

ENVIRONMENTAL QUALITY (SCHEDULED WASTES) REGULATIONS 2005

PU(A) 294/2005

15 AUGUST 2005

Jil. 49,; No. 16,; 15 AUGUST 2005,; TAMBAHAN No. 74 PERUNDANGAN (A)

IN exercise of the powers conferred by sections 21 and 51 of the Environmental Quality Act 1974 [Act 127], the Minister, after consultation with the Environmental Quality Council, makes the following regulations:

1. Citation and commencement

(1) These regulations may be cited as the Environmental Quality (Scheduled Wastes) Regulations 2005.

(2) These Regulations come into operation on 15 August 2005.

2. Interpretation

(1) In these Regulations, unless the context otherwise requires:-

"scheduled wastes" means any waste falling within the categories of waste listed in the First Schedule;

"incompatible scheduled wastes" means scheduled wastes specified in the Fourth Schedule which, when mixed, will produce hazardous situations through heat generation, fires, explosions or the release of toxic substances;

"on-site treatment facility" means a facility, other than a scheduled wastes incinerator or a land treatment facility, located on a waste generator's site and that is used solely to deal with scheduled wastes produced on that site;

"contractor" means any person licensed by the Director General of Environmental Quality under subsection 18(1A) of the Act;

"waste generator" means any person who generates scheduled wastes;

"prescribed premises" means premises prescribed by the Environmental Quality (Prescribed Premises) (Scheduled Wastes Treatment and Disposal Facilities) Order 1989 [P.U. (A) 140/1989].

(2) Words and expressions which are not defined in these Regulations shall have the same meaning as assigned to them in the Act and in the Environmental Quality (Prescribed Premises) (Scheduled Wastes Treatment and Disposal Facilities) Order 1989.

3. Notification of the generation of scheduled wastes

(1) Every waste generator shall, within 30 days from the date of generation of scheduled wastes, notify the Director General of the new categories and quantities of scheduled wastes which are generated.

(2) The notification given under subregulation (1) shall include the information provided in the Second Schedule.

4. Disposal of scheduled wastes

(1) Scheduled wastes shall be disposed of at prescribed premises only.

(2) Scheduled wastes shall, as far as is practicable, be rendered innocuous prior to disposal.

5. Treatment of scheduled wastes

(1) Scheduled wastes shall be treated at prescribed premises or at on-site treatment facilities only.

(2) Residuals from treatment of scheduled wastes shall be treated or disposed of at prescribed premises.

6. Recovery of material or product from scheduled wastes

(1) Recovery of material or product from scheduled wastes shall be done at prescribed premises or at on-site recovery facilities.

(2) Residuals from recovery of material or product from scheduled wastes shall be treated or disposed of at prescribed premises.

7. Application for special management of scheduled wastes

(1) A waste generator may apply to the Director General in writing to have the scheduled wastes generated from their particular facility or process excluded from being treated, disposed of or recovered in premises or facilities other than at the prescribed premises or on-site treatment or recovery facilities.

(2) An application under subregulation (1) shall be submitted to the Director General in accordance with the guidelines for special management of scheduled wastes as prescribed by the Director General and shall be accompanied by fee of three hundred ringgit and shall not be refunded.

(3) If the Director General is satisfied with the application made under subregulation (1), the Director General may grant a written approval either with or without conditions.

8. Responsibility of waste generator

(1) Every waste generator shall ensure that scheduled wastes generated by him are properly stored, treated on-site, recovered on-site for material or product from such scheduled wastes or delivered to and received at prescribed premises for treatment, disposal or recovery of material or product from scheduled wastes.

(2) Every waste generator shall ensure that scheduled wastes that are subjected to movement or transfer be packaged, labelled and transported in accordance with the guidelines prescribed by the Director General.

9. Storage of scheduled wastes

(1) Scheduled wastes shall be stored in containers which are compatible with the scheduled wastes to be stored, durable and which are able to prevent spillage or leakage of the scheduled wastes into the environment.

(2) Incompatible scheduled wastes shall be stored in separate containers, and such containers shall be placed in separate secondary containment areas.

(3) Containers containing scheduled wastes shall always be closed during storage except when it is necessary to add or remove the scheduled wastes.

