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**Date: 30 November 2020**

**Oasis Circular No.: 2014**

**Subject: China implements the complete ban of import of solid waste from 01 Jan 2021**

In order to implement the amendment to *The Prevention and Control of Solid Waste Inducing Environmental Pollution Law of the P. R. C* (hereafter referred to as “the Law”) on the import management of solid waste which came into force on 01 September 2020, the Ministry of Ecology and Environment and 3 other Ministries of China jointly issued the Announcement No. 53 of 2020 on 24 November 2020, in which the Chinese government announced the complete ban of import of solid waste from 01 Jan 2021.

As per Art. 115 of the Law, “Whoever, in violation of the provisions of this law, imports solid waste into China shall be ordered by the customs to return the solid waste and shall be fined not less than CNY 500,000 but not more than CNY 5,000,000. The carrier and the importer shall be jointly and severally liable for the return and disposal of the solid waste mentioned in the preceding paragraph.”

As per Art. 124 of the Law, “The solid waste refers to solid, semi-solid and gaseous articles and substances placed in containers that have lost their original usage value or have not lost their usage value but have been abandoned, as well as articles and substances included in the management of solid waste according to laws and administrative regulations, but it excludes the waste which is not harmful to public health and ecological safety after harmless processing, and meets the mandatory national product quality standards, or is not identified as solid waste according to the solid waste identification standards and procedures.

According to the local Customs, the garbage or solid waste generated during the ship's normal operation is not regarded as imported waste, these regulations will not affect the disposal of ship's garbage and solid sludge (operational waste) to contractors in Chinese ports.

For easy reference, we provide herewith our free translation of the Announcement No. 53

of 2020 (Annex I) as well as the national standard (GB 34330-2017) on the Identification of solid waste, that is, General Rules for Identification Standards for Solid Wastes (Annex II).

### **Suggestions**

Owners should adopt relevant measures to verify whether a shipment belongs to the solid waste category before accepting the booking, including requesting the shipper/ client to submit exact cargo information, customs code and relevant licence of the shipment.

We hope the above is of assistance. Should you have any query, please feel free to contact us at any time.

Best regards,

**Oasis P&I Services Company Limited**

**Annex I** - Free translation of Announcement No. 53 of 2020 2 pages

**Annex II** - Free translation of General Rules for Identification Standards for Solid Wastes

GB 34330-2017 9 pages

## **Annex I**

Ministry of Ecology and Environment

Ministry of Commerce

National Development and Reform Commission

The General Administration of Customs

Announcement No. 53 of 2020

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### **Announcement on Matters Related to the Complete Ban of Import of Solid Waste**

The P. R. C. Law of Prevention and Control of Environmental Pollution Caused by Solid Waste was revised and adopted at the 17th meeting of the Standing Committee of the 13th National People's Congress on 29th April 2020, and it will come into force on 1st September 2020. In order to implement the amendment to The Prevention and Control of Solid Waste Inducing Environmental Pollution Law of the P. R. C on the import management of solid waste and provide a good interface, the relevant matters are hereby announced as follows.

1. It is forbidden to import solid waste in any way. It is forbidden to dump, stack and dispose solid waste from outside China.

2. The Ministry of Ecology and Environment shall stop accepting or approving the application for import license of solid waste that can be used as raw materials under the category of restricted import; the import license of solid waste that can be used as raw material in the restricted import category issued in 2020 shall be used within the period of validity specified in the certificate in 2020, and shall automatically become invalid after the expiration of the period.

3. The solid waste generated by companies inside the special customs supervision areas and bonded supervision places (including bonded areas, comprehensive bonded areas and other customs special supervision areas, bonded logistics centres (A / B type), bonded

warehouses and other bonded supervision places) that are not transported out of the country shall be managed in accordance with the relevant domestic solid waste regulations. If it is necessary to be taken out of the zone for storage, utilization or disposal, it shall go through the relevant procedures with the administrative department of the local government of the local customs special supervision area and bonded supervision place, and the customs will no longer check the relevant approval documents.

4. Solid wastes resulting from the production of bonded maintenance and recycling outside the customs special supervision areas and bonded supervision sites and not transported out of the country shall be dealt with in accordance with the provisions in Point 3 above.

