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**QCVN31: 2018 / BTNMT**

**National technical regulation QCVN 31: 2018 / BTNMT on environment with imported iron and steel scrap as raw production materials**

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**Full text of the National Technical Regulation QCVN 31: 2018 / BTNMT on environment with imported iron and steel scrap as raw production materials**

**QCVN 31: 2018 / BTNMT**

NATIONAL TECHNICAL REGULATION ON ENVIRONMENT FOR IRON SCRAP AND STEEL IMPORTED FOR PRODUCTION RAW MATERIALS

*National technical regulation on environment for imported steel scraps for production*

**Preface**

**QCVN 31: 2018 / BTNMT replaces QCVN 31: 2010 / BTNMT**

**QCVN 31: 2018 / BTNMT is** prepared by the Vietnam Environment Administration, submitted by the Department of Science and Technology and the Legal Department; The Ministry of Science and Technology appraises and is issued under Circular No. [08/2018 / TT-BTNMT](https://vanbanphapluat.co/thong-tu-08-2018-tt-btnmt-quy-chuan-ky-thuat-quoc-gia-ve-moi-truong-doi-voi-phe-lieu-sat) dated September 14, 2018 of the Minister of Natural Resources and Environment.

**NATIONAL TECHNICAL REGULATION ON ENVIRONMENT FOR IRON SCRAP AND STEEL IMPORTED FOR PRODUCTION RAW MATERIALS**

***National technical regulation on environment for imported steel scraps for production***

**1. GENERAL PROVISIONS**

**1.1. Scope:**

1.1.1. This regulation prescribes types of iron and steel scrap permitted to be imported as production materials; iron and steel scraps not allowed to be imported; impurities must not be mixed in imported iron and steel scrap; unwanted unwanted impurities are allowed to mix in imported iron and steel scrap; Other technical requirements on imported iron and steel scrap.

1.1.2. This regulation does not apply to iron and steel scrap imported from enterprises in the non-tariff area in the territory of Vietnam.

**1.2. Subjects of application:**

1.2.1. This regulation applies to organizations and individuals importing iron and steel scrap and using imported iron and steel scrap as raw production materials; State management agencies related to the import and use of iron and steel scrap as raw production materials; organizations assessing the suitability related to the import of iron and steel scrap from abroad.

1.2.2. This regulation does not apply to organizations and individuals importing iron and steel scrap arising from production activities of enterprises in the non-tariff area on Vietnam's territory.

**1.3. Interpretation of terms:**

In this Regulation, the following terms are construed as follows:

1.3.1. *Impurities* are substances and materials other than iron and steel mixed with imported iron and steel scrap, including materials which are adhered or non-adhered to iron and steel scrap (except rust still adhering to surfaces. iron and steel surfaces).

1.3.2. *Hazardous impurity* means waste which has been classified as hazardous waste in accordance with the law on environmental protection.

1.3.3. *HS* code is the code for classifying import and export goods stated in the List of exported and imported goods promulgated by the Ministry of Finance and the List of scraps permitted to be imported from abroad for use as raw production materials issued by the Prime Minister. government issued.

1.3.4. *Shipment of imported iron and steel* scrap is the volume of iron and steel scrap registered by an import organization or individual for state inspection of quality of imported iron and steel scrap (below referred to as checking registration for short). tra) once to be imported into Vietnam; a shipment of imported iron and steel scrap may include one or several blocks of iron and steel scrap cargo with different HS codes.

1.3.5. *The block of imported iron and steel* scrap *cargo* is the quantity of iron and steel scraps which have been selected and classified separately according to a certain HS code, belonging to the shipment of iron and steel scrap registered by an importing organization or individual. check; iron and steel scrap cargo block may be part or whole of imported iron and steel scrap cargo.

1.3.6. *The State inspection agency for the quality of imported iron and steel scrap in accordance with the National Technical Regulation on Environment* is the Department of Natural Resources and Environment where the factory or production facility uses iron scrap. imported steel as raw production materials (hereinafter referred to as inspection agencies for short).