(4) Areas for the storage of the containers shall be designed, constructed and maintained adequately in accordance with the guidelines prescribed by the Director General to prevent spillage or leakage of scheduled wastes into the environment.

(5) Any person may store scheduled wastes generated by him for 180 days or less after its generation provided that:-

(a) the quantity of scheduled wastes accumulated on site shall not exceed 20 metric tonnes; and

(b) the Director General may at any time, direct the waste generator to send any scheduled wastes for treatment, disposal or recovery of material or product from the scheduled wastes up to such quantity as he deems necessary.

(6) A waste generator may apply to the Director General in writing to store more than 20 metric tonnes of scheduled wastes.

(7) If the Director General is satisfied with the application made under subregulation (6), the Director General may grant a written approval either with or without conditions.

10. Labelling of scheduled wastes

(1) The date when the scheduled wastes are first generated, name, address and telephone number of the waste generator shall be clearly labelled on the containers that are used to store the scheduled wastes.

(2) Containers of scheduled wastes shall be clearly labelled in accordance with the types applicable to them as specified in the Third Schedule and marked with the scheduled waste code as specified in the First Schedule for identification and warning purposes.

(3) No person is allowed to alter the markings and labels mentioned in subregulations (1) and (2).

11. Waste generator shall keep an inventory of scheduled wastes

A waste generator shall keep accurate and up-to-date inventory in accordance with the Fifth Schedule of the categories and quantities of scheduled wastes being generated, treated and disposed of and of materials or product recovered from such scheduled wastes for a period up to three years from the date the scheduled wastes was generated.

12. Information to be provided by waste generator, contractor and occupier of prescribed premises

(1) A waste generator, contractor and occupier of the prescribed premises shall provide information in accordance with the Sixth Schedule in the manner provided in this regulation or Director General shall determine other method as he thinks fit.

(2) A waste generator shall complete Part I of the Sixth Schedule in six copies and hand over the six copies of the Schedule to the contractor when the scheduled wastes are delivered to him.

(3) The contractor shall, upon receiving scheduled wastes from a waste generator, complete Part II of the Sixth Schedule in the six copies given to him by the waste generator and shall thereafter immediately hand over two copies of the Schedule to the waste generator who in turn shall submit a copy to the Director General within 30 days from the date of transportation of the scheduled wastes.

(4) The contractor shall within 10 days from the date of receipt of the scheduled wastes deliver the scheduled wastes to the occupier of any prescribed premises and hand over the remaining four copies of the Sixth Schedule to the occupier.

(5) The occupier of any prescribed premises shall, upon receiving scheduled wastes from the contractor, complete Part III of all the remaining four copies of the Sixth Schedule handed over to him by the contractor and shall, upon completion, retain one copy and return a copy each to the contractor, the waste generator and the Director General, within 20 days from the date of receipt of the scheduled wastes.

(6) If the waste generator fails to receive his copy of the Sixth Schedule from the occupier of the prescribed premises referred to in subregulation (5) within 30 days from the date of delivery of the scheduled wastes to the contractor referred to in subregulation (2), he shall notify the Director General immediately and shall investigate and inform the Director General of the result of his investigation.

(7) The waste generator, contractor or occupier of the prescribed premises shall each keep a signed copy of the Sixth Schedule which shall be retained as a record for at least three years from the date the scheduled wastes are received by the occupier of the prescribed premises.

13. Scheduled wastes transported outside waste generator's premises to be accompanied by information

(1) Every waste generator shall provide information in accordance with the Seventh Schedule in respect of each category of scheduled wastes to be delivered to the contractor and shall give the Schedule to the contractor upon delivery of the waste to him.

(2) The waste generator shall inform the contractor of the purpose and use of the Seventh Schedule.

(3) The contractor shall carry with him the Seventh Schedule for each category of scheduled wastes being transported and shall observe and comply with the instructions contained therein.

(4) The contractor shall, in the selection of transportation routes, as far as possible avoid densely populated areas, water catchment areas and other environmentally sensitive areas.

(5) The contractor shall ensure that all his employees that are involved in the handling, transportation and storage of scheduled wastes attend training programmes.

(6) The contractor shall ensure that during the training programme each employee is well informed of the purpose and use of the Seventh Schedule.

