

No. 43/2010/TT-BTNMT

Hanoi, December 29, 2010

CIRCULAR

STIPULATING NATIONAL TECHNICAL REGULATION ON ENVIRONMENT

THE MINISTER OF NATURAL RESOURCES AND ENVIRONMENT

Pursuant to on environmental protection, of November 29, 2005;

Pursuant to the Government's Decree No. 127/2007/ND-CP of August 01, 2007, detailing the implementation of a number of articles of the Law on Standards and Technical Regulations;

Pursuant to the Government's Decree No.25/2008/ND-CP of March 4, 2008, defining the functions, tasks, powers and organizational structure of the Ministry of Natural Resources and Environment;

At the proposal of the Director of Environment General Department, the Director General of Science and Technology Department; Director General of Legal Department,

STIPULATES:

Article 1. Promulgating attached to this Circular three (03) National Technical Regulations on environment with respect to import scrap, including: QCVN 31: 2010/BTNMT, 32: 2010/BTNMT and 33: 2010/BTNMT on environment for imported steel scrap; environment for imported plastic scrap; and environment for imported paper scrap

1. The National Technical Regulations on environment with respect to import steel scrap, number code: QCVN 31:2010/BTNMT.

2. The National Technical Regulations on environment with respect to import plastic scrap, number code: QCVN 32:2010/BTNMT.

3. The National Technical Regulations on environment with respect to import paper scrap, number code: QCVN 33:2010/BTNMT.

Article 2. This Circular effects from April 01, 2011.

Article 3. Director of Environment General Department, headers of units under the Ministry of Natural Resources and Environment, directors of Natural Resources and Environment Services of central-affiliated cities and provinces and relevant organizations, individuals shall be responsible for implementation of this Circular.

FOR THE MINISTER
DEPUTY MINISTER

Bui Cach Tuyen

SOCIALIST REPUBLIC OF VIET NAM

QCVN 31: 2010/BTNMT

NATIONAL TECHNICAL REGULATION ON ENVIRONMENT FOR IMPORTED STEEL SCRAP

Hanoi - 2010

Foreword

The QCVN 31:2010/BTNMT is compiled by the Compilation Group of the Circular of the Ministry of Natural Resources and Environment on stipulating Environmental National Technical Regulation for import steel scrap, then Vietnam Environment Administration, Department of Science and Technology; the Legal Department submitted for approval and be promulgated together with the Circular No. 43/2010/TT-BTNMT of the Minister of Natural Resources and Environment on December 29, 2010.

THE NATIONAL TECHNICAL REGULATION ON ENVIRONMENT FOR IMPORT STEEL SCRAP.

1. GENERAL PROVISIONS:

1.1. The Scope of regulation

1.1.1. This Regulations stipulates on types of steel scrap being permitted to import, types of steel scrap not being permitted to import, component and quantity of impurity types may still be adhered and other technical requirements for steel scrap imported from foreign.

1.1.2. This Regulation shall not regulate for steel scrap imported from enterprises in non-tariff zones in the Vietnam's territory.

1.2. Subjects of application

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

1.2.2. This Regulation shall not applies to organizations, individuals importing steel scrap arising from production of enterprises in non-tariff zones in the Vietnam's territory.

1.3. Interpretation of terms

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

1.3.1. Impurity means material not be iron, steel missed in steel scrap; included material that adhere of not adhere with steel (except for iron rust still adhere on the surface of material in steel).

1.3.2. Harmful impurity means dangerous scrap as prescribed in National Technical Regulation on threshold of harmful scrap QCVN 07:2009/BTNMT, promulgated together with the Circular No.25/2009/TT-BTNMT of November 16, 2009 of the Minister 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. The cargo of import steel scrap: means quantity of steel scrap imported by an organization or individual and registered to inspect one time for permission of import into Vietnam; a cargo of import steel scrap may contain one or a number of blocks of steel scrap cargo with different code HS.

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

2. TECHNICAL REGULATION

2.1. Provision of classification, cleaning of scrap:

2.1.1. The cargo of import steel scrap shall only include a or a number of blocks of steel 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 steel 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 steel scrap cargo, volume of steel 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 steel scrap cargo must be cleaned to eliminate tailings, types of materials, stuff, 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. Provisions of steel scrap which are permitted to import:

2.2.1. Portions of bar, pipe, tips of joint, tips of piece, tips of plates, chips, fibers, blocks, bars, debris made in steel or cast iron which are eliminated from course of metal process or other production.

