

**MINISTRY OF NATURAL  
RESOURCES AND  
ENVIRONMENT**  
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**SOCIALIST REPUBLIC OF VIETNAM**  
**Independence – Freedom – Happiness**  
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No.: 08/2018/TT-BTNMT

*Hanoi, September 14, 2018*

**CIRCULAR**

**PROMULGATION OF NATIONAL TECHNICAL REGULATIONS ON ENVIRONMENT**

*Pursuant to the Law on technical regulations and standards dated June 29, 2006;*

*Pursuant to the Law on environment protection dated June 23, 2014;*

*Pursuant to the Government's Decree No. 127/2007/ND-CP dated August 01, 2007 detailing the implementation of a number of articles of the Law on technical regulations and standards;*

*Pursuant to the Government's Decree No. 78/2018/ND-CP dated May 16, 2018 on amendments to the Government's Decree No. 127/2007/ND-CP dated August 01, 2007 detailing the implementation of a number of articles of the Law on technical regulations and standards;*

*Pursuant to the Government's Decree No. 132/2008/ND-CP dated December 31, 2008 on detailing the implementation of a number of articles of the Law on products and goods quality;*

*Pursuant to the Government's Decree No. 74/2018/ND-CP dated May 15, 2018 providing amendments and supplements to a number of articles of Decree No. [132/2008/ND-CP](#) dated December 31, 2008, detailing the implementation of a number of articles of the Law on products and goods quality;*

*Pursuant to the Government's Decree No. 36/2017/ND-CP dated April 04, 2017 defining functions, tasks, powers and organizational structure of the Ministry of Natural Resources and Environment;*

*Pursuant to the Decision No. 73/2014/QĐ-TTg dated December 19, 2014 by the Prime Minister on the List of imported scraps for production;*

*At the request of the Director General of the Vietnam Environment Administration, the Director of the Department of Science and Technology, and the Director of the Legal Department;*

*The Minister of Natural Resources and Environment promulgates this Circular to introduce the national technical regulations on environment.*

**Article 1. The following three national technical regulations on environment are promulgated together with this Circular, including:**

1. QCVN 31:2018/BTNMT - National technical regulation on environment for imported steel scraps for production;
2. QCVN 32:2018/BTNMT - National technical regulation on environment for imported plastic scraps for production;
3. QCVN 33:2018/BTNMT - National technical regulation on environment for imported paper scraps for production.

**Article 2. Steel, plastic and paper scraps on the List of imported scraps for production enclosed with the Prime Minister's Decision No. 73/2014/QĐ-TTg dated December 19, 2014 are potentially unsafe commodities (group-2 imports) under the management of the Ministry of Natural Resources and Environment.**

### **Article 3. Effect and implementation**

1. This Circular comes into force from October 29, 2018 and supersedes the Circular No. 43/2010/TT-BTNMT dated December 29, 2010 of the Minister of Natural Resources and Environment on national technical regulations on environment.
2. Regulations in Article 10 of the Circular No. 41/2015/TT-BTNMT dated September 09, 2015 by the Minister of Natural Resources and Environment and Clause 9 Article 1 of the Circular No. 03/2018/TT-BTNMT dated August 14, 2018 by the Minister of Natural Resources and Environment shall be null and void from the date of entry into force of this Circular.
3. The Director General of the Vietnam Environment Administration, heads of agencies affiliated to the Ministry of Natural Resources and Environment, Directors of Departments of Natural Resources and Environment of provinces and central-affiliated cities, and relevant authorities, organizations and individuals shall implement this Circular./.

**PP. MINISTER  
DEPUTY MINISTER**

**Vo Tuan Nhan**

**QCVN 31:2018/BTNMT**

**NATIONAL TECHNICAL REGULATION ON ENVIRONMENT FOR IMPORTED STEEL  
SCRAPS FOR PRODUCTION**

## **Foreword**

### **QCVN 31:2018/BTNMT supersedes QCVN 31:2010/BTNMT**

QCVN 31:2018/BTNMT is compiled by the Vietnam Environment Administration, presented by the Department of Science and Technology and the Legal Department for approval, appraised by the Ministry of Science and Technology and promulgated under the Circular No. 08/2018/TT-BTNMT dated September 14, 2018 by the Minister of Natural Resources and Environment.

## **NATIONAL TECHNICAL REGULATION ON ENVIRONMENT FOR IMPORTED STEEL SCRAPs FOR PRODUCTION**

### **1. GENERAL REQUIREMENTS**

#### **1.1. Scope:**

1.1.1. This Regulation stipulates the types of steel scraps to be imported for production purpose; banned steel scraps; prohibited impurities in imported steel scraps; undesirable impurities in imported steel scraps; other technical requirements concerning imported steel scraps.

1.1.2. Steel scraps imported from enterprises located in free trade zones within the territory of Vietnam shall not be governed by this Regulation.

#### **1.2. Regulated entities:**

1.2.1. This Regulation applies to organizations and individuals importing steel scraps and using imported steel scraps for production; regulatory authorities in charge of managing the importation and use of imported steel scraps for production; providers of conformity assessment services related to the importation of steel scraps.

1.2.2. This Regulation shall not apply to organizations and individuals that import steel scraps generated from the production of enterprises in free trade zones within the territory of Vietnam.

#### **1.3. Interpretation of terms:**

For the purposes of this Regulation, terms herein shall be construed as follows:

1.3.1. “*impurities*“ refers to substances and materials other than steel materials mixed with imported steel scraps, including materials adhering to imported steel scraps or not (except rust formed on steel surface).

1.3.2. “*harmful impurities*” refers to waste which is classified as hazardous waste in conformity with applicable regulations of the Law on environmental protection.

1.3.3. “*HS codes*” refers to the classifying codes of imported commodities on the List of imports and exports promulgated by the Ministry of Finance and the List of imported scraps for production promulgated by the Prime Minister.

1.3.4. “*imported steel scrap shipment*” refers to the quantity of steel scraps registered for state inspection of quality of imported steel scraps by the importer before they are imported to Vietnam; an imported steel scrap shipment may consist of one or several categories of steel scraps with different HS codes.

1.3.5. “*Category of imported steel scraps*” refers to the quantity of steel scraps selected and classified into a specific HS code of an imported steel scrap shipment registered for state inspection by the importer; a category of imported steel scraps may constitute a part of or the entire imported steel scrap shipment.

1.3.6. “*state inspecting agency*” refers to the authority that takes charge of inspecting the conformity of imported steel scraps with quality standards set forth in national technical regulations on environment; state inspecting agency is the Department of Natural Resources and Environment of province where the factory or manufacturing plant that uses imported steel scraps as production materials is located.

1.3.7. “*designated inspection body*” refers to an inspection body that has obtained the Certificate of accredited inspection body in accordance with regulations of the Government’s Decree No. 107/2016/ND-CP dated July 01, 2016 and has its name on the List of designated inspection bodies within the authority of the Minister of Natural Resources and Environment, which is enclosed with the Government’s Decree No. 74/2018/ND-CP dated May 15, 2018. Designation and accreditation of a foreign inspection body to conduct the inspection of imported steel scraps in conformity with national technical regulations on environment within the territory of Vietnam must comply with applicable laws.

## **2. TECHNICAL REQUIREMENTS**

### **2.1. Classifying and cleaning steel scraps:**

2.1.1. Imported steel scraps may be one or several categories of steel scraps which have been properly sorted and classified by HS codes prescribed on the List of imported scraps for production promulgated by the Prime Minister.