14. Spill or accidental discharge

(1) In the event of any spill or accidental discharge of any scheduled wastes, the contractor responsible for the waste shall immediately inform the Director General of the occurrence.

(2) The contractor shall do everything that is practicable to contain, cleanse or abate the spill or accidental discharge and to recover substances involved in the spill or accidental discharge.

(3) The waste generator shall provide technical expertise and supporting assistance in any clean-up operation referred to in subregulation (2).

(4) The contractor shall undertake studies to determine the impact of the spillage or accidental discharge on the environment over a period of time to be determined by the Director General.

15. Conduct of training

Every waste generator shall ensure that all his employees involved in the identification, handling, labelling, transportation, storage and spillage or discharge response of scheduled wastes attend training programmes.

16. Compounding of offences

(1) Every offence which consists of any omission or neglect to comply with, or any act done or attempted to be done contrary to these Regulations may be compounded under section 45 of the Act.

(2) The compounding of offences referred to in subregulation (1) shall be in accordance with the procedure prescribed in the Environmental Quality (Compounding of Offences) Rules 1978 [P.U. (A) 281/1978].

17. Revocation

The Environmental Quality (Scheduled Wastes) Regulations 1989 [P.U. (A) 139/1989] is revoked.

FIRST SCHEDULE

(Regulation 2)

SW 1 Metal and metal-bearing wastes

SW 101 Waste containing arsenic or its compound

SW 102 Waste of lead acid batteries in whole or crushed form

SW 103 Waste of batteries containing cadmium and nickel or mercury or lithium

SW 104 Dust, slag, dross or ash containing arsenic, mercury, lead, cadmium, chromium, nickel, copper, vanadium, beryllium, antimony, tellurium, thallium or selenium excluding slag from iron and steel factory

SW 105 Galvanic sludges

SW 106 Residues from recovery of acid pickling liquor

SW 107 Slags from copper processing for further processing or refining containing arsenic, lead or cadmium

SW 108	Leaching residues from zinc processing in dust and sludges form
SW 109	Waste containing mercury or its compound
SW 110	Waste from electrical and electronic assemblies containing components such as accumulators, mercury-switches, glass from cathode-ray tubes and other activated glass or polychlorinated biphenyl-capacitors, contaminated with cadmium, mercury, lead, nickel, chromium, copper, lithium, silver, manganese or polychlorinated biphenyl
SW 2	Wastes containing principally inorganic constituents which may contain metals and organic materials
SW 201	Asbestos wastes in sludges, dust or fibre forms
SW 202	Waste catalysts
SW 203	Immobilized scheduled wastes including chemically fixed, encapsulated, solidified or stabilized sludges
SW 204	Sludges containing one or several metals including chromium, copper, nickel, zinc, lead, cadmium, aluminium, tin, vanadium and beryllium
SW 205	Waste gypsum arising from chemical industry or power plant
SW 206	Spent inorganic acids
SW 207	Sludges containing fluoride
SW 3	Wastes containing principally organic constituents which may contain metals and inorganic materials
SW 301	Spent organic acids with pH less or equal to 2 which are corrosive or hazardous
SW 302	Flux waste containing mixture of organic acids, solvents or compounds of ammonium chloride
SW 303	Adhesive or glue waste containing organic solvents excluding solid polymeric materials
SW 304	Press cake from pretreatment of glycerol soap lye
SW 305	Spent lubricating oil
SW 306	Spent hydraulic oil
SW 307	Spent mineral oil-water emulsion
SW 308	Oil tanker sludges
SW 309	Oil-water mixture such as ballast water
SW 310	Sludge from mineral oil storage tank
SW 311	Waste of oil or oily sludge