1.3.7. *Appraised inspection* organization is an inspection organization that has been granted an inspection registration certificate according to the Government's Decree No. [107/2016 / ND-CP of](https://vanbanphapluat.co/nghi-dinh-107-2016-nd-cp-quy-dinh-kinh-doanh-dich-vu-danh-gia-su-phu-hop-2016) July 1, 2016, on conditions for provision of conformity assessment services (hereinafter referred to as Decree No. [107/2016 / ND-CP](https://vanbanphapluat.co/nghi-dinh-107-2016-nd-cp-quy-dinh-kinh-doanh-dich-vu-danh-gia-su-phu-hop-2016) ) and on the list of designated inspection organizations under the authority of the Minister of Natural Resources and The environment specified in the Government's Decree No. [74/2018 / ND-CP of](https://vanbanphapluat.co/nghi-dinh-74-2018-nd-cp-sua-doi-13-2008-nd-cp-huong-dan-luat-chat-luong-san-pham-hang-hoa) May 15, 2018 amending and supplementing a number of articles of Decree No. [132/2008 / ND-CP of](https://vanbanphapluat.co/nghi-dinh-132-2008-nd-cp-huong-dan-luat-chat-luong-san-pham-hang-hoa) December 31, 2008 of The Government details the implementation of a number of articles of the Law on Product and Goods Quality (hereinafter called Decree No. for short)[74/2018 / ND-CP](https://vanbanphapluat.co/nghi-dinh-74-2018-nd-cp-sua-doi-13-2008-nd-cp-huong-dan-luat-chat-luong-san-pham-hang-hoa) ). The designation and recognition of foreign assessment organizations conducting the assessment of imported scrap quality in accordance with the national technical regulations on environment on Vietnamese territory shall comply with the provisions of law.

**2. TECHNICAL REGULATIONS**

**2.1. Regulations on classification and cleaning of scrap:**

2.1.1. Imported iron and steel scrap includes one or several blocks of iron and steel scrap cargo which has been classified separately according to HS code on the List of scrap permitted to be imported from abroad as raw production materials issued by the Prime Minister. Government issued.

2.1.2. Iron and steel scrap imported in bulk or bound into bundles; pressed into cubes, lumps or bales, and cakes, other than those specified in Section 2.3.1 of this Regulation.

2.1.3. Each block of imported iron and steel scrap cargo must be arranged separately in the imported goods lot or container in order to create favorable conditions for inspection at the place of inspection registration according to the provisions of law.

2.1.4. In each block of imported iron and steel scrap cargo is allowed to mix the amount of iron and steel scrap with different HS codes (on the List of iron and steel scrap permitted to be imported) compared with the HS code declared in the import dossier. The ratio of weight of iron and steel scrap with other HS codes shall not exceed 20% of the total volume of imported iron and steel scrap cargo.

2.1.5. Imported iron and steel scrap must be removed from substances, materials and goods banned from import according to the provisions of Vietnamese law and international treaties to which the Socialist Republic of Vietnam is a signatory, ensure to meet the specific requirements in Section 2.3 and Section 2.4.

**2.2. Provisions on types of iron and steel scrap permitted to be imported:**

2.2.1. Bars, pipe sections, piece heads, plate ends, shavings, chips, filaments, blocks, ingots and scrap of iron, steel or cast iron are removed from metal manufacturing or processing processes or production processes. other export.

2.2.2. Railway steel, steel sleepers, steel sheets, steel sheets, round steel, shaped steel, pipe steel, cast ingots, used wire mesh.

2.2.3. Iron, steel or cast iron selected, recovered from construction works, vehicles, machinery, equipment and other products after being dismantled or dismantled in foreign countries or export territories for removal remove impurities and materials banned from import according to the provisions of Vietnamese law.

2.2.4. Used iron and steel still adhere to some unwanted impurities as prescribed in Section 2.5.

**2.3. Provisions on types of iron and steel scrap not permitted to be imported:**

2.3.1. Used cases, drums, cans, boxes and other containers of iron and steel, pressed into blocks, lumps or packed into bales and cakes.