This announcement shall come into force as of 1st January 2021. The notice on strengthening the information sharing of solid waste import management and law enforcement (HB [2011] No. 141) issued by the former Ministry of Environmental Protection, the General Administration of Customs and the General Administration of Quality Inspection; the Announcement No. 69 in 2015 issued by former Ministry of Environmental Protection, the National Development and Reform Commission, the Ministry of Commerce, the General Administration of Customs and the former General Administration of Quality Inspection; the Announcement No. 39 in 2017 issued by the former Ministry of Environmental Protection, the Ministry of Commerce, the Development and Reform Commission, the General Administration of Customs and the General Administration of Quality Inspection; the Announcement No. 6 in 2018 issued by the Ministry of Ecological Environment, Ministry of Commerce, Development and Reform Commission and General Administration of Customs and Announcement No. 68 in 2018 issued by the Ministry of Ecological Environment, Ministry of Commerce, Development and Reform Commission and General Administration of Customs shall be repealed at the same time.

It is hereby announced.

Ministry of Ecology and Environment  
Ministry of Commerce  
Development and Reform Commission  
General Administration of Customs

24 November 2020

**Annex II**

## **National Standard of the People's Republic of China**

**GB 34330-2017**

# **General Rules for Identification Standards for Solid Wastes**

(Press release)

Pressed on 31 Aug 2017

Implemented on 01 Oct

2017

Jointly published by Ministry of Environmental Protection and General Administration of Quality Supervision, Inspection and Quarantine.

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## **Preface**

This standard is formulated to implement the Environmental Protection Law and the Law of Prevention and Control of Environmental Protection Caused by Solid Waste, to strengthen the management of solid waste and to protect the environment as well as human health.

This standard is organized and formulated by Soil Environmental Management Department and Science and Technology Standards Department of Ministry of Environmental Protection.

Drafted by: China Academy of Environmental Sciences.

Approved by: The Ministry of environmental protection on 27 May, 2017.

This standard will be implemented from 01 October, 2017.

Interpreted by: The Ministry of Environmental Protection.

# General Rules for Identification Standards for Solid Wastes

## 1 Scope of application

This standard specifies the solid waste identification criteria based on the source of production, the solid waste identification criteria in the process of utilization and disposal, substances not to be managed as solid waste, substances not to be managed as liquid waste, and supervision and management requirements.

This standard is applicable to the solid waste identification of substances (or materials) and articles (including products and commodities) (hereinafter referred to as substances).

This standard is applicable to the identification of liquid waste.

This standard is not applicable to the identification of radioactive waste.

This standard is not applicable to the classification of solid waste.

This standard is not applicable to the identification of substances which have their own special solid waste identification standards.

## 2 Normative references

The contents of this standard refer to the clauses in the following documents. For undated references, the latest edition is applicable to this standard.

GB 18599 Standard for Pollution Control of General Industrial Solid Waste Storage and Disposal Site.

## 3 Terms and definitions

The following terms and definitions are applicable to this standard.

### 3.1 Solid wastes



It refers to the solid, semi-solid and gaseous articles and substances in containers that have lost their original use value or have not lost their use value but have been abandoned or abandoned in production, life and other activities, as well as articles and substances included in solid waste management according to laws and administrative regulations.

### **3.2 Solid waste identification**

Refers to the activity of judging whether a substance belongs to solid waste.

### **3.3 Recycling**

It refers to the activity of extracting materials from solid waste as raw materials or fuels.

### **3.4 Treatment**

It refers to the activity of transforming solid waste to be suitable for transportation, storage, utilization and disposal through physical, chemical and biological methods.

### **3.5 Disposal**

It refers to the activities of burning solid waste and changing the physical, chemical and biological characteristics of solid waste to reduce the quantity of solid waste generated, reduce the volume of solid waste, reduce or eliminate its dangerous components, or put the solid waste into the landfill site that meets the requirements of environmental protection.

### **3.6 Target products**

It refers to one or more products, including by-products, which are expected to be obtained in the process of design, construction and operation.

### **3.7 By-products**

It refers to the substance produced alongside the target product in the production process.

## **4 Identification of solid waste based on the source**

The following substances are solid wastes (except those included in Section 6).

