the Central Pollution Control Board.

(8) The Central Pollution Control Board shall fix the highest and lowest price for exchange of extended producer responsibility certificates which shall be equal to hundred per cent and thirty per cent, respectively of the environmental compensation for non-fulfilment of extended producer responsibility under rule 39.

(9) The exchange price of extended producer responsibility certificates between registered entities through the portal shall be between the highest and lowest prices referred to in sub-rule (8)."

7. In rule 30 of the said rules, after sub-rule (4), the following sub-rule shall be inserted, namely: -

—(5) **Relaxation of timelines for filing of returns.** – The Central Government may, if it is satisfied that it is necessary so to do in the public interest or for effective implementation of these rules, by order, relax any period within which any return or report is to be filed under these rules by a producer, collection agents, recycler and used oil importer thereof, for a further period not exceeding nine months.†

8. In Schedule III to the said rules, in Part B, under item number B3, against Basel No. 3011, after the entry Polyethylene terephthalate the following entry shall be inserted, namely:-

□ Polysiloxanes - only post-industrial or pre-consumer

9. In Schedule VI to the said rules, under item number B3, against Basel No. 3011 in column (2) the word Polysiloxanes shall be omitted;

10. In Schedule IX to the said rules,

(i) after sub-paragraph (5) of paragraph 6, the following sub-paragraphs shall be inserted, namely: -

— (6) The Central Government may by, order establish one or more platform for exchange or transfer of extended producer responsibility certificates in accordance with the guidelines issued by the Central Pollution Control Board with the approval of the Central Government.

(7) The operation of the platform established under sub-paragraphs (6) shall be operated and regulated in accordance with guidelines made by the Central Government on the recommendation of the Central Pollution Control Board.

(8) The Central Pollution Control Board shall fix the highest and lowest price for exchange of extended producer responsibility certificates which shall be equal to hundred per cent and thirty per cent, respectively of the environmental compensation for non-fulfilment of extended producer responsibility obligation under paragraph 10 of this Schedule.

(9) The exchange price of extended producer responsibility certificate between registered entities through the portal shall be between the highest and lowest prices referred to in sub-paragraph (8)."

(ii) after paragraph 8 and entries relating thereto, the following paragraph shall be inserted, namely: -

—8. (A) **Responsibilities of the retreader.** - (1) All the retreader shall submit on monthly basis the information regarding quantity of waste tyres re-treaded, retreading certificate generated therefore and such other relevant information on the portal.

(2) All the retreader shall file annual and quarterly returns in the Form as specified on the portal on or before the end of the month succeeding the quarter to which the return relates."

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(iii) after sub-paragraph (5) of paragraph 9, the following sub-paragraphs shall be inserted, namely: -

—(6) **Relaxation of timelines for filing of returns.** – The Central Government may, if it is satisfied that it is necessary so to do in the public interest or for effective implementation of these rules, by order, relax any period within which any return or report is to be filed under these rules by a producer, recycler and retreader thereof, for a further period not exceeding nine months.†

11. In Form 2 to the said rules, under heading A. General conditions of Authorisation, after clause 14, the following clause shall be inserted, namely:-

—15.(i) Any hazardous waste generated sporadically due to unforeseen conditions such as fire, natural calamity, chemical spill, etc, the occupier shall send such waste to the operator of disposal facility or actual user for the purpose of these rules.

(ii) The hazardous waste which is routinely generated in the consented manufacturing process in the authorised premises shall be included in the authorisation within one month from identification of any such waste:

Provided that it shall not apply in the case when production is beyond the consented capacity.].

[F. No. 23/151/2022-HSM]

NARESH PAL GANGWAR, Addl. Secy.

Note. - The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* number G.S.R. 395(E), dated the 4th April, 2016 and last amended *vide* number G.S.R. 677(E) dated the 18th September, 2023.

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