2.3.2. Used packaging, drums, cans, boxes and other containers of iron and steel to store oil, grease, grease, chemicals, asphalt, food that have not been cleaned to meet the requirements in Section 2.4 and Section 2.5.

2.3.3. Scrap is imported iron and steel whose radioactivity level and metal surface contamination level exceed the level specified in the Minister's Circular [No. 22/2014 / TT-BKHCN](https://vanbanphapluat.co/thong-tu-22-2014-tt-bkhcn-quan-ly-chat-thai-phong-xa-nguon-phong-xa-da-qua-su-dung) dated August 25, 2014. The Ministry of Science and Technology regulates the management of used radioactive wastes and radioactive sources (Appendix IV - levels of radioactive activity levels and surface radioactive contamination of metals allowed to be recycled ).

**2.4. Impurities must not be mixed in imported iron and steel scrap:**

2.4.1. Chemicals, flammable substances, explosive substances, hazardous medical wastes.

2.4.2. Weapons, bombs, mines, ammunition, closed cylinders and gas cylinders that have not been dismantled or dismantled in foreign countries or export territory to eliminate risks of fire and explosion safety.

2.4.3. Materials containing or contaminated with radioactive substances in excess of the exemption specified in QCVN 05: 2010 / BKHCN - National technical regulation on radiation safety - exemption from declaration and license issued together with Circular No. [15/2010 / TT-BKHCN](https://vanbanphapluat.co/thong-tu-15-2010-tt-bkhcn-quy-chuan-ky-thuat-quoc-gia-an-toan-buc-xa) September 14, 2010 by the Minister of Science and Technology.

2.4.4. Harmful impurities.

**2.5. Unwanted impurities allowed to be mixed in imported iron and steel scrap:**

2.5.1. Adhesive impurities such as rust, dust, soil, sand.

2.5.2. The materials remaining after use, stick to iron, steel, such as oil, grease, paint, plating, other materials other than iron, steel or cast iron.

2.5.3. Other remaining impurities that are not iron, steel, cast iron are removed from imported iron, steel and cast iron scrap (except Section 2.5.1 and Section 2.5.2) meeting the requirements of Section 2.4. In each shipment, the total weight of impurities specified in this Section 2.5.3 shall not exceed 1% of the weight of the shipment.

**3. EXAMINATION PROCESS, INSPECTION AND DETERMINATION METHODS**

**3.1. Inspection and inspection process for imported scrap:**

The inspection and examination of imported iron and steel scrap cargo shall be carried out through visual inspection or analytical sampling. Inspection agencies and assessment organizations appointed under the provisions of law when carrying out inspection and examination of imported iron and steel scrap must comply with the inspection and examination process in Section 3.1.1. and Section 3.1.2.

3.1.1. Process of inspection and examination at the scene:

a) Field inspection and examination activities shall be carried out by visual inspection of all containers or bulk cargo lots of imported iron and steel scrap cargo; estimating the impurity ratio and combining with the equipment to quickly measure some parameters for the shipment of iron and steel scrap.

b) The inspection process at the scene is done as follows:

- General inspection of shipment: type, volume of scrap, quality of imported scrap;

- Take photos of test locations;

- Check some parameters by quick-measuring device in the field (for cases where quick measurement is made in the field);

- Checking the impurity rate: determining the type of accompanied impurities, estimating the percentage (%) of the attached impurity.

c) Results of inspection and examination at the scene shall be handled in one of the following cases:

- In case a batch of imported iron and steel scrap is inspected and evaluated in accordance with Section 2 of this Regulation, the designated assessment organization shall supply a document on the assessment results (assessment certificate). shipment of iron and steel scrap for organizations and individuals requesting inspection and inspection agencies, which serve as a basis for inspection agencies to issue notices of state inspection results on the quality of shipments of iron scrap, steel imported for customs clearance according to regulations;

- If the imported scrap batch is not in accordance with Section 2 of this Regulation, the designated assessment organization shall supply a document on the assessment result (inspection certificate) of the iron and steel scrap shipment to organizations and individuals requesting expertise and inspection agencies, to carry out handling according to regulations;

- In case the unidentified batch of imported iron and steel scraps has been determined in accordance with Section 2 of this Regulation, Section 3.1.2 shall be complied with.