2.1.2. Steel scraps may be imported in bulk or securely tied into bundles, pressed and compacted into blocks, briquettes or bales, except imported steel scrap types prescribed in Section 2.3.1 hereof.

2.1.3. Steel scraps must be arranged in the shipment or container separately according to their categories to facilitate the inspection conducted at the registered inspection place in accordance with applicable laws.

2.1.4. A category of imported steel scraps may be mixed with an amount of steel scraps (which must be on the List of imported scraps for production) of HS codes other than the ones stated in the import declaration. The quantity of the steel scraps of undeclared HS codes must not exceed 20% of total quantity of the category of imported steel scraps.

2.1.5. Banned substances, materials and/or products must be removed from the imported steel scraps in conformity with the law of Vietnam and international treaties of which the Socialist Republic of Vietnam is a signatory so as to meet specific requirements set forth in Section 2.3 and Section 2.4.

## **2.2. Types of steel scraps to be imported:**

2.2.1. Bar sections, tube or pipe sections, nodes, tips, trimmings, turnings, shavings, fire, blocks, ingots or pieces of iron, steel, cast iron or pig iron discharged from the metal production and processing or other production activities.

2.2.2. Used rail steel, steel sleepers, plates, sheets, circles, shapes, tubes or pipes, ingots and wire.

2.2.3. Iron, steel, cast iron or pig iron selected and collected from construction works, vehicles, machinery, equipment and other products which have been cut or disassembled in exporting countries or territories for the purposes of removing impurities and banned materials as regulated by the law of Vietnam.

2.2.4. Used iron and steel in which there are certain undesirable impurities as prescribed in Section 2.5.

## **2.3. Banned steel scraps:**

2.3.1. Used iron or steel packings, drums, cans, boxes and other containers pressed and compacted into blocks, briquettes or bales.

2.3.2. Iron or steel packings, drums, cans, boxes and other containers which have been used for containing oil, lubricants, grease, chemicals, asphalt or foods but not yet cleaned to meet the requirements set forth in Section 2.4 and Section 2.5.

2.3.3. Imported steel scraps having an activity concentration and surface contamination levels exceeding the permissible levels prescribed in the Circular No. 22/2014/TT-BKHCN dated August 25, 2014 by the Minister of Science and Technology on management of radioactive waste and used radioactive sources (Appendix IV – Permissible levels of activity concentration and surface contamination of metals considered for recycling).

## **2.4. Prohibited impurities in imported steel scraps**

2.4.1. Chemicals, combustible substances, explosive substances, and hazardous medical waste.

2.4.2. Arms, bombs, mines, munitions, pressure-tight vessels and gas containers which are not yet cut or disassembled in exporting countries or territories for the purposes of removing fire and explosion risk factors.

2.4.3. Materials containing or affected by radioactive substances at levels exceeding the exemption ones prescribed in the QCVN 05:2010/BKHHCN – National technical regulation on Radiation protection – Exemption from requirements of notification and licencing promulgated under the Circular No. 15/2010/TT-BKHHCN dated September 14, 2010 by the Minister of Science and Technology.

2.4.4. Harmful impurities.

### **2.5. Undesirable impurities in imported steel scraps**

2.5.1. Impurities adhering to scrap surface such as rust, dust, soil and sand.

2.5.2. Materials residual after use and adhering to iron and steel such as oil, lubricants, paints, plating and materials other than iron, steel, cast iron or pig iron. 2.5.3. Residual impurities other than iron, steel, cast iron or pig iron broken or left from imported steel scraps (except Section 2.5.1 and Section 2.5.2) meeting the requirements in Section 2.4. The quantity of impurities prescribed in Section 2.5.3 in a shipment shall not exceed 1% of total quantity of the shipment.

## **3. INSPECTION PROCEDURES AND DETERMINATION METHODS**

### **3.1. Procedures for inspection of imported scraps**

Imported steel scraps shall be inspected through visual inspection or inspection of analytical samples. State inspecting agencies and designated inspection bodies must comply with inspection procedures set forth in Section 3.1.1 and Section 3.1.2 hereof when conducting the inspection of imported steel scraps.

3.1.1. Site inspection procedures:

a) The site inspection includes the visual examination of all containers or categories of imported steel scraps in bulk of the shipment, estimate the quantity of impurities and measuring certain parameters of the imported steel scrap shipment.

b) The site inspection is conducted as follows:

- Carry out general examination of the shipment: Categories, quantity and quality of imported scraps;

- Take photographs of inspected positions;

- Measure some parameters by using quick measuring devices at the site (in case where quick measurements are required);

- Examine impurities: Determine types of impurities mixed with imported scraps and percentage thereof.

c) Site inspection results shall be handled as follows:

- If inspection results indicate that the inspected shipment is conformable with provisions of Section 2 hereof, the designated inspection body shall issue the written record of inspection (or the certificate of inspection) of the imported steel scrap shipment to the importer and send a copy thereof to the state inspecting agency; the state inspecting agency shall use this copy as the basis for issuance of the notice of state inspection results of quality of imported steel scrap shipment to the importer for carrying out customs clearance procedures as regulated;

- If inspection results indicate that the inspected shipment is unconfirmable with provisions of Section 2 hereof, the designated inspection body shall issue the written record of inspection (or the certificate of inspection) of the imported steel scrap shipment to the importer and send a copy thereof to the state inspecting agency for taking appropriate measures against the shipment as regulated;

- If site inspection results indicate that it's unable to conclude whether the imported steel scrap ship is conformable with provisions of Section 2 hereof or not, regulations in Section 3.1.2 shall apply.

3.1.2. Procedures for inspection of analytical samples:

a) Samples are taken and analyzed to evaluate the quality of imported steel scraps in conformity with provisions of Section 2 hereof as follows:

- Take samples from the imported steel scrap shipment by adopting the sampling method prescribed in Section 3.2.1. Take photographs of inspected positions and sampling points;

- Determine and evaluate the conformity of the shipment with technical requirements set forth in Section 2 hereof. If analytical results are given by testing bodies, only testing bodies that meet requirements in Section 4.4 are eligible;

- Where at least 02 representative samples are taken from the imported steel scrap shipment as regulated in Section 3.2.1, the mean value of analytical results of representative samples taken shall be considered as the inspection result of the shipment.

b) Inspection results obtained from the analysis of samples of the imported steel scraps shall be handled as follows:

- If inspection results indicate that the inspected shipment is conformable with provisions of Section 2 hereof, the designated inspection body shall issue the written record of inspection (or the certificate of inspection) of the imported steel scrap shipment to the importer and send a copy thereof to the state inspecting agency; the state inspecting agency shall use this copy as the basis

for issuance of the notice of state inspection results of quality of imported steel scrap shipment to the importer for carrying out customs clearance procedures as regulated;

- If inspection results indicate that the inspected shipment is uncomformable with provisions of Section 2 hereof, the designated inspection body shall issue the written record of inspection (or the certificate of inspection) of the imported steel scrap shipment to the importer and send a copy thereof to the state inspecting agency for taking appropriate measures against the shipment as regulated.

