

For discussion on
27 June 2016

**LEGISLATIVE COUNCIL
PANEL ON ENVIRONMENTAL AFFAIRS**

Import and Export Control on Recyclables

This paper aims to introduce the efforts in the control and monitoring of import and export of recyclables, waste load deliveries at landfills, and the regulatory control on electronic waste (e-waste).

Control on Import/Export of Recyclables and on Waste Load Deliveries at Landfills

2. The principles for regulatory control on waste import and export in Hong Kong are in line with those adopted internationally in many other places. Under the current Waste Disposal Ordinance (WDO), the law prohibits the import of waste for disposal locally, and only allows the import and re-export of non-hazardous recyclables for recycling and recovery purposes. Non-hazardous recyclables are raw materials with commercial value. The trading of recyclables is very active in the international market as they are production materials for recycling or reuse, which supports the circular economy and is conducive to reducing the waste disposal burden and sustainable development.

3. According to the 2015 statistics of the Census and Statistics Department, Hong Kong imported around 300 000 tonnes of recyclables per month on average. Container shipments of these recyclables stopped over in Hong Kong before being re-exported to the Mainland and other places. Moreover, a comparison of the total import and export volumes of recyclables in the past five years (see Annex) indicates that the total exports of recyclables exceeded the total imports of recyclables. This serves to illustrate that the overall export of both the imported recyclables as well as the recyclables produced locally has been on the whole operating smoothly.

4. The Environmental Protection Department (EPD) and the Customs and Excise Department (C&ED) have been monitoring these activities based on a risk assessment approach, and conduct random inspections on container

shipments of imported recyclables. To strengthen the monitoring of imported recyclables, since September 2015, for all containers selected for inspection, the EPD requires importers to provide relevant information in order to verify whether the imported recyclables are for recycling locally or for onward re-export to other places. For those cases that are imported for recycling locally, the EPD would request details on the local recycling facilities and conduct random inspection. As regards container shipments of imported recyclables intended for re-export, the EPD monitors their movements until they are shipped out of Hong Kong to ensure that no imported recyclables are stranded or disposed of locally. Over the past five years, the EPD randomly inspected about 3 200 containers of imported recyclables, with two cases found containing recyclables mixed with household rubbish which were a breach of the law. The two containers were returned to their place of origin immediately and the importer in Hong Kong were convicted and fined by the Court.

5. In addition to the monitoring of import and export shipments of recyclables, the EPD also closely monitors waste deliveries to landfills and refuse transfer stations (RTS) in order to prevent the disposal of imported waste. All vehicles entering a landfill must stop at the weighbridge for weighing and inspection. EPD officers and contractors require drivers to open hood covers of their vehicles to facilitate inspections by site staff, and record information such as the waste type, load weight and vehicle registration number by means of closed circuit television systems. Apart from the ongoing monitoring measures above, EPD officers and contractors also pay special attention to whether the load of recyclables carried by vehicles that enter landfills and RTS are suspicious imported waste, and when it is necessary the driver is required to provide personal and company particulars for follow-up action.

6. Since 2013, in response to pressure brought by the fluctuation of international oil prices on the recovery and recycling of plastic recyclables, the EPD has implemented a “Disposal Arrangement of Locally Generated Waste Plastics”. For any disposal of waste plastics at landfills by recyclers, EPD officers first carry out site inspection of the relevant waste recycling yards and also check the operations with the persons-in-charge. Relevant documents and information are also obtained from the recyclers to ascertain the places of origin of the plastic recyclables to be disposed of at landfills, in order to ensure that there will be no imported plastic recyclables. Upon confirmation that the plastic recyclables are locally generated, the EPD then assists the recyclers in assessing the condition of such recyclables and identifying recycling outlets as

far as possible based on the principle of “maximising recycling and avoiding disposal”. Under the arrangement, the EPD gave confirmation that about 120 tonnes of locally generated waste plastics were polluted and had to be disposed of at landfills between 2013 and 2015. The EPD’s stringent monitoring of landfill operation and effective implementation of the arrangement have helped minimise the disposal of imported waste at landfills.

Control on Electronic Waste (e-waste)

7. Under the Basel Convention, there are two main categories of e-waste: hazardous e-waste and non-hazardous e-waste. Non-hazardous e-waste include items such as computer main units and scanners, they are classified as non-hazardous recyclables worldwide and the existing law provides for their import and export for recycling and recovery purposes. For hazardous e-waste items such as computer monitors and LCD panels, they are subject to the controls under the WDO, and their import and export are also subject to stringent permit control. Since the Government’s policy is to prohibit the import of hazardous e-waste, the EPD therefore seldom issues any such permit.