3.1.2. Procedures for checking and inspecting through analytical sampling:

a) Taking samples to analyze and assess the quality of imported iron and steel scrap in accordance with Section 2 of this Regulation shall be carried out as follows:

- Taking samples for imported iron and steel scrap cargo lots according to the method in Section 3.2.1. Take photos of all test locations and sampling locations;

- Determine and assess the technical requirements prescribed in Section 2 of this Regulation. Where analytical results of testing organizations are used, these results should be performed by the organization specified in Section 4.4;

- For imported iron and steel scraps, which must take at least 2 representative samples as prescribed in Section 3.2.1, the inspection results for the imported iron and steel scrap shipments shall be the average value. of representative sample analysis results.

b) Results of inspection and sampling of quality analysis of imported iron and steel scrap shall be handled in one of the following cases:

- In case a batch of imported iron and steel scrap is inspected and evaluated in accordance with Section 2 of this Regulation, the designated assessment organization shall supply a document on the assessment results (assessment certificate). shipment of iron and steel scrap for organizations and individuals requesting inspection and inspection agencies, which serve as a basis for inspection agencies to issue notices of state inspection results on the quality of shipments of iron scrap, steel imported for customs clearance according to regulations;

- In case the shipment of imported iron and steel scrap does not comply with Section 2 of this Regulation, the designated assessment organization shall supply a document on the assessment result (assessment certificate) of the shipment of iron scrap. and steel for organizations and individuals requesting expertise and inspection agencies, to conduct handling according to regulations.

**3.2. Methods of sampling and determining the proportion of mass and impurity composition:**

3.2.1. Sampling method:

a) Method of sampling to determine the proportion of mass and impurity content:

a1. For batch of imported iron and steel scrap cargo is bulk cargo (not contained in a container)

A representative sample is a sample taken at random at any 5 locations at different points of the shipment of imported iron and steel scrap (with the distance between sampling points being relatively uniform to ensure the representative, according to one of the shapes: rectangle, square, triangular pyramid, Z shape, ...). The total weight of representative sample is 100 kg. In case of suspecting that the shipment of imported iron and steel scrap does not meet the requirements specified in Section 2 of this Regulation, the inspecting agency shall decide to supplement the representative sample of the consignment according to the sampling method specified in This item, but not more than 03 representative samples.

a2. For batch of imported iron and steel scrap contained in containers

The quality inspection of imported iron and steel scrap shall be conducted on the basis of taking and analyzing representative samples. A representative sample consists of one or several random samples mixed together, then 100 kg from the well-mixed mass to be representative sample (mass 100 kg).

- Random samples are samples taken at any 5 positions at different points of a selected container (with the distance between sampling locations relatively uniform to ensure representativeness, according to one of shapes: rectangular, square, triangular pyramid, rectangle The weight of a random sample is 100 kg;

- For imported iron and steel scrap cargo lots with less than 5 containers, one container shall be selected for random sampling and a representative sample for imported iron and steel scrap cargo;

- For shipments of imported iron and steel scrap, with from 5 to less than 20 containers, two containers selected for random sampling. A representative sample is a mix of 2 random samples;

- For imported iron and steel scrap cargo lots with 20 containers or more, 10% of the containers shall be selected for taking random samples (number of random samples rounded off). Where the number of random samples is less than 10, these samples are mixed together into a representative sample. Where the number of random samples is greater than 10 samples, then every 10 random samples are mixed into a representative sample; The remaining odd random sample (if any) is mixed into a representative sample. A shipment of imported iron and steel scrap may have one or several representative samples.

b) The sampling method to determine the percentage of iron and steel scrap with HS codes is different from the declared HS codes:

Randomly select a block of imported iron and steel scrap cargo to declare for a representative sample. A representative sample is taken at any 5 positions at different points (with the distance between sampling points relatively uniform to ensure the representativeness, according to one of the figures: rectangle, square, pyramid triangles, Z-shaped, etc.) of a random container or of a bulk cargo shall be decided by the Inspecting Body and mixed together into a representative sample of iron and steel scrap cargo. import. The representative sample weight is 100 kg.