2.2.2. Steel used for rails, steel for sleepers, steel plates, steel sheets, steel rods, steel shapes, steel pipes, cast bars, wire mesh to be used.

2.2.3. Materials in iron, steel or cast iron selected, withdrawn from construction works, transport means, machines, devices and other products after cut, destroyed, dismantled in foreign or import territory in order to eliminate impurity, materials, stuffs banned from import as prescribed by law of Vietnam.

2.2.4. Materials in iron, steel be used may still adhere a numbers of unexpected impurity as prescribed in section 2.5 of this Regulation.

2.3. Provisions of types of steel scrap which are not permitted to import:

2.3.1. Packaging, drums, cans, boxes in iron, steel be used to contain oil, motor oil, grease, chemicals, asphalt, food that have not been cleaned to satisfy regulations in section 2.4, 2.5 and 2.6 of this Regulation.

2.4. Impurity, stuff, materials that not permitted to mix into import steel scrap, include:

2.4.1. Chemicals, materials containing or contaminate radioactive substances, flammable, explosive substances, medical waste and organic compounds sourcing from plants, animals.

2.4.2. Weapons, bombs, mines, bullets, sealed containers, gas bottles that have not been cut or disassembled in a foreign country or territory of export to remove safety hazards of fire and explosion.

2.4.3. Dangerous Impurity

2.5. Unexpected impurity that is permitted to mix into import steel scrap, includes:

2.5.1. The impurity adhering because of the course of transport, palletizing such as: iron rust, dust, soil, sand

2.5.2. The materials that be residuary after use, still adhere iron, steel such as: Oil, greasy, paint, plating layer, other materials not be iron, steel or cast iron.

2.5.3. Rubber, plastic, rag and other materials not be iron, steel or cast iron adhering iron, steel in course of classifying scrap but be broken off iron, steel in the course of transport, palletizing, satisfy requirement at the section 2.4 of this Regulation. In each block of cargo, total volume of impurity stipulated in this section shall not exceed 1% of volume of block of cargo.

2.6. Limit of radioactive activity of steel scrap As surface radioactive activity of block of steel scrap shall not exceed 0.04Bq/cm² for α radioactive source and not exceed 0.4Bq/cm² for β radioactive source.

3. METHOD OF INSPECTION FOR IMPORT STEEL SCRAP:

3.1. Method of inspection, soliciting the assessment on environmental observance for import steel 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 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 modes 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 point 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 point 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 steel scrap cargo including many blocks of import steel 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 steel cargo.

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

3.2.1. Taking representative sample:

For each container or a bulk cargo block in inspected block of import steel 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 100kg.

In addition to the above requirements, quantity and volume of members of inspection Council 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 steel scrap cargo.

3.2.2. Defining volume of impurity:

Executing separation, classification of impurities by physical , mechanical methods in order to segregate impurities from steel, iron 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 impurities be segregated shall not mix harmful impurities The harmful impurities shall be defined under 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 AS surface radioactive activity of the block of import steel scrap according to the National Standard TCVN 7469:2005 radiation safety – Measuring the degree of activity of hard materials which be considered as non-radioactive tailings to reprocess, reuse or bury

4. ORGANIZATION OF IMPLEMENTATION

4.1. The environmental state management agencies and all organizations, individuals related to import of steel scrap from foreign must to 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 (the QCVN 07:2009/BTNMT - National Technical Regulation on threshold of harmful scrap, the List of harmful tailings, the List of scraps permitted to import from foreign to

use as materials for production, the TCVN 7469:2005 - National Standard) being referenced in this Regulation and be amended, supplemented or replaced, new documents shall be applied.