### **3.2. Methods of sampling and determining impurities**

#### 3.2.1. Sampling methods:

a) Sampling serving the determination of impurities:

a1. For steel scraps imported in bulk (not in containers):

A representative sample shall be randomly taken from five different positions of the imported steel scrap shipment (distances between sampling points are relatively equal to ensure the characteristics of a representative sample according to a rectangle, square, triangular pyramid or Z shape, etc.). The sample weight is 100 kg. If the shipment is suspected of being uncomformable with provisions of Section 2 hereof, additional representative samples may be taken according to the sampling method prescribed in this section provided not more than 03 representative samples are taken.

a2. For imported steel scraps packed in containers:

The quality of imported steel scraps shall be inspected by sampling and analyzing representative samples. A representative sample is comprised of one or some random samples mixed up thoroughly. The weight of a representative sample is 100 kg.

- Random sample is sample taken from 05 different positions of the selected container (distances between sampling points are relatively equal to ensure the characteristics of a representative sample according to a rectangle, square, triangular pyramid or Z shape, etc.). The weight of a random sample is 100 kg;- If an imported steel scrap shipment consists of less than 05 containers, 01 container shall be selected to take a random sample which is also the representative sample of the shipment;

- If an imported steel scrap shipment consists of from 05 containers to fewer than 20 containers, 02 containers shall be selected to take random samples. The representative sample of the shipment shall be taken from the mixture of 02 random samples.

- If an imported steel scrap shipment consists of 20 containers or more, 10% of total number of containers shall be selected to take random samples (the number of random samples shall be rounded). If less than 10 random samples are taken, they shall be thoroughly mixed up to constitute a representative sample. If more than 10 random samples are taken, every 10 random



samples shall be mixed up to constitute a representative sample; the remaining odd number of random samples (if any) shall make up a representative sample. One or some representative samples shall be taken from an imported steel scrap shipment.

b) Sampling serving the determination of steel scraps of a HS code other than the declared one:

Representative sample shall be taken from a randomly selected category of imported steel scraps. Samples are taken from 5 different positions (distances between sampling points are relatively equal to ensure the characteristics of a representative sample according to a rectangle, square, triangular pyramid or Z shape, etc.) of a randomly selected container or a category of bulk cargo decided by the state inspecting agency, and then thoroughly mixed up to make up a representative sample of the shipment. The weight of a representative sample is 100 kg.

3.2.2. Method of calculating ratio of impurities:

Impurities shall be removed from steel scraps, classified and weighed by adopting mechanical and physical methods.

Ratio of impurities is the ratio of the weight of impurities to total weight of test samples and expressed in percentage (%).

3.2.3. Method of determining the percentage of steel scraps of HS codes other than the one stated in the import declaration:

Steel scraps of HS codes other than the declared one shall be sorted and classified.

The percentage (%) of steel scraps of HS codes other than the declared one is the ratio of the weight of steel scraps of HS codes other than the declared HS code to total weight of test samples.

3.2.4. Methods of determining impurity components:

a) Sampling and analytical methods for determining radioactivity: TCVN 7469:2005 (ISO 11932:1996) – National technical regulation on Radiation protection – Activity measurements of solid materials considered for recycling, re-use, or disposal as non-radioactive waste; TCVN 7078-1:2002 (ISO 7503-1:1988) - National technical regulation on Radiation protection - Evaluation of surface contamination - Part 1: Beta-emitters (maximum beta energy greater than 0,15 MeV) and alpha-emitters; TCVN 7078-2:2007 (ISO 7503-2:1988) - National technical regulation on Radiation protection - Evaluation of surface contamination - Part 2: Tritium surface contamination; ISO 7503- 3:2016, Measurement of radioactivity - Measurement and evaluation of surface contamination - Part 3: Apparatus calibration.

b) Thresholds of hazardous waste included in impurities removed from the imported steel scraps shall be determined in conformity with QCVN 07:2009/BTNMT – National technical regulation on Hazardous waste thresholds promulgated under the Circular No. 25/2009/TT-BTNMT dated November 16, 2009 of the Minister of Natural Resources and Environment and the list of

hazardous wastes and potentially hazardous wastes provided in the Appendix 1 enclosed with the Circular No. 36/2015/TT-BTNMT dated June 30, 2015 of the Minister of Natural Resources and Environment.

#### **4. MANAGEMENT REQUIREMENTS**

4.1. Steel scraps imported for use as production materials are group-2 imports and must bear the state inspection of quality of imported goods in accordance with regulations in the Government's Decree No. 132/2008/ND-CP dated December 31, 2008, the Decree No. 74/2018/ND-CP and relevant laws.

4.1.1. Importers of steel scraps for production must carry out procedures for state inspection of quality of imported steel scraps in accordance with applicable laws. To be specific:

a) Apply for state inspection of quality of imported steel scraps at the state inspecting agency. The application for state inspection includes the documents prescribed in Point a Clause 2c Article 7 of the Decree No. 132/2008/ND-CP, as amended at Clause 3 Article 1 of the Decree No. 74/2018/ND-CP and other documents concerning the importation of scraps as regulated by the Law on environment;

b) Inform the customs agency, the state inspecting agency and the designated inspection body in writing of the time and location of inspection and sampling serving the quality of imported steel scraps in accordance with applicable laws;

c) Cooperate with the state inspecting agency and relevant agencies during the inspection of quality of imported steel scraps.

4.1.2. The state inspecting agency shall receive and check the application documentation for state inspection of quality of imported steel scraps in conformity with provisions of Clause 2c Article 7 of the Decree No. 132/2008/ND-CP, as amended at Clause 3 Article 1 of the Decree No. 74/2018/ND-CP. To be specific:

a) Receive the application for state inspection of quality of imported steel scraps;

b) Play the leading role and cooperate with customs agency, the designated inspection body and relevant agencies in conducting inspection and sampling (where sampling is required) in order to evaluate the quality of the imported steel scrap shipment in accordance with applicable laws;

c) Give the notice of state inspection results of quality of imported steel scrap shipment to the importer in accordance with applicable laws.

4.2. Shipments of steel scraps imported to Vietnam must bear the inspection, evaluation and assessment of their conformity with technical requirements set forth in Section 2 hereof to facilitate the state inspection as regulated by laws.

4.3. The inspection of imported steel scraps must be conducted by legally designated or accredited inspection bodies.

4.4. Contents and concentrations of environmental parameters must be determined by organizations granted the certificate of eligibility to provide environmental monitoring services in accordance with the Government's Decree No. 127/2014/ND-CP dated December 31, 2014. Quantities and composition of impurities and other parameters shall be determined by organizations granted the certificate of registered testing laboratory in accordance with regulations in the Decree No. 107/2016/ND-CP.

4.5. The designated inspection body shall issue the written record of inspection (or the certificate of inspection) of the imported steel scrap shipment to the importer and send a copy thereof to the state inspecting agency. The certificate of inspection must include information concerning impurities and other technical requirements as set forth in Section 2 hereof (accompanied by photographs of inspecting positions and sampling points stored on CDs/DVDs; reports on analysis or testing for representative samples provided by organizations granted the certificate of eligibility to provide environmental monitoring services or the certificate of registered testing laboratory).

## **5. IMPLEMENTATION**

5.1. Environment protection authorities and other organizations and individuals relevant to the importation of steel scraps must comply with regulations herein.

5.2. Environment protection authorities shall instruct and inspect the implementation of this Regulation.

5.3. If legislative documents referred to in this Regulation are amended, supplemented or superseded, the new ones shall apply. If standards referred to in this Regulation are amended, supplemented or superseded, the new ones shall apply./.