SW 312	Oily residue from automotive workshop, service station oil or grease interceptor
SW 313	Oil contaminated earth from re-refining of used lubricating oil
SW 314	Oil or sludge from oil refinery plant maintenance operation
SW 315	Tar or tarry residues from oil refinery or petrochemical plant
SW 316	Acid sludge
SW 317	Spent organometallic compounds including tetraethyl lead, tetramethyl lead and organotin compounds
SW 318	Waste, substances and articles containing or contaminated with polychlorinated biphenyls (PCB) or polychlorinated triphenyls (PCT)
SW 319	Waste of phenols or phenol compounds including chlorophenol in the form of liquids or sludges
SW 320	Waste containing formaldehyde
SW 321	Rubber or latex wastes or sludges containing organic solvents or heavy metals
SW 322	Waste of non-halogenated organic solvents
SW 323	Waste of halogenated organic solvents
SW 324	Waste of halogenated or unhalogenated non-aqueous distillation residues arising from organic solvents recovery process
SW 325	Uncured resin waste containing organic solvents or heavy metals including epoxy resin and phenolic resin
SW 326	Waste of organic phosphorus compound
SW 327	Waste of thermal fluids (heat transfer) such as ethylene glycol
SW 4	Wastes which may contain either inorganic or organic constituents
SW 401	Spent alkalis containing heavy metals
SW 402	Spent alkalis with pH more or equal to 11.5 which are corrosive or hazardous
SW 403	Discarded drugs containing psychotropic substances or containing substances that are toxic, harmful, carcinogenic, mutagenic or teratogenic
SW 404	Pathogenic wastes, clinical wastes or quarantined materials
SW 405	Waste arising from the preparation and production of pharmaceutical product
SW 406	Clinker, slag and ashes from scheduled wastes incinerator
SW 407	Waste containing dioxins or furans

SW 408	Contaminated soil, debris or matter resulting from cleaning-up of a spill of chemical, mineral oil or scheduled wastes
SW 409	Disposed containers, bags or equipment contaminated with chemicals, pesticides, mineral oil or scheduled wastes
SW 410	Rags, plastics, papers or filters contaminated with scheduled wastes
SW 411	Spent activated carbon excluding carbon from the treatment of potable water and processes of the food industry and vitamin production
SW 412	Sludges containing cyanide
SW 413	Spent salt containing cyanide
SW 414	Spent aqueous alkaline solution containing cyanide
SW 415	Spent quenching oils containing cyanides
SW 416	Sludges of inks, paints, pigments, lacquer, dye or varnish
SW 417	Waste of inks, paints, pigments, lacquer, dye or varnish
SW 418	Discarded or off-specification inks, paints, pigments, lacquer, dye or varnish products containing organic solvent
SW 419	Spent di-isocyanates and residues of isocyanate compounds excluding solid polymeric material from foam manufacturing process
SW 420	Leachate from scheduled waste landfill
SW 421	A mixture of scheduled wastes
SW 422	A mixture of scheduled and non-scheduled wastes
SW 423	Spent processing solution, discarded photographic chemicals or discarded photographic wastes
SW 424	Spent oxidizing agent
SW 425	Wastes from the production, formulation, trade or use of pesticides, herbicides or biocides
SW 426	Off-specification products from the production, formulation, trade or use of pesticides, herbicides or biocides
SW 427	Mineral sludges including calcium hydroxide sludges, phosphating sludges, calcium sulphite sludges and carbonates sludges
SW 428	Wastes from wood preserving operation using inorganic salts containing copper, chromium or arsenic or fluoride compounds or using compound containing chlorinated phenol or creosote

- SW 429 Chemicals that are discarded or off-specification
- SW 430 Obsolete laboratory chemicals
- SW 431 Waste from manufacturing or processing or use of explosives
- SW 432 Waste containing, consisting of or contaminated with peroxides
- SW 5 Other wastes
- SW 501 Any residues from treatment or recovery of scheduled wastes

SECOND SCHEDULE

(Regulation 3)

ENVIRONMENTAL QUALITY ACT 1974

ENVIRONMENTAL QUALITY (SCHEDULED WASTES) REGULATIONS 2005

NOTIFICATION OF SCHEDULED WASTES

(Two copies to be completed)

For office use only

File Reference No:
 Waste Generator Code:
 State Code:

1. IDENTIFICATION

(i) Name and Address of Premise:

.....

Tel. No: Fax No: Telex No:

(ii) Owner of Premise:

Designation:

2. PRODUCTION DATA

List of raw materials/chemicals and quantities used per month*

Raw Material/Chemicals

Quantity (Metric Tonnes)

3. WASTE DATA

Scheduled wastes generated per month**

Waste Category Code	Waste Source1	Name of Waste	Waste Component2	Quantity (Tonnes/Month)3
---------------------	---------------	---------------	------------------	--------------------------

Note: 1 Unit Operation in the process/plant

2 Name the elements, compound or material

3 Guide to conversion (only data in metric tonnes/month is acceptable)

* Use additional sheet if required

** Estimates

I certify that the information provided is true and correct to the best of my knowledge.

