

Regulated Recyclable Waste Auditing and Certification Regulations

Promulgated by Environmental Protection Administration order on October 9, 2002

Article 1

These Regulations are determined pursuant to Article 18, Paragraph 2 of the Waste Disposal Act (herein referred to as "this Act").

Article 2

Terms used in this Act are defined as follows.

1. "Auditing and certification group" means a group selected by the EPA Recycling Fund Management Committee (herein referred to as "Management Committee") in accordance with procedures designated in the Government Procurement Act to implement auditing and certification of subsidized organizations.
2. "Audited and certified volume" means the quantity of recycling waste or derivative waste for which recycling, clearance and disposal subsidies can be claimed after auditing and certification by an auditing and certification group.
3. "Acceptable standard" means the quality standard required for recyclable waste or matter resulting from the disassembly, compression or other processing of regulated recyclable waste to enter a processing enterprise facility (plant).
4. "Core elements" means the articles that regulated recyclable waste is required to possess in accordance with the regulations of the auditing and certification handbook (herein referred to as "the certification handbook") after entering a subsidized organization.
5. "Foreign matter" means matter within recycling or processing waste produced by recycling and processing enterprises that is not classifiable in accordance with regulations or is not recyclable waste.
6. "Foreign matter ratio" means the weight or volume ratio of foreign matter in samples taken during inspection when recyclable waste enters a facility (plant).
7. "Damage" means any cracking or damage to the glass body of a waste light source or separation between the cap and the glass body.
8. "Acceptable damage ratio" means the acceptable percentage of damage to a waste light source.
9. "Recovered material" means matter resulting from the processing of recyclable waste and available for reuse or recovery.
10. "Derivative waste" means waste resulting from the recycling or processing of recyclable waste.
11. "Recycling-reuse ratio" means the weight ratio of recovered material resulting from the processing of recyclable waste to the audited and certified processing volume of the recyclable waste.

Article 3

An auditing and certification group shall perform auditing and certification in accordance with the certification handbook for all kinds of regulated recyclable waste.

An auditing and certification group that fails to perform auditing and certification in accordance with the certification handbook and causes losses for the Management Committee shall be liable for compensation.

A management committee established by the central competent authority shall determine the certification handbooks in Paragraph 1.

Article 4

An auditing and certification group shall implement the following tasks when auditing a subsidized organization.

1. Auditing whether the operating procedures of a subsidized organization for recycling, storage, clearance and processing, etc. comply with recycling, storage, clearance and processing methods and facility standards for the particular regulated recyclable waste
2. Auditing the quantities of recovered materials and derivative waste derived from regulated recyclable waste at the subsidized organization, and, depending on the characteristics of the regulated recyclable waste, tracking of the source, flow direction, uses, transport distance, processing expenses, and other relevant data of the waste
3. Auditing the receiving, production, sales, and inventory receipts, account books, and other relevant statements of the subsidized organization; other production, sales, shipping or input/output data; and inventory of regulated recyclable waste, recovered materials, core elements and derivative waste in order to confirm audited and certified volumes
4. Calculating the regulated recyclable waste audited and certified volume of a subsidized organization
5. Other auditing and certification tasks commissioned by the Management Committee

Article 5

The Management Committee shall explicitly specify in the certification handbook the frequency with which an auditing and certification group shall perform auditing and certification of regulated recyclable waste according to waste type.

An auditing and certification group shall perform auditing and certification of subsidized organizations in accordance with the frequency in the foregoing paragraph. However, a subsidized organization may apply to an auditing and certification group for auditing and certification when its regulated recyclable waste or derivative waste has reached a certain quantity.

The Management Committee shall determine the types of regulated recyclable waste and derivative waste and certain quantity in the foregoing paragraph in the certification handbook.

An auditing and certification group shall handle regulated recyclable waste auditing and certification applications from subsidized organizations in accordance with the following regulations. However, this restriction shall not apply to those organizations to which the Management Committee has granted its consent.

1. The auditing and certification group shall perform auditing and certification within ten working days after receiving an application from a subsidized organization concerning waste motor vehicle items.
2. The auditing and certification group shall perform auditing and certification within five working days after receiving an application from a subsidized organization concerning other regulated recyclable waste.