## **QCVN 32:2018/BTNMT**

### **NATIONAL TECHNICAL REGULATION ON ENVIRONMENT FOR IMPORTED PLASTIC SCRAPS FOR PRODUCTION**

#### **Foreword**

#### **QCVN 32:2018/BTNMT supersedes QCVN 32:2010/BTNMT**

QCVN 32:2018/BTNMT is compiled by the Vietnam Environment Administration, presented by the Department of Science and Technology and the Legal Department for approval, appraised by the Ministry of Science and Technology and promulgated under the Circular No. 08/2018/TT-BTNMT dated September 14, 2018 by the Minister of Natural Resources and Environment.

# NATIONAL TECHNICAL REGULATION ON ENVIRONMENT FOR IMPORTED PLASTIC SCRAPS FOR PRODUCTION

## 1. GENERAL PROVISIONS

### 1.1. Scope:

1.1.1. This Regulation stipulates types of plastic scraps to be imported for production purpose, types of plastic scraps banned from import, prohibited impurities and undesirable impurities in imported plastic scraps, and other technical requirements concerning imported plastic scraps.

1.1.2. Plastic scraps imported from enterprises located in free trade zones within the territory of Vietnam shall not be governed by this Regulation.

### 1.2. Regulated entities:

1.2.1. This Regulation applies to organizations and individuals importing and using imported plastic scraps as raw materials in production, regulatory authorities in charge of managing the importation and use of imported plastic scraps for production, and providers of conformity assessment services serving the importation of plastic scraps.

1.2.2. This Regulation shall not apply to organizations and individuals that import plastic scraps generated from the production of enterprises located in free trade zones within the territory of Vietnam.

### 1.3. Interpretation of terms:

For the purposes of this Regulation, terms herein shall be construed as follows:

1.3.1. “*impurities*“ refers to substances or materials which are not plastic materials but mixed with the imported plastic scraps, whether or not adhering to the imported plastic scraps.

1.3.2. “*harmful impurities*” refers to waste which is classified as hazardous waste in conformity with applicable regulations of the Law on environmental protection.

1.3.3. “*HS codes*” refers to classifying codes of imports on the List of imports and exports promulgated by the Ministry of Finance and the List of imported scraps for production promulgated by the Prime Minister.

1.3.4. “*imported plastic scrap shipment*” refers to the quantity of plastic scraps registered for state inspection of quality of imported plastic scraps by the importer before they are imported to Vietnam; an imported plastic scrap shipment may consist of one or several categories of plastic scraps with different HS codes.

1.3.5. “*category of imported plastic scraps*” refers to the quantity of plastic scraps selected and classified into a specific HS code of an imported plastic scrap shipment registered for state inspection by the importer; a category of imported plastic scraps may constitute a part of or the entire imported plastic scrap shipment.

1.3.6. “*state inspecting agency*” refers to the authority that takes charge of inspecting the conformity of imported plastic scraps with quality standards set forth in national technical regulations on environment; state inspecting agency is the Department of Natural Resources and Environment of province where the factory or manufacturing plant that uses imported plastic scraps as production materials is located.

1.3.7. “*designated inspection body*” refers to an inspection body that has obtained the Certificate of accredited inspection body in accordance with regulations of the Government’s Decree No. 107/2016/ND-CP dated July 01, 2016 and has its name on the List of designated inspection bodies within the authority of the Minister of Natural Resources and Environment, which is promulgated under the Government’s Decree No. 74/2018/ND-CP dated May 15, 2018. Designation and accreditation of a foreign inspection body to conduct the inspection of quality of imported plastic scraps in conformity with national technical regulations on environment within the territory of Vietnam must comply with applicable laws.

## **2. TECHNICAL REQUIREMENTS**

### **2.1. Classifying and cleaning plastic scraps**

2.1.1. Imported plastic scraps may be comprised of one or several categories of plastic scraps which have been properly sorted and classified by HS codes prescribed on the List of imported scraps for production promulgated by the Prime Minister.

2.1.2. Plastic scraps must be arranged in the shipment or containers separately according to their categories to facilitate the inspection conducted at the registered inspection place in accordance with applicable laws.

2.1.3. A category of imported plastic scraps may be mixed with an amount of plastic scraps (which must be on the List of imported scraps for production) of HS codes other than the ones stated in the import declaration. The quantity of the plastic scraps of undeclared HS codes must not exceed 20% of total quantity of the category of imported plastic scraps.

2.1.4. Substances, materials and/or products that are banned from import as regulated by the law of Vietnam and international treaties of which the Socialist Republic of Vietnam is a signatory must be removed from the imported plastic scraps so as to ensure the satisfaction of imported plastic scraps with specific requirements set forth in Section 2.3 and Section 2.4.

### **2.2. Types of plastic scraps to be imported**

2.2.1. Unused plastic materials left over from manufacturing process.

2.2.2. Used PET plastic containers of mineral water or purified water. Used PET plastic containers of sparkling drinks from which contained liquid has been completely removed.

2.2.3. Used plastics in blocks, lumps, rods, ropes, strips, tapes, films, splints, trays, plates, foils, pallets or tanks; jumbo bags cut in strips, plates or tapes. Samples of imported plastic scraps in films must be taken and analyzed in accordance with Sections 3.2.2, 3.2.4 and 3.2.5.2.2.4. Plastics which are not prescribed in Section 2.2.1, Section 2.2.2 or Section 2.2.3 must be cut or chopped into small pieces and cleaned to remove impurities (no side of the plastic piece shall exceed 10 cm; the proportion of plastic pieces with any side exceeding 10 cm to the quantity of the imported plastic scrap shipment shall not exceed 5%).

2.2.5. Types of plastic scraps mentioned in Section 2.2.1 through 2.2.4 must meet the requirements laid down in Section 2.4.

### **2.3. Types of plastic scraps banned from import**

2.3.1. Used plastic materials which are not cut or chopped into small pieces and cleaned to remove impurities as regulated in Section 2.2.4 (except plastics prescribed in Section 2.2.1, Section 2.2.2 and Section 2.2.3).

2.3.2. Plastic covers of used electronic appliances and devices such as televisions, computers, office supplies, etc., which contain flame-retardant components such as PBDE (PolyBrominated Diphenyl Ether) compounds, PBB (PolyBrominated Biphenyl) compounds, phthalate compounds, lead, cadmium, mercury or Chromium (VI).

2.3.3. Partially burned plastics.

### **2.4. Prohibited impurities in imported plastic scraps**

2.4.1. Chemicals, combustible substances, explosive substances, hazardous medical waste, animal or vegetable fats and oils.

2.4.2. Materials containing or affected by radioactive substances at a level exceeding the exemption levels prescribed in the QCVN 05:2010/BKHCN – National technical regulation on Radiation protection – Exemption from requirements of notification and licencing promulgated under the Circular No. 15/2010/TT-BKHCN dated September 14, 2010 by the Minister of Science and Technology.

2.4.3. Harmful impurities.

### **2.5. Undesirable impurities in imported plastic scraps**

2.5.1. Impurities adhering to the scrap surface such as dust, soil, sand, ropes and other materials used to secure imported plastic scraps into packages.

2.5.2. Impurities in printing, labels and marks adhering to or broken and left from imported plastic scraps in the course of transport, loading and unloading.