.....

Signature of Reporting Officer ***

Name:

Designation:

Date:

Note:

*** Reporting officer refers to the person handling scheduled wastes

THIRD SCHEDULE

(Regulation 10)

LABELLING REQUIREMENT FOR SCHEDULED WASTES EXPLOSIVE SUBSTANCES (WASTE)

Symbol (exploding bomb): black; Background: light orange

Label 1 [image omitted]

INFLAMMABLE LIQUIDS (WASTE)

Symbol (flame): black or white; Background: red

Label 2 [image omitted]

INFLAMMABLE SOLIDS (WASTE)

Symbol (flame): black; Background: white with vertical red stripes

Label 3 [image omitted]

SOLID: SPONTANEOUSLY COMBUSTIBLE (WASTE)

Substance liable to spontaneous combustion

Symbol (flame): black; Background: upper half white, lower half red

Label 4 [image omitted]

SOLID: DANGEROUS WHEN WET (WASTE)

Substances which, if in contact with water, emit inflammable gases

Symbol (flame): black or white; Background: blue

Label 5 [image omitted]

OXIDIZING SUBSTANCES (WASTE)

Symbol (flame over circle): black; Background: yellow

Label 6 [image omitted]

ORGANIC PEROXIDES (WASTE)

Symbol (flame over circle): black; Background: yellow

Label 7 [image omitted]

TOXIC SUBSTANCES (WASTE)

Poisonous (toxic) substances

Symbol (skull over crossbones): black; Background: white

Label 8 [image omitted]

INFECTIOUS SUBSTANCES (WASTE)

Symbol (three crescents superimposed on a circle): black;

Background: white

Label 9 [image omitted]

CORROSIVE SUBSTANCES (WASTE)

Symbol (liquids spilling from two glass vessels and attacking a hand and a metal): black;

Background: upper half white, lower half black

Label 10 [image omitted]

MIXTURE OF MISCELLANEOUS DANGEROUS SUBSTANCES (WASTE)

Symbol (nil); Background: white with upper half vertical black stripes

Label 11 [image omitted]

PARTICULARS OF LABELS

1. The label shall be a square set at an angle of 45 degrees. The dimension of the label shall not be less than 10 cm by 10 cm except where the size of the container or package warrants for a label of smaller size.
2. The colours used on the labels 1 to 11 shall be in accordance with British Standard BS 381 C, "Colours for specific purposes".

Colour				Reference No.
French blue	..	..	..	166
Canary yellow	..	..	..	309
Signal red	..	..	..	537
Light orange	..	..	..	557

3. The labels shall be divided into halves, the upper half of the label shall be reserved for the pictorial symbol and the lower half for text printed in block capitals.

4. The text shall be printed in black on all labels except when the background of the label is black, red or blue, the text shall be in white.

5. The labels may be of the following types:

(a) stick-on;

(b) metal plates; or

(c) stencilled or printed on the container or package.

6. All labels shall be able to withstand open weather exposure without a substantial reduction in effectiveness.

7. Label shall be placed on a background of contrasting colour.

8. In the case of waste capable of causing two or more hazards, all the hazards must be clearly identified and the waste shall be labelled accordingly.

FOURTH SCHEDULE

Alcohols Concentrated Group 1-A or 1-B wastes

Aldehydes

Halogenated hydrocarbons Group 3-A wastes

Nitrated hydrocarbons and other reactive organic compounds and solvents

Unsaturated hydrocarbons

Potential consequences: Fire, explosion or violent reaction.

Group 6-A

Group 6-B

Spent cyanide and sulphide solution Group 1-B wastes

Potential consequences: Generation of toxic hydrogen cyanide or hydrogen sulphide gas.

Group 7-A

Group 7-B

Chlorates and other strong oxidizers Organic acids

Group 7-A

Group 7-B

Chlorites Group 2-B wastes

Chromic acid Group 3-B wastes

Hypochlorites Group 5-A wastes and other flammable and combustible wastes

Nitrates

Nitric acid

Perchlorates

Permanganates

Peroxides

Potential consequences: Fire, explosion or violent reaction.