Article 6

The auditing and certification group shall publicly post its auditing timetable on a designated web page before a certain deadline for the types of regulated recyclable waste for which the Management Committee explicitly specify auditing and certification shall take place on a regular basis in the certification handbook. However, this restriction shall not apply when auditing and certification is not performed on a regular basis.

Article 7

Whenever an auditing and certification group performs auditing and certification work, it shall first confirm that the name and statutory responsible person of the subsidized organization are consistent with those on the qualification application documents for the subsidized organization before it may perform auditing and certification work.

Article 8

The Management Committee may designate in the certification handbook that a subsidized organization may not directly process regulated recyclable waste that has entered a subsidized organization processing facility (plant) at times other than auditing and certification times and stored temporarily on the premises until the auditing and certification group has completed entry inspection in accordance with the certification handbook.

Audited and certified regulated recyclable waste, derivative waste and core elements may not be sent out of the facility (plant) until a report has been made to the auditing and certification group; the Management Committee shall designate relevant types of waste in the certification handbook.

Article 9

An auditing and certification group shall report audited and certified volume obtained using calculation methods designated in the certification handbook to the Management Committee to provide a basis for the Management Committee's issuance of recycling, clearance and disposal subsidies to subsidized organizations.

Article 10

An auditing and certification group shall submit compiled audited and certified volume and other relevant data for the previous month to the Management Committee for archiving before the 15th day of each month.

An auditing and certification group shall submit compiled audited and certified volumes for the previous six months, analysis of abnormalities, and audit reports and improvement recommendations concerning facility standards to the Management Committee for reference before the 15th of each January and July.

Article 11

Those auditing and certification groups that discover the following irregular circumstances during auditing and certification work shall promptly notify the Management Committee to take action.

1. Audited and certified regulated recyclable waste or its recovered materials or derivative waste has been lost
2. A subsidized organization has stockpiled more than two months of regulated recyclable waste processing volume, or has stockpiled more than two months of recovered materials or derivative waste production volume or has ceased to process regulated recyclable waste or its recovered materials or derivative waste without requesting and receiving the consent of the Management Committee.
3. The facilities to be audited and certified have malfunctioned
4. The company name or statutory responsible person has changed
5. Severe environmental pollution is discovered
6. The foreign matter ratio exceeds 15%
7. A subsidized organization has been ordered to suspend work or suspend operations as a punishment
8. Other major irregular circumstances

Article 12

An auditing and certification group shall assign at least two auditing and certification personnel to be responsible each time auditing and certification work is implemented. On-site auditing and certification personnel shall be rotated regularly and shall complete training. At least one person shall possess at least one year of auditing and certification-related work experience.

The content of the training in the foregoing paragraph shall include at least 40 hours of training classes on such topics as laws and regulations governing regulated recyclable waste, recycling processing operating systems and auditing and certification systems, auditing and certification operating procedures, auditing techniques, work standards, certification handbooks and practical instruction.

Article 13

Auditing and certification groups and auditing and certification personnel may not take advantage of their work to obtain meal invitations, gifts, mutually beneficial agreements or other illicit benefits from subsidized organizations when implementing auditing and certification work.

Article 14

Auditing and certification personnel shall bear identification documents when entering the premises of a subsidized organization, and shall be responsible for maintaining the confidentiality of the receiving, production, sales, and inventory receipts, account books, and other relevant statements, and other production, sales, shipping or input/output data of subsidized organizations.

Article 15

Auditing and certification groups shall preserve relevant auditing and certification data, receipts and other relevant documents for five years for audit purposes.

Article 16

The central competent authority may establish an auditing and certification supervisory committee (herein referred to as a "supervisory committee") to perform examination and assessment of the auditing and certification performance of auditing and certification groups.

The supervisory committee shall consist of 13 to 15 persons selected by the central competent authority from among impartial public figures, experts, specialists, and government representatives in the fields of environmental protection or consumer protection, etc. Committee members shall serve two-year terms, and may be reappointed when their terms have expired.

Article 17

The supervisory committee shall regularly examine and assess the working performance of auditing and certification groups. The results obtained from this examination and assessment may serve as one of the items used by the Management Committee to rate and select auditing and certification groups.

Article 18

An auditing and certification group shall meet the examination, assessment and supervisory requests of the supervisory committee or Management Committee, and shall provide internal documents, work drafts and other relevant information.