2.5.3. Residual impurities that are other than plastics, adhering to or broken and left from the imported plastic scraps (except for Section 2.5.1 and Section 2.5.2), and meet the requirements in Section 2.4. Total quantity of impurities prescribed in this Section 2.5.3 shall not exceed 2% of total quantity of the imported plastic scrap shipment.

### **3. INSPECTION PROCEDURES AND DETERMINATION METHODS**

#### **3.1. Procedures for inspection of imported plastic scraps**

The imported plastic scrap shipment shall be inspected by means of visual inspection or inspection of analytical samples. When conducting the inspection of imported plastic scraps, both the state inspecting agency and the designated inspection body must comply with the inspection procedures set forth in Section 3.1.1 and Section 3.1.2 hereof.

##### 3.1.1. Site inspection procedures:

a) The site inspection includes the visual examination of all containers or categories of imported plastic scraps in bulk of the shipment, estimation of the quantity of impurities and measurement of certain parameters of the imported plastic scrap shipment.

b) The site inspection is conducted as follows:

- Carry out a general examination of the shipment: Determine types, quantity and quality of the imported plastic scraps;

- Take photographs of the inspected positions;

- Measure some parameters by using quick measuring devices at the inspection site (in case where quick measurements are required);

- Examine impurities: Determine types of impurities mixed with the imported plastic scraps and percentage thereof.

c) Site inspection results shall be handled as follows:

- If inspection results indicate that the inspected plastic scrap shipment is conformable with the provisions of Section 2 hereof, the designated inspection body shall issue the written record of inspection (or the certificate of inspection) of the imported plastic scrap shipment to the importer and send a copy thereof to the state inspecting agency; the state inspecting agency shall use this document as the basis for issuance of the notice of state inspection results of quality of imported plastic scrap shipment to the importer for carrying out customs clearance procedures as regulated;

- If inspection results indicate that the inspected shipment is uncomformable with the provisions of Section 2 hereof, the designated inspection body shall issue the written record of inspection (or the certificate of inspection) of the imported plastic scrap shipment to the importer and send a copy thereof to the state inspecting agency for taking appropriate measures against the shipment as regulated.

- If site inspection results indicate that it's unable to conclude whether the imported plastic scrap shipment is conformable with the provisions of Section 2 hereof or not, the regulations in Section 3.1.2 shall apply.

### 3.1.2. Procedures for inspection of analytical samples:

a) Sampling serving the analysis and evaluation of the quality of imported plastic scraps in conformity with the provisions of Section 2 hereof is carried out as follows:

- Take samples from the imported plastic scrap shipment by adopting the sampling method prescribed in Section 3.2.1. Take photographs of the inspected positions and sampling points; Determine and evaluate the conformity of the imported plastic scrap shipment with the technical requirements set forth in Section 2 hereof. If testing bodies are employed to provide analytical results, only testing bodies that meet the requirements in Section 4.4 are eligible;

- Where at least 02 representative samples must be taken from the imported plastic scrap shipment as regulated in Section 3.2.1, the inspection result is the mean value of analytical results of representative samples.

b) Inspection results obtained from the analysis of samples of the imported plastic scraps shall be handled as follows:

- If inspection results indicate that the inspected plastic scrap shipment is conformable with the provisions of Section 2 hereof, the designated inspection body shall issue the written record of inspection (or the certificate of inspection) of the imported plastic scrap shipment to the importer and send a copy thereof to the state inspecting agency; the state inspecting agency shall use this document as the basis for issuance of the notice of state inspection results of quality of imported plastic scrap shipment to the importer for carrying out customs clearance procedures as regulated;

- If inspection results indicate that the inspected shipment is uncomformable with the provisions of Section 2 hereof, the designated inspection body shall issue the written record of inspection (or the certificate of inspection) of the imported plastic scrap shipment to the importer and send a copy thereof to the state inspecting agency for taking appropriate measures against the shipment as regulated.

## **3.2. Methods of sampling and determining impurities**

### 3.2.1. Sampling methods:



a) Sampling serving the determination of impurities:

a1. For plastic scraps imported in bulk (not in containers):

A representative sample shall be randomly taken from five different positions of the imported plastic scrap shipment (distances between sampling points are relatively equal to ensure the characteristics of a representative sample according to a rectangle, square, triangular pyramid or Z shape, etc.). The weight of a representative sample is 50 kg. If the shipment is suspected of being unrepresentative with the provisions of Section 2 hereof, additional representative samples may be taken by adopting the sampling method prescribed in this section provided that not more than 03 representative samples are taken.

a2. For the imported plastic scraps packed in containers:

The quality of imported plastic scraps shall be inspected by sampling and analyzing representative samples. A representative sample is comprised of one or several random samples mixed up thoroughly. The weight of a representative sample is 10 kg.

- Random sample is a sample taken from 05 different positions of the selected container (distances between sampling points are relatively equal to ensure the characteristics of a representative sample according to a rectangle, square, triangular pyramid or Z shape, etc.). The weight of a random sample is 10 kg;

- If an imported plastic scrap shipment consists of less than 05 containers, 01 container shall be selected to take a random sample which is also the representative sample of the shipment;

- If an imported plastic scrap shipment consists of from 05 containers to fewer than 20 containers, 02 containers shall be selected to take random samples. The representative sample of the shipment shall be taken from the mixture of 02 random samples;

- If an imported plastic scrap shipment consists of 20 containers or more, 10% of total number of containers shall be selected to take random samples (the number of random samples shall be rounded). If less than 10 random samples are taken, they shall be thoroughly mixed up to constitute a representative sample. If more than 10 random samples are taken, every 10 random samples shall be mixed up to constitute a representative sample; the remaining odd number of random samples (if any) shall make up a representative sample. One or several representative samples may be taken from an imported plastic scrap shipment.

b) Sampling serving the determination of small pieces with any side exceeding 10 cm:

In case plastic scraps must be chopped or cut into small pieces as regulated in Section 2.2.4, samples are taken from 5 different positions (distances between sampling points are relatively equal to ensure the characteristics of a representative sample according to a rectangle, square, triangular pyramid or Z shape, etc.) of a randomly selected container or a category of bulk cargo decided by the state inspecting agency, and then thoroughly mixed up to make up a

representative sample of the imported plastic scrap shipment. The weight of a representative sample is 10 kg.

c) Sampling serving the determination of plastic scraps of a HS code other than the declared one:

Representative sample shall be taken from a randomly selected category of imported plastic scraps. Samples are taken from 5 different positions (distances between sampling points are relatively equal to ensure the characteristics of a representative sample according to a rectangle, square, triangular pyramid or Z shape, etc.) of a randomly selected container or a category of bulk cargo decided by the state inspecting agency, and then thoroughly mixed up to make up a representative sample of the imported plastic scrap shipment. The weight of a representative sample is 10 kg.

3.2.2. Method of calculating ratio of impurities:

Impurities shall be removed from plastic scraps, classified and weighed by adopting mechanical and physical methods.

Ratio of impurities is the ratio of the weight of impurities to total weight of test samples and expressed in percentage (%).

3.2.3. Method of determining the percentage of small pieces with any side exceeding 10 cm:

Small pieces with any side exceeding 10 cm shall be sorted and classified.

The percentage (%) of small pieces with any side exceeding 10 cm is the ratio of the weight of small pieces with any side exceeding 10 cm to total weight of test samples.