**4.1 substances that have lost their original use value include the following types:**

a) Substances produced in the process of production, such as unqualified products, defective products, waste products, etc., that cannot be sold or circulated in the market or can not be used according to the original use because they do not conform to the product standards (specifications) formulated by the state or local government or the industry, or due to quality reasons. However, the substances that meet the national, local or industrial standards of intermediate foreign grade and those that are reworked (repaired) in the manufacturing enterprise are excluded;

b) Substances that cannot be sold or circulated in the market or cannot be used for their original purposes because of the expiration of the warranty period;

c) Substances that cannot be sold or circulated in the market or can not be used according to the original use because of contamination, mixing of useless or harmful substances, so that their quality cannot meet the requirements of use;

d) Substances produced in the process of consumption or use and unable to continue to be used for the original purpose due to the expiration of their life span;

e) Confiscated substances that need to be scrapped or destroyed by the law enforcement agencies upon their investigation and handling, including (but not limited to) counterfeit and shoddy products, products infringing intellectual property rights, drugs and other prohibited articles;

f) Materials produced for the purpose of waste disposal, which do not exist market demand or cannot be sold and circulated on the market;

g) Materials that are damaged by natural disasters, force majeure and man-made disasters and cannot be used for their original purposes;

h) Substances that are unable to continue to be used due to loss of original functions;

i) Substances that cannot be sold or circulated on the market or cannot be used for their original purposes due to other reasons.

#### **4.2 By-products produced in the production process include the following types:**

a) Leftovers and residual materials produced during processing and manufacturing;

b) Residual materials generated during material extraction, purification, electrolysis, electrowinning, purification, modification, surface treatment and other treatment processes, including (but not limited to) the following substances:

1) Blast furnace slag, steel slag, steel mill scale, ferroalloy slag and manganese slag produced in ferrous metal smelting or processing process;

2) Copper slag, lead slag, tin slag, zinc slag, aluminum ash (slag) and other pyrometallurgical slag produced in the process of non-ferrous metal smelting or processing, as well as wet smelting slag such as red mud, electrolytic anode mud, residual electrode of electrolytic aluminum anode carbon block, electrowinning tank slag, acid (alkali) leaching slag, purification slag and other wet smelting slag;

3) Electroplating bath slag and grinding dust produced in the process of metal surface treatment.

c) Residues produced in the synthesis, cracking, fractionation, distillation, dissolution, precipitation and other processes of substances, including (but not limited to) the following substances:

1) Waste acid liquid, waste alkali liquid, clay residue and oil shale residue produced in petroleum refining process;

2) Acid residue, waste mother liquor, bottom residue and carbide slag produced in organic chemical production process;

3) Phosphogypsum, ammonia alkali white mud, chromium slag, pyrite slag and salt mud are produced in the process of inorganic chemical production.

d) Waste rocks, tailings and coal gangue produced in the process of metal ore, non-metallic ore and coal mining and beneficiation;

e) Drilling mud, waste fracturing fluid, oil sludge or oil sludge sand, oil feet and oil field spills produced in the process of oil, natural gas and geothermal exploitation;

f) Residual materials such as coal-fired slag produced by fuel combustion in thermal energy or combustion facilities such as boilers in thermal power plants, other industrial and civil boilers and industrial kilns;

g) Residual and damaged materials removed from furnaces, reactors, reaction tanks, pipelines, containers and other facilities and equipment during maintenance and overhaul of facilities and equipment;

h) The recovered dust and powder produced in the process of material crushing, crushing, screening, grinding, cutting, packaging and other processing can not be directly used as products or raw materials or as on-site return materials;

i) Construction wastes such as waste materials and residual materials generated in the construction and operation process of construction and engineering;

j) Animal feces and diseased animal carcasses produced in the process of raising livestock and poultry and aquaculture;

k) Agricultural wastes such as crop straw, plant branches and leaves produced in the process of agricultural production;

l) Laboratory waste materials such as animal corpses produced in the process of teaching, scientific research, production, medical treatment, etc;

m) By-products from other production processes.