Article 19

When one of the following circumstances applies to a subsidized organization, the auditing and certification group shall, after requesting and receiving the consent of the Management Committee, give demerits.

1. Circumstances in which the management of regulated recyclable waste, recovered materials or derivative waste acceptance, storage, inventory storage or shipment is not consistent with certification handbook regulations
2. Circumstances in which statements contain erroneous entries and no correction has been made after notification, or entries have been made or statements submitted in a manner inconsistent with the certification handbook
3. Circumstances in which regulated recyclable waste, recovered materials or derivative waste have been stacked in a disorderly manner, or relevant records are incomplete, preventing the auditing and certification group from taking inventory
4. Circumstances in which container loading notification has not been submitted by the deadline designated in the certification handbook or necessary relevant information has not been provided
5. Other circumstances for which the Management Committee has determined the giving of demerits to be warranted

The Management Committee shall designate relevant regulations governing the giving of demerits in the foregoing paragraph in the certification handbook.

Article 20

The auditing and certification group shall subtract volume (weight) in accordance with volume (weight) subtraction regulations designated in the certification handbook when one of the following circumstances applies to a subsidized organization.

1. Acceptable standards, foreign matter, foreign matter ratio, damage, acceptable damage ratio, inventory management, core elements, recycling-reuse ratio, mass balance, regulated recyclable waste disposal methods or derivative waste disposal methods are not as designated in the certification handbook.
2. The facilities to be audited and certified have malfunctioned
3. Waste motor vehicles for which recycling incentive awards had been applied for have not been audited and certified before the designated deadline
4. There are discrepancies in inventory taking or checking of accounts
5. Other circumstances for which the Management Committee has determined the subtraction of volume (weight) to be warranted

Article 21

The Management Committee may within the scope of its authority temporarily suspend auditing and certification of a subsidized organization when one of the following circumstances applies to a subsidized organization.

1. The Management Committee shall temporarily suspend auditing and certification for a period of two years if the subsidized organization has used violence against the competent authority, auditing and certification personnel or professional personnel commissioned by the competent authority.
2. The Management Committee shall temporarily suspend auditing and certification for a period of six months to one year if the subsidized organization has made non-violent threats against the competent authority, auditing and certification personnel or professional personnel commissioned by the competent authority.
3. The Management Committee shall temporarily suspend auditing and certification for a period of one month in the following circumstances.
 1. The subsidized organization has refused to allow the competent authority or auditing and certification personnel to enter to perform audit, certification and checking work.
 2. The subsidized organization has refused to provide relevant documents or data needed for audit, certification and checking work.
 3. Those circumstances in which the cumulative number of demerits pursuant to Article 19 has exceeded ten during a three-month period.
4. The Management Committee shall temporarily suspend auditing and certification until the subsidized organization completes improvement in the following circumstances.
 1. Those circumstances in which the subsidized organization has violated regulated recyclable waste recycling, storage, clearance or processing methods or facility standards designated in Article 18, Paragraph 1 of this Act.

2. Those circumstances in which the plant (facility) site or operating area is not consistent with the subsidy qualification application documents.
 3. Those circumstances in which the subsidized organization has refused to provide space, equipment or operating necessities needed for audit work.
 4. Those circumstances in which the subsidized organization has stockpiled more than three months of recovered materials or derivative waste production volume without obtaining the consent of the Management Committee, or has failed to process stockpiled recovered materials or derivative waste before the deadline approved by the Management Committee.
 5. Measurement equipment or primary video recording/playing or monitoring systems have malfunctioned.
 6. Those circumstances in which the company name or statutory responsible person was changed not in accordance with relevant regulations in this Act.
5. The Management Committee may temporarily suspend auditing and certification following notification by a local competent authority or local member of the public when a subsidized organization is punished because its recycling, clearance or processing of regulated recyclable waste violates environmental protection laws and regulations. The Management Committee shall resume auditing and certification after the local competent authority has determined that improvement has been completed.

The Management Committee shall suspend auditing and certification in those circumstances in which it suspends subsidies pursuant to this Act.

A subsidized organization may apply to the Management Committee to resume auditing and certification work only after the temporary auditing and certification suspension deadline has been passed or improvement has been completed.