3.2.4. Method of determining the percentage of plastic scraps of HS codes other than the one stated in the import declaration:

Plastic scraps of HS codes other than the declared one shall be sorted and classified.

The percentage (%) of plastic scraps of HS codes other than the declared one is the ratio of their weight to total weight of test samples.

3.2.5. Methods of determining impurity components:

a) The activity concentration of the imported plastic scrap shipment shall be measured in conformity with TCVN 7469:2005 (ISO 11932:1996) – National technical regulation on Radiation protection – Activity measurements of solid materials considered for recycling, re-use, or disposal as non-radioactive waste.

b) Thresholds of hazardous waste included in impurities removed from the imported plastic scraps and film plastic scraps shall be determined in conformity with QCVN 07:2009/BTNMT – National technical regulation on Hazardous waste thresholds promulgated under the Circular No.

25/2009/TT-BTNMT dated November 16, 2009 of the Minister of Natural Resources and Environment and the list of hazardous wastes and potentially hazardous wastes provided in the Appendix 1 enclosed with the Circular No. 36/2015/TT-BTNMT dated June 30, 2015 of the Minister of Natural Resources and Environment.

#### **4. MANAGEMENT REQUIREMENTS**

4.1. Plastic scraps imported for use as production materials are group-2 imports and must bear the state inspection of quality of imported goods in accordance with regulations in the Government's Decree No. 132/2008/ND-CP dated December 31, 2008, the Decree No. 74/2018/ND-CP and relevant laws.

4.1.1. Importers of plastic scraps for production must carry out procedures for state inspection of quality of imported plastic scraps in accordance with applicable laws. To be specific:

a) Apply for the state inspection of quality of imported plastic scraps at the state inspecting agency. The application for the state inspection includes the documents prescribed in Point a Clause 2c Article 7 of the Decree No. 132/2008/ND-CP, as amended in Clause 3 Article 1 of the Decree No. 74/2018/ND-CP and other documents concerning the importation of scraps as regulated by the Law on environmental protection;

b) Inform the customs agency, the state inspecting agency and the designated inspection body in writing of the time and location of inspection and sampling serving the assessment of quality of imported plastic scraps in accordance with applicable laws;

c) Cooperate with the state inspecting agency and relevant agencies during the inspection of quality of imported plastic scraps.

4.1.2. The state inspecting agency shall receive and check the application documentation for the state inspection of quality of imported plastic scraps in conformity with the provisions of Clause 2c Article 7 of the Decree No. 132/2008/ND-CP, as amended in Clause 3 Article 1 of the Decree No. 74/2018/ND-CP. To be specific:

a) Receive the application for the state inspection of quality of imported plastic scraps;

b) Play the leading role and cooperate with customs agency, the designated inspection body and relevant agencies in conducting inspection and sampling (where sampling is required) in order to evaluate the quality of the imported plastic scrap shipment in accordance with applicable laws;

c) Give the notice of state inspection results of quality of imported plastic scrap shipment to the importer in accordance with applicable laws.

4.2. Shipments of plastic scraps imported to Vietnam must bear the inspection, evaluation and assessment of their conformity with technical requirements set forth in Section 2 hereof to facilitate the state inspection as regulated by laws.

4.3. The inspection of imported plastic scraps must be conducted by a legally designated or accredited inspection body.

4.4. Contents and concentrations of environmental parameters must be determined by the organizations having the certificate of eligibility to provide environmental monitoring services in accordance with the Government's Decree No. 127/2014/ND-CP dated December 31, 2014. Quantities and composition of impurities and other parameters shall be determined by the organizations granted the certificate of registered testing laboratory in accordance with regulations of the Decree No. 107/2016/ND-CP.

4.5. The designated inspection body shall issue the written record of inspection (or the certificate of inspection) of the imported plastic scrap shipment to the importer and send a copy thereof to the state inspecting agency. The certificate of inspection must include information concerning impurities and other technical requirements as set forth in Section 2 hereof (accompanied by photographs of inspected positions and sampling points stored on CDs/DVDs; reports on analysis or testing for representative samples provided by the organizations having the certificate of eligibility to provide environmental monitoring services or the certificate of registered testing laboratory).

## **5. IMPLEMENTATION**

5.1. Environment protection authorities and other organizations and individuals relevant to the importation of plastic scraps must comply with regulations herein.

5.2. Environment protection authorities shall instruct and inspect the implementation of this Regulation.

5.3. If legislative documents referred to in this Regulation are amended, supplemented or superseded, the new ones shall apply. If standards referred to in this Regulation are amended, supplemented or superseded, the new ones shall apply./.

## **QCVN 33:2018/BTNMT**

### **NATIONAL TECHNICAL REGULATION ON ENVIRONMENT FOR IMPORTED PAPER SCRAPS FOR PRODUCTION**

#### **Foreword**

#### **QCVN 33:2018/BTNMT supersedes QCVN 33:2010/BTNMT**

QCVN 33:2018/BTNMT is compiled by the Vietnam Environment Administration, presented by the Department of Science and Technology and the Legal Department for approval, appraised by the Ministry of Science and Technology and promulgated under the Circular No. 08/2018/TT-BTNMT dated September 14, 2018 by the Minister of Natural Resources and Environment.

# NATIONAL TECHNICAL REGULATION ON ENVIRONMENT FOR IMPORTED PAPER SCRAPS FOR PRODUCTION

## 1. GENERAL PROVISIONS

### 1.1. Scope:

1.1.1. This Regulation stipulates types of paper scraps to be imported for production purpose, types of paper scraps banned from import, prohibited impurities and undesirable impurities in imported paper scraps, and other technical requirements concerning imported paper scraps.

1.1.2. Paper scraps imported from enterprises located in free trade zones within the territory of Vietnam shall not be governed by this Regulation.

### 1.2. Regulated entities:

1.2.1. This Regulation applies to organizations and individuals importing and using imported paper scraps as raw materials in production, regulatory authorities in charge of managing the importation and use of imported paper scraps for production, and providers of conformity assessment services serving the importation of paper scraps.

1.2.2. This Regulation shall not apply to organizations and individuals that import paper scraps generated from the production of enterprises located in free trade zones within the territory of Vietnam.

### 1.3. Interpretation of terms:

For the purposes of this Regulation, terms herein shall be construed as follows:

1.3.1. “*impurities*” refers to substances or materials which are not paper materials and mixed with the imported paper scraps, whether or not adhering to imported paper scraps.

1.3.2. “*harmful impurities*” refers to waste which is classified as hazardous waste in conformity with applicable regulations of the Law on environmental protection.

1.3.3. “*HS codes*” refers to classifying codes of imports on the List of imports and exports promulgated by the Ministry of Finance and the List of imported scraps for production promulgated by the Prime Minister.

1.3.4. “*imported paper scrap shipment*” refers to the quantity of paper scraps registered for state inspection of quality of imported paper scraps by the importer before they are imported to Vietnam; an imported paper scrap shipment may consist of one or several categories of paper scraps with different HS codes.

1.3.5. “*category of imported paper scraps*” refers to the quantity of paper scraps selected and classified into a specific HS code of an imported paper scrap shipment registered for state inspection by the importer; a category of imported paper scraps may constitute a part of or the entire imported paper scrap shipment.