8. Some open recycling yards employ manual labour to dismantle waste electrical appliance parts and printed circuit boards into various streams such as recyclable plastics, metals and circuit boards. Such simple processes do not normally release harmful substances that pollute the environment, and thus they do not contravene the environmental laws. Where processes such as chemical treatment (e.g. the use of concentrated acids) are involved in the treatment of hazardous e-waste (e.g. waste computer monitors or waste flat panel display units), harmful substances such as heavy metals and organic compounds contained in e-waste will likely be released during the processes causing environmental pollution and hazards. These treatment processes are thus subject to the controls under the WDO.

9. The EPD and C&ED are vigilant in taking enforcement action against illegal import of hazardous e-waste. Importers of illegally-imported hazardous e-waste intercepted at our ports are prosecuted, and at the same time all shipments of illegally-imported waste will be returned to their place of origin. Details of each case will also be sent by the EPD to the relevant enforcement agencies overseas for follow-up action. Illegally-imported hazardous e-waste mainly originates from North America, Central America and Asia. For the some 3 200 containers inspected in the past five years (between 2011 and 2015),

the EPD completed prosecutions of around 100 cases. The hazardous e-waste items involved were mainly waste flat panel display units and waste batteries of notebook computers.

10. The EPD has been monitoring closely the activities of e-waste recycling sites especially those open yards. The EPD from time to time conducts joint operations with other government departments, including the Fire Services Department (FSD), Food and Environmental Hygiene Department, Planning Department and Lands Department, to ensure that the operation of these recycling yards are in compliance with the relevant laws in respect of pollution control, fire safety, land uses and planning, etc. In the past five years, the EPD conducted about 700 inspections on e-waste recycling yards, where 16 cases of improper storage of chemical waste were prosecuted and convicted.

11. To strengthen e-waste management, the EPD is working to establish an e-waste management system that stresses on both eco-responsibility and sustainability. The Legislative Council passed the Promotion of Recycling and Proper Disposal (Electrical Equipment and Electronic Equipment) (Amendment) Ordinance 2016 (the Amendment Ordinance) in March 2016. The Amendment Ordinance will serve as the enabling legislation for the proposed management system. We are taking forward the preparatory work, including the drafting of subsidiary legislation and the construction of a Waste Electrical and Electronic Equipment Treatment and Recycling Facility. Subject to the progress, we will determine the date for effecting the Amendment Ordinance. When the Amendment Ordinance comes into effect, the scope of the existing permit system for strict control on the import and export of waste will be expanded to cover more types of e-waste. The five categories of products to be regulated under the Amendment Ordinance are (i) washing machines; (ii) refrigerators; (iii) air-conditioners; (iv) televisions; and (v) computer products including computers (i.e. desktop/notebook/tablet computers), printers, scanners and monitors. The Amendment Ordinance will additionally require all recycling yards for the storage and/or treatment of the abovementioned e-waste items to be licensed by the EPD. The EPD will strictly regulate the operation of these recycling yards according to their licensing conditions.

12. Regarding recent reports by an overseas environmental group through media on recycling yards in the New Territories allegedly involved in the illegal import of hazardous e-waste, the EPD has taken prompt follow-up action to investigate all the premises concerned. When there are evidences revealing

any of the recycling yards involve in illegal import, treatment of hazardous waste or environmental pollution, strict law enforcement action will be taken against such activities. Apart from working with the relevant overseas law enforcement authorities of these reported cases, the EPD is also working with the C&ED on ways to further enhance import control in order to curb illegal import of hazardous waste into Hong Kong. The EPD will also strengthen the tie with law enforcement authorities overseas to intercept illegal waste export at source.

Conclusion

13. Recyclables are raw commodities with commercial value. In line with international principles, Hong Kong strictly forbids the import of hazardous waste but allows the import and export of recyclables for recycling purposes. With the assistance of the C&ED, the EPD inspects container shipments of imported recyclables to prevent stranding or disposal of imported recyclables in Hong Kong. The EPD also closely monitors the landfills operation to prevent the disposal of any imported waste at landfills.

Environmental Protection Department
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Total Import and Export Volume of Recyclables between 2011 and 2015

Recyclables (on yearly basis)	2011	2012	2013	2014	2015
Total Export Volume (in thousand tonnes)	6 246	5 846	4 950	5 506	5 195
Total Import Volume (in thousand tonnes)	4 836	3 926	3 127	3 650	3 395