SOCIALIST REPUBLIC OF VIET NAM

QCVN 32: 2010/BTNMT

**NATIONAL TECHNICAL REGULATION ON ENVIRONMENT FOR IMPORTED PLASTIC
SCRAP**

Hanoi - 2010

Foreword

The QCVN 32:2010/BTNMT is compiled by the Compilation Group of the Circular of the Ministry of Natural Resources and Environment on stipulating Environmental National Technical Regulation for import plastic scrap, then Vietnam Environment Administration, Department of Science and Technology; the Legal Department submitted for approval and be promulgated together with the Circular No. 43/2010/TT-BTNMT of the Minister of Natural Resources and Environment on December 29, 2010

**NATIONAL TECHNICAL REGULATION ON ENVIRONMENT FOR IMPORTED PLASTIC
SCRAP**

1. GENERAL PROVISIONS

1.1. Scope of regulation

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

1.1.2. This Regulation shall not apply to plastic 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 plastic scrap, using import plastic scrap, state management agencies, and organizations of conformity assessment relating to activities of import of plastic 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 plastic mixing in plastic scrap; including materials adhered or not adhered with plastic.

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

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

2. TECHNICAL PROVISION

2.1. Provision on classification, cleaning scrap:

2.1.1. The block of import plastic scrap cargo shall only include a or a number of blocks of plastic 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 plastic 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 plastic scrap cargo, volume of plastic 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 plastic scrap cargo must be cleaned to eliminate tailings, types of materials, stuff, 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 plastic scrap permitted to import:

2.2.1. Plastic is eliminated from production, not yet used, with different shapes .

2.2.2. Wrapping be made in plastic (PET) for containing mineral water, purified water having been ever used.

2.2.3. Plastic having been ever used in one of shapes: cubic, piece, bar, wire, tape, fastener and satisfy requirement prescribed in section 2.1 of this Regulation.

2.2.4. Plastic scrap that be minced, cut from used plastic products being cleaned to eliminate harmful impurities, satisfy requirement as prescribed in section 2.4 of this Regulation (size of each side of scrap shall not exceed 10cm, rate of scraps with size exceed 10cm shall not exceed 5% of the volume of the cargo block).

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

2.3.1. Used plastic materials, products which are not minced, cut and cleaned as prescribed in section 2.2.4 of this Regulation (except types of plastic scrap prescribed in section 2.2.2 and 2.2.3 of this Regulation).

2.3.2. Plastic shell of electrical devices, appliances have been used, as: TV, computer, office equipment, etc... with component of flameproof substance (PBDE compound (Polybrominated diphenyl ether), PBB compound (Poly Brominated Biphenyl), compounds with radical from phthalate).

2.3.2. Plastic has been burnt partly.

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

2.4.1. Chemicals, materials contain or contaminate radioactive, flammable, explosive substances, medical waste and organic compounds with origin from animals, plants.

2.4.2. Rubber, rag and other materials not be plastic, except this materials still adhered in plastic scrap or be broken off in the course of 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. Impurities that still be adhered on the plastic materials or be broken off in the course of transport, palletizing because of printing of types of decals, labels.

2.4.2. Rubber, plastic, rag and other materials not be plastic but adhered and broken off plastic scrap in the course of transport, palletizing, satisfying requirement in this section 2.4 of this Regulation.. In each block of cargo, total of volume of types of impurities prescribed in this section shall not exceed 20% of volume of block of cargo.

3. METHOD OF INSPECTION FOR IMPORT PLASTIC 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 plastic scrap cargo including many blocks of import plastic 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 plastic 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 plastic 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 plastic scrap cargo.

3.2.2. Defining volume of impurity:

Executing separation, classification of impurities by physical , mechanical methods in order to segregate impurities from plastic 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.

4. ORGANIZATION OF IMPLEMENTATION

4.1. The environmental state management agencies and all organizations, individuals related to import of plastic 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 tailings, the List of scraps permitted to import from foreign to use as materials for production) being referenced in this Regulation and be amended, supplemented or replaced, new documents shall be applied.

SOCIALIST REPUBLIC OF VIET NAM

QCVN 32: 2010/BTNMT

NATIONAL TECHNICAL REGULATION ON ENVIRONMENT FOR IMPORTED PAPER SCRAP

Hanoi - 2010

Foreword

The QCVN 32:2010/BTNMT is compiled by the Compilation Group of the Circular of the Ministry of Natural Resources and Environment on stipulating Environmental National Technical Regulation for import paper scrap, then Vietnam Environment Administration, Department of Science and Technology; the Legal Department submitted for approval and be promulgated together with the Circular No. 43/2010/TT-BTNMT of the Minister of Natural Resources and Environment on December 29, 2010.

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 ontain or contaminate radioactive, explosive substances, medical waste.

2.4.2. Other materials that are not paper of 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.