1.3.6. “*state inspecting agency*” refers to the authority that takes charge of inspecting the conformity of imported paper scraps with quality standards set forth in national technical regulations on environment; state inspecting agency is the Department of Natural Resources and Environment of province where the factory or manufacturing plant that uses imported paper scraps as production materials is located.

1.3.7. “*designated inspection body*” refers to an inspection body that has obtained the Certificate of accredited inspection body in accordance with regulations of the Government’s Decree No. 107/2016/ND-CP dated July 01, 2016 and has its name on the List of designated inspection bodies within the authority of the Minister of Natural Resources and Environment, which is promulgated under the Government’s Decree No. 74/2018/ND-CP dated May 15, 2018. Designation and accreditation of a foreign inspection body to conduct the inspection of quality of imported paper scraps in conformity with national technical regulations on environment within the territory of Vietnam must comply with applicable laws.

## **2. TECHNICAL REQUIREMENTS**

### **2.1. Classifying and cleaning paper scraps**

2.1.1. Imported paper scraps may be comprised of one or several categories of paper scraps which have been properly sorted and classified by HS codes prescribed on the List of imported scraps for production promulgated by the Prime Minister.

2.1.2. Paper scraps must be arranged in the shipment or containers separately according to their categories to facilitate the inspection conducted at the registered inspection place in accordance with applicable laws.

2.1.3. A category of imported paper scraps may be mixed with an amount of paper scraps (which must be on the List of imported scraps for production) of HS codes other than the ones stated in the import declaration. The quantity of the paper scraps of undeclared HS codes must not exceed 20% of total quantity of the category of imported paper scraps.

2.1.4. Substances, materials and/or products that are banned from import as regulated by the law of Vietnam and international treaties of which the Socialist Republic of Vietnam is a signatory must be removed from the imported paper scraps so as to ensure the satisfaction of imported paper scraps with specific requirements set forth in Section 2.3 and Section 2.4.

### **2.2. Types of paper scraps to be imported**

2.2.1. Scrap paper (including coated paper) and paperboard which have been selected and classified from paper and paperboard used or discarded from the paper manufacture, classification, processing and printing, and used for recycling of paper and paperboard.

2.2.2. Types of paper scraps mentioned in Section 2.2.1 must meet requirements in Section 2.4.

### **2.3. Types of paper scraps banned from import**

2.3.1. Packing containers of paper of a kind used for containing oil, lubricants, chemicals or foods; closed packing containers of paper.

2.3.2. Used paper or paperboard that contains flame-retardant components such as PBDE (PolyBrominated Diphenyl Ether) compounds, PBB (PolyBrominated Biphenyl) compounds or phthalate compounds.

2.3.3. Partially burned paper or paperboard.

### **2.4. Prohibited impurities in imported paper scraps**

2.4.1. Chemicals, combustible substances, explosive substances, and hazardous medical waste.

2.4.2. Materials containing or affected by radioactive substances at a level exceeding the exemption levels prescribed in the QCVN 05:2010/BKHHCN – National technical regulation on Radiation protection – Exemption from requirements of notification and licencing promulgated under the Circular No. 15/2010/TT-BKHHCN dated September 14, 2010 by the Minister of Science and Technology.

2.4.3. Harmful impurities.

### **2.5. Undesirable impurities in imported paper scraps**

2.5.1. Impurities adhering to the scrap surface such as dust, soil and sand; ropes and other materials used to secure imported paper scraps into packages.

2.5.2. Residues of chemicals used to protect paper scraps from molds, fungi and insects before transport.

2.5.3. Other impurities which are usually used together with paper such as pins, nylon, glues and other materials (except for Section 2.5.1 and Section 2.5.2), adhering to or broken and left from imported paper scraps and meet the requirements in Section 2.4. Total quantity of impurities prescribed in this Section 2.5.3 shall not exceed 2% of total quantity of the shipment.

**2.6. Moisture content of imported paper scraps shall not exceed 20%.**

## **3. INSPECTION PROCEDURES AND DETERMINATION METHODS**

### **3.1. Procedures for inspection of imported paper scraps**

The imported paper scrap shipment shall be inspected by means of visual inspection or inspection of analytical samples. When conducting the inspection of imported paper scraps, both state inspecting agency and designated inspection body must comply with the inspection procedures set forth in Section 3.1.1 and Section 3.1.2 hereof.

#### **3.1.1. Site inspection procedures:**

a) The site inspection includes the visual examination of all containers or categories of imported paper scraps in bulk of the shipment, estimation of the quantity of impurities and measurement of certain parameters of the shipment of imported paper scraps.

b) The site inspection is conducted as follows:

- Carry out a general examination of the shipment: Determine types, quantity and quality of the imported paper scraps;

- Take photographs of the inspected positions;

- Measure some parameters by using quick measuring devices at the inspection site (in case where quick measurements are required);

- Examine impurities: Determine types of impurities mixed with the imported paper scraps and percentage thereof.

c) Site inspection results shall be handled as follows:

- If inspection results indicate that the inspected paper scrap shipment is conformable with the provisions of Section 2 hereof, the designated inspection body shall issue the written record of inspection (or the certificate of inspection) of the imported paper scrap shipment to the importer and send a copy thereof to the state inspecting agency; the state inspecting agency shall use this document as the basis for issuance of the notice of state inspection results of quality of imported paper scrap shipment to the importer for carrying out customs clearance procedures as regulated;

- If inspection results indicate that the inspected shipment is unconfirmable with the provisions of Section 2 hereof, the designated inspection body shall issue the written record of inspection (or the certificate of inspection) of the imported paper scrap shipment to the importer and send a copy thereof to the state inspecting agency for taking appropriate measures against the shipment as regulated.

- If site inspection results indicate that it's unable to conclude whether the shipment of imported paper scraps is conformable with the provisions of Section 2 hereof or not, the regulations in Section 3.1.2 shall apply.

#### **3.1.2. Procedures for inspection of analytical samples:**



a) Sampling serving the analysis and evaluation of the quality of imported paper scraps in conformity with the provisions of Section 2 hereof is carried out as follows:

- Take samples from the imported paper scrap shipment by adopting the sampling method prescribed in Section 3.2.1. Take photographs of the inspected positions and sampling points;

- Determine and evaluate the conformity of the imported paper scrap shipment with the technical requirements set forth in Section 2 hereof. If testing bodies are employed to provide analytical results, only testing bodies that meet the requirements in Section 4.4 are eligible;

- Where at least 02 representative samples must be taken from the imported paper scrap shipment as regulated in Section 3.2.1, the inspection result is the mean value of analytical results of representative samples.

b) Inspection results obtained from the analysis of samples of the imported paper scraps shall be handled as follows:

- If inspection results indicate that the inspected paper scrap shipment is conformable with the provisions of Section 2 hereof, the designated inspection body shall issue the written record of inspection (or the certificate of inspection) of the imported paper scrap shipment to the importer and send a copy thereof to the state inspecting agency; the state inspecting agency shall use this document as the basis for issuance of the notice of state inspection results of quality of imported paper scrap shipment to the importer for carrying out customs clearance procedures as regulated;

- If inspection results indicate that the inspected shipment is unconfirmable with the provisions of Section 2 hereof, the designated inspection body shall issue the written record of inspection (or the certificate of inspection) of the imported paper scrap shipment to the importer and send a copy thereof to the state inspecting agency for taking appropriate measures against the shipment as regulated.