Article 22

An auditing and certification group shall record deficiencies when one of the following circumstances applies. The Management Committee shall include deficiencies demerit recording criteria and standards in auditing and certification group commissioning contracts.

1. One deficiency demerit shall be recorded when one of the following circumstances applies.
 1. When the examination and assessment score is less than 70 points
 2. When the auditing and certification group has failed to publicly post its timetable online pursuant to Article 6
 3. When the auditing and certification group has failed to implement auditing and certification work in accordance with the certification handbook; one point shall be recorded per violation
 4. When the auditing and certification group has failed to compile data tables for submission to the Management Committee for archiving pursuant to Article 10
 5. When the auditing and certification group has failed to regularly rotate on-site auditing and certification personnel pursuant to Article 12
 6. When on-site auditing and certification personnel have failed to complete training in advance pursuant to Article 12

2. Three demerits shall be recorded when one of the following circumstances applies.
 1. When the examination and assessment score is less than 60 points
 2. When the auditing and certification group has failed to record audited and certified regulated recyclable waste as required, and the unrecorded regulated recyclable waste exceeds the audited and certified volume of that batch by 1%
 3. When auditing errors attributable to the auditing and certification group cause the Management Committee to suffer losses
 4. When the auditing and certification group has violated the regulations of Article 13
 5. When the auditing and certification group has violated its confidentiality responsibility designated in Article 14
 6. When the auditing and certification group has violated the regulations of Article 18

The Management Committee may terminate the contract of an auditing and certification group if the cumulative number of demerits exceeds six during a three-month period. When the number of demerits exceeds 20 over a one-year period, the Management Committee may terminate the contract, and the auditing and certification group may not participate in regulated recyclable waste auditing and certification group selection for a two-year period.

When the Management Committee has terminated the contract of an auditing and certification group pursuant to the foregoing paragraph, the Management Committee may assign the auditing and certification group next in order in the selection process for that year to implement auditing and certification work on a substitute basis until the expiration of the original contract.

Article 23

A certification handbook shall contain at least the following content.

1. Auditing and certification locations and times
2. Auditing and certification operating procedures
3. Frequency of audit, types, quantities and storage deadlines for regulated recyclable waste and its recovered materials, derivative waste and core elements
4. The auditing and certification timetable to be publicly posted on a webpage designated by the Management Committee and deadline for being published online after an auditing and certification group receives an application from a subsidized organization
5. Types of regulated recyclable waste that may enter a subsidized organization for processing at times other than auditing and certification times, and types of audited and certified regulated recyclable waste, derivative waste and core elements that a subsidized organization may not ship from its facility (plant) without first reporting to the auditing and certification group
6. Inspection procedures for regulated recyclable waste acceptable standards, foreign matter, foreign matter ratio, core elements, recycling-reuse ratio, damage, acceptable damage ratio, management of receiving, storage, inventory and shipment, mass balance and other items
7. Method of calculating audited and certified volume
8. Regulations governing unauthorized subtraction of volume (weight) recording of points during

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9. Measurement, video recording/playing or monitoring systems needed by the subsidized organization; equipment required for auditing and certification and its installation locations
10. Documents to be recorded and preserved by an auditing and certification group and subsidized organization, and their length of preservation
11. Other matters concerning auditing and certification designated by the Management Committee

Article 24

Those subsidized organizations that have accumulated an inventory of more than three months of recovered materials and derivative waste before the enforcement of these Regulations shall submit a processing plan to the Management Committee for approval within three months after the enforcement of these Regulations, and shall perform processing in accordance with deadlines and methods designated in the approved plan. The Management Committee may temporarily suspend the auditing and certification of those subsidized organizations that fail to complete processing before the processing deadline until processing has been completed.

The Management Committee may temporarily suspend the auditing and certification of those subsidized organizations that have submitted a processing plan pursuant to the foregoing paragraph but are unable to obtain the approval of the Management Committee within six months after the day these Regulations are enforced until processing has been completed.

Subsidized organizations whose processing plans have been approved shall report processing progress on a monthly basis. The Management Committee may temporarily suspend auditing and certification of those subsidized organizations that fail to meet the expected processing progress for three consecutive months until the expected progress has been achieved.

Article 25

These Regulations shall take effect on the date of promulgation.