FIFTH SCHEDULE

(Regulation 11)

ENVIRONMENTAL QUALITY ACT 1974

ENVIRONMENTAL QUALITY (SCHEDULED WASTES) REGULATIONS 2005

INVENTORY OF SCHEDULED WASTES

AS AT:

* aDate	*Waste Category Code	*Name of Waste	*Quantity Generated (Metric Tonnes)	Methodb	*Waste Handling Quantity in Metric Tonnes
---------	----------------------	----------------	----------------------------------------	---------	-------------------------------------------------

Note:

* Inventory of the current generation of scheduled wastes

a Date when the scheduled wastes are first generated

b Stored, processed, recovered for materials or product from such scheduled wastes, incinerated, exchanged or other methods (specify)

c Give name and address of the facility

I hereby declare that all information given in this form is to the best of my knowledge and belief true and correct in all respect.

Name of Reporting Officer:

Designation:

Signature: Date:

I.C. Number:

SIXTH SCHEDULE

(Regulation 12)

ENVIRONMENTAL QUALITY ACT 1974

ENVIRONMENTAL QUALITY (SCHEDULED WASTES) REGULATIONS 2005

CONSIGNMENT NOTE FOR SCHEDULED WASTES

I WASTE GENERATOR

For office use only

File Reference No. :

Waste Generator Code:

State Code:

Name of Waste Generator:

Address:

Name of Responsible Person:

Tel. No.: Fax No.: Telex No.:

Name of Waste: Waste Category Code:

Waste Component:

Waste Origin: Waste Origin Code:

Type of Waste:

Solid :.....

Sludge :.....

Liquid :.....

Waste Packaging:

Pallet Container :.....

Canister :.....

55 gallon Drum :.....

Other (specify) :.....

Quantity:(Metric Tonnes) And if Possible :.....(m3)

Cost of Treatment and Disposal RM/ Metric Tonne

Name and Address of Final Destination:

.....

Delivery Date:

Signature of Responsible Person

Delivery Time:

II CONTRACTOR

For office use only

Contractor Code:

State Code:

Name of Contractor:

Address:

.....

Name of Responsible Person:

Tel. No.: Fax No.: Telex No.:

Vehicle Registration No.:

Name of Driver:

Temporary Storage: No :....., Yes :....., Address:

.....

Date Received: Signature of Driver:

Time Received:

III STORAGE/TREATMENT/
RECOVERY/DISPOSAL/
FACILITY OPERATOR

Facility Code:
State Code:

For office use only

Name of Facility:

Address of Facility:

Name of Responsible Person:

Tel. No.: Fax No.: Telex No.:

Type of Operation:

Storage :.....

Regrouping :.....

Recovery :.....

Landfill :.....

Secure Landfill :.....

Physical/Chemical Treatment :.....

Incinerator :.....

Other (specify) :.....

Quantity of Waste :..... (Metric Tonnes), and If Possible :.....(m3)

Received:

Date Received: Signature:

Time Received:

SEVENTH SCHEDULE

(Regulation 13)

INFORMATION

A. Properties

1. Category

- according to the First Schedule

2. Origin

- state from which process, activity, occurrence, etc. the waste is generated.

3. Physical properties of waste

- Flashpoint oC

- Boiling point oC

- Consistency at room temperature (gas, liquid, sludge, solid)

- Vapours lighter/heavier than air

- Solubility in water

- Waste lighter/heavier than water

4. Risks

- by inhalation

- by oral intake

- by dermal contact

B. Handling of waste

1. Personal protection equipment

- gloves, goggles, face shield etc.

2. Procedures/Precautions in handling, packaging, transporting and storage

3. Appropriate label

- labels for the containers

4. Recommended method of disposal

C. Precautions in case of spill or accidental discharge causing personal injury

1. In case of inhalation of fumes or oral intake

- Symptoms of intoxication

- Appropriate first aid

- Guidelines for the physician

2. In case of dermal contact or contact with eyes

- Symptoms of intoxication

- Appropriate first aid

- Guideline for the physician

D. Steps to be taken in case of spill or accidental discharge causing material damage arising from:-

1. Spill on floor, soil, road, etc.

2. Spill into water

3. Fire

4. Explosion