### **3.2. Methods of sampling and determining impurities**

#### **3.2.1. Sampling methods:**

a) Sampling serving the determination of impurities:

a1. For paper scraps imported in bulk (not in containers):

A representative sample shall be randomly taken from five different positions of the shipment of imported paper scraps (distances between sampling points are relatively equal to ensure the characteristics of a representative sample according to a rectangle, square, triangular pyramid or Z shape, etc.). The weight of a representative sample is 50 kg. If the shipment is suspected of being unconfirmable with the provisions of Section 2 hereof, additional representative samples may be taken by adopting the sampling method prescribed in this section provided that no more than 03 representative samples are taken.

a2. For imported paper scraps packed in containers:

The quality of imported paper scraps shall be inspected by sampling and analyzing representative samples. A representative sample is comprised of one or several random samples mixed up thoroughly. The weight of a representative sample is 10 kg.

- Random sample is a sample taken from 05 different positions of the selected container (distances between sampling points are relatively equal to ensure the characteristics of a representative sample according to a rectangle, square, triangular pyramid or Z shape, etc.). The weight of a random sample is 10 kg;

- If an imported paper scrap shipment consists of less than 05 containers, 01 container shall be selected to take a random sample which is also the representative sample of the shipment;

- If an imported paper scrap shipment consists of from 05 containers to fewer than 20 containers, 02 containers shall be selected to take random samples. The representative sample of the shipment shall be taken from the mixture of 02 random samples;

- If an imported paper scrap shipment consists of 20 containers or more, 10% of total number of containers shall be selected to take random samples (the number of random samples shall be rounded). If less than 10 random samples are taken, they shall be thoroughly mixed up to constitute a representative sample. If more than 10 random samples are taken, every 10 random samples shall be mixed up to constitute a representative sample; the remaining odd number of random samples (if any) shall make up a representative sample. One or several representative samples may be taken from a shipment of imported paper scraps.

b) Sampling serving the determination of paper scraps of a HS code other than the declared one:

Representative sample shall be taken from a randomly selected category of imported paper scraps. Samples are taken from 5 different positions (distances between sampling points are relatively equal to ensure the characteristics of a representative sample according to a rectangle, square, triangular pyramid or Z shape, etc.) of a randomly selected container or a category of bulk cargo decided by the state inspecting agency, and then thoroughly mixed up to make up a representative sample of the shipment. The weight of a representative sample is 10 kg.

3.2.2. Methods of calculating ratio of impurities:

Impurities shall be removed from paper scraps, classified and weighed by adopting mechanical and physical methods.

Ratio of impurities is the ratio of the weight of impurities to total weight of test samples and expressed in percentage (%).

3.2.3. Method of determining the percentage of paper scraps of HS codes other than the one stated in the import declaration:

Paper scraps of a HS code other than the declared one shall be sorted and classified.

The percentage (%) of paper scraps of HS codes other than the declared one is the ratio of their weight to total weight of test samples.

#### 3.2.4. Methods of determining impurity components:

a) The activity concentration of the imported paper scrap shipment shall be measured in conformity with TCVN 7469:2005 (ISO 11932:1996) – National technical regulation on Radiation protection – Activity measurements of solid materials considered for recycling, re-use, or disposal as non-radioactive waste.

b) Thresholds of hazardous waste included in impurities removed from the imported paper scraps shall be determined in conformity with QCVN 07:2009/BTNMT – National technical regulation on Hazardous waste thresholds promulgated under the Circular No. 25/2009/TT-BTNMT dated November 16, 2009 of the Minister of Natural Resources and Environment and the list of hazardous wastes and potentially hazardous wastes provided in the Appendix 1 enclosed with the Circular No. 36/2015/TT-BTNMT dated June 30, 2015 of the Minister of Natural Resources and Environment.

3.2.5. The moisture content of the imported paper scrap shipment shall be determined in conformity with TCVN 1867:2010 (ISO 287:2009) – National standard for Paper and board – Determination of moisture content of a lot – Oven drying method.

## **4. MANAGEMENT REQUIREMENTS**

4.1. Paper scraps imported for use as production materials are group-2 imports and must bear the state inspection of quality of imported goods in accordance with regulations in the Government's Decree No. 132/2008/ND-CP dated December 31, 2008, the Decree No. 74/2018/ND-CP and relevant laws.

4.1.1. Importers of paper scraps for production must carry out procedures for state inspection of quality of imported paper scraps in accordance with applicable laws. To be specific:

a) Apply for state inspection of quality of imported paper scraps at the state inspecting agency. The application for state inspection includes the documents prescribed in Point a Clause 2c Article 7 of the Decree No. 132/2008/ND-CP, as amended in Clause 3 Article 1 of the Decree No. 74/2018/ND-CP and other documents concerning the importation of scraps as regulated by the Law on environmental protection;

b) Inform the customs agency, the state inspecting agency and the designated inspection body in writing of the time and location of inspection and sampling serving the assessment of quality of imported paper scraps in accordance with applicable laws;

c) Cooperate with the state inspecting agency and relevant agencies during the inspection of quality of imported paper scraps.

4.1.2. The state inspecting agency shall receive and check the application documentation for state inspection of quality of imported paper scraps in conformity with the provisions of Clause 2c Article 7 of the Decree No. 132/2008/ND-CP, as amended in Clause 3 Article 1 of the Decree No. 74/2018/ND-CP. To be specific:

- a) Receive the application for state inspection of quality of imported paper scraps;
- b) Play the leading role and cooperate with customs agency, the designated inspection body and relevant agencies in conducting inspection and sampling (where sampling is required) in order to evaluate the quality of the imported paper scrap shipment in accordance with applicable laws;
- c) Give the notice of state inspection results of quality of imported paper scrap shipment to the importer in accordance with applicable laws.

4.2. Shipments of paper scraps imported to Vietnam must bear the inspection, evaluation and assessment of their conformity with technical requirements set forth in Section 2 hereof to facilitate the state inspection as regulated by laws.

4.3. The inspection of imported paper scraps must be conducted by a legally designated or accredited inspection body.

4.4. Contents and concentrations of environmental parameters must be determined by the organizations having the certificate of eligibility to provide environmental monitoring services in accordance with the Government's Decree No. 127/2014/ND-CP dated December 31, 2014. Quantities and composition of impurities and other parameters shall be determined by the organizations granted the certificate of registered testing laboratory in accordance with regulations of the Decree No. 107/2016/ND-CP.

4.5. The designated inspection body shall issue the written record of inspection (or the certificate of inspection) of the imported paper scrap shipment to the importer and send a copy thereof to the state inspecting agency. The certificate of inspection must include information concerning impurities and other technical requirements as set forth in Section 2 hereof (accompanied by photographs of inspected positions and sampling points stored on CDs/DVDs; reports on analysis or testing for representative samples provided by the organizations having the certificate of eligibility to provide environmental monitoring services or the certificate of registered testing laboratory).

## **5. IMPLEMENTATION**

5.1. Environment protection authorities and other organizations and individuals relevant to the importation of paper scraps must comply with regulations herein.

5.2. Environment protection authorities shall instruct and inspect the implementation of this Regulation.

5.3. If legislative documents referred to in this Regulation are amended, supplemented or superseded, the new ones shall apply. If standards referred to in this Regulation are amended, supplemented or superseded, the new ones shall apply./.

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