**4.3 Substances produced in the process of environmental treatment and pollution control include the following types:**

a) Dust and dust collected in the process of flue gas and waste gas purification and dust removal, including fly ash;

b) Desulfurization gypsum produced by flue gas desulfurization and waste denitration catalyst produced by flue gas denitrification;

c) Coal tar from gas purification;

d) Sulfuric acid or hydrochloric acid produced in the process of flue gas purification;

- e) Sludge and other waste materials from water purification and wastewater treatment;
  
- f) Concentrated liquid produced by treatment of wastewater or waste liquid (including leachate from solid waste landfill site);
  
- g) Sludge of septic tank and feces of toilet;
  
- h) Fly ash, bottom slag and other ash and slag produced by solid waste incinerator;
  
- i) Residual materials produced in composting production process;
  
- j) Plant branches and leaves generated in greening and landscape management;
  
- k) Floating materials and dredged sludge removed from water environment such as rivers, ditches, lakes, waterways, baths, etc;
  
- l) Waste activated carbon, filter membrane and other filter media produced in the process of flue gas, odor and wastewater purification;
  
- m) In the process of remediation and treatment of contaminated land, the contaminated soil is disposed or utilized by any of the following methods:
  - 1) Landfill;
  
  - 2) Incineration;
  
  - 3) Cement kiln collaborative disposal;
  
  - 4) Production of brick, tile, road building materials and other building materials.
  
- n) Various substances produced in the process of other environmental treatment and pollution remediation.

#### **4.4 Others:**

- a) Substances prohibited by law;
  
- b) Substances identified as solid waste by the competent administrative department of environmental protection under the State Council.

### **5 Identification of solid waste during utilization and disposal**

#### **5.1 Under any conditions, solid waste shall still be managed as solid waste when it is used or disposed of in any of the following ways (except those included in article 6.2)**

- a) Direct application to land or production of materials (including compost) applied to land by soil improvement, plot modification, plot restoration and other land use methods, as well as the production of road building materials;
  
- b) Incineration disposal (including incineration for obtaining heat energy and incineration of refuse derived fuel), or used for fuel production or included in fuel;
  
- c) Landfill disposal;
  
- d) Dumping and stacking;
  
- e) Other disposal methods recognized by the competent administrative department of environmental protection under the State Council.

#### **5.2 If the products produced by using solid waste meet the following conditions at the same time, they shall not be managed as solid waste, but shall be managed according to corresponding products (except those used or disposed in accordance with Article 5.1)**

- a) In line with the national, local or industrial standards for the production of substituted raw materials;
  
- b) Meet the requirements of relevant national pollutant emission (control) standards or technical specifications, including the limits of harmful substances discharged into the environment during the production process and the content limits of harmful substances in the products;

When there is no national pollution control standard or technical specification, the content of harmful components in the product is not higher than that in the product produced by using the substituted raw materials, and in the production process of the product, the concentration of harmful substances discharged into the environment is not higher than the concentration of harmful substances discharged into the environment during the production process of the product using the substituted raw materials. This condition is not considered when raw materials are used;

c) There is a stable and reasonable market demand.

## **6 Substances not managed as solid waste**

### **6.1 The following substances are not managed as solid waste:**

a) Any substance that can be used for its original use without repair and processing, or that meets the national, local or industrial standard of product quality after repair and processing at the production point and is used for its original use;

b) Materials returned directly to the original production process or its production process without storage or accumulation process; c) contaminated soil used for soil use after remediation;

d) Solid waste samples for laboratory analysis or scientific research.

### **6.2 The substance disposed in the following ways shall not be managed as solid waste:**

a) The mining waste rock, tailings and coal gangue that are directly left in or returned to the goaf during the mining and dressing process of metal ore, non-metallic ore and coal, which meet the requirements of class I general industrial solid waste in GB 18599. However, other pollutants other than mining waste rock, tailings and coal gangue are excluded;

b) Materials produced in the construction of the project are disposed on site according to the requirements of laws and regulations or national standards.

### **6.3 Substances that are not considered as not requiring solid waste management as determined by the competent administrative department of environmental protection under the State Council.**

## **7 Substances not managed as liquid waste**

7.1 wastewater and sewage that can be discharged into environmental water body or municipal sewage pipe network and treatment facilities in accordance with relevant regulations and discharge standards after being treated by physical treatment, chemical treatment, physicochemical treatment, biological treatment and other wastewater treatment processes,

7.3 waste water meeting the requirements of 7.1 or 7.2 produced after neutralization treatment of waste acid and alkali.

## **8 Implementation and supervision**

This standard shall be supervised and implemented by the administrative department of environmental protection at or above the county level.