3.2.2. Method of determining the impurity ratio:

Conduct separation, classification of impurities by mechanical and physical methods to separate impurities from iron and steel and weigh the weight of these impurities.

Impurity ratio is the ratio of the amount of impurities to the total mass of the test sample, expressed as a percentage (%).

3.2.3. The method of determining the percentage of iron and steel scrap with HS codes is different from the HS codes declared in import dossiers:

Conduct classification of iron and steel scrap with HS code different from the declared HS code.

Percentage (%) of types of iron and steel scrap with HS codes other than those declared by HS codes is the weight ratio of types of iron and steel with different HS codes from the total weight of test samples.

3.2.4. Method of determining the composition of impurities:

a) Methods of sampling and analysis for determination of radioactivity: TCVN 11969: 2005 (ISO 11932: 1996) - National standard on radiation safety - Measurement of activity of solid materials treated as non-radioactive waste radiation for recycling, reuse or burial; ISO 7503-1: 1988 - National standards for radiation safety - Assessment of surface contamination - Part 1: Beta power sources (maximum beta power is greater than 0.15 MeV ) and alpha source; ISO 7503-2: 1988 - National standards for radiation safety - 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) Determination of hazardous waste threshold in the amount of impurities separated from imported iron and steel scrap shall comply with QCVN 07: 2009 / BTNMT- National technical regulation on hazardous waste threshold, issued together with Circular No. [25/2009 / TT-BTNMT](https://vanbanphapluat.co/thong-tu-25-2009-tt-btnmt-quy-chuan-quoc-gia-moi-truong) dated November 16, 2009 of the Minister of Natural Resources and Environment and the detailed list of hazardous wastes and potentially hazardous wastes specified in Appendix 1 to Circular No. [36/2015 / TT-BTNMT of](https://vanbanphapluat.co/thong-tu-36-2015-tt-btnmt-quan-ly-chat-thai-nguy-hai) June 30, 2015 of the Minister of Natural Resources and Environment on hazardous waste management.

**4. MANAGEMENT PROVISIONS**

4.1. Iron and steel scraps imported as raw production materials are goods of group 2 imported and subject to state inspection of the quality of imported goods under the provisions of Decree No. [132/2008 / ND-CP of](https://vanbanphapluat.co/nghi-dinh-132-2008-nd-cp-huong-dan-luat-chat-luong-san-pham-hang-hoa) January 31 December 2008 of the Government detailing the implementation of a number of articles of the Law on Product and Goods Quality (hereinafter referred to as Decree No. [132/2008 / ND-CP](https://vanbanphapluat.co/nghi-dinh-132-2008-nd-cp-huong-dan-luat-chat-luong-san-pham-hang-hoa) ) and Decree No. [74/2018 / ND-CP](https://vanbanphapluat.co/nghi-dinh-74-2018-nd-cp-sua-doi-13-2008-nd-cp-huong-dan-luat-chat-luong-san-pham-hang-hoa) and related laws.

4.1.1. Organizations and individuals importing iron and steel scrap as raw production materials must carry out the procedures for state inspection of quality of imported iron and steel scrap according to the provisions of law, specifically as follows:

a) Registering the state inspection of quality of imported iron and steel scrap at the inspection agency. A dossier of registration for state inspection comprises: documents specified at Point a, Clause 2c, Article 7 of Decree No. [132/2008 / ND-CP](https://vanbanphapluat.co/nghi-dinh-132-2008-nd-cp-huong-dan-luat-chat-luong-san-pham-hang-hoa) amended and supplemented in Clause 3, Article 1 of Decree No. [74 / 2018 / ND-CP](https://vanbanphapluat.co/nghi-dinh-74-2018-nd-cp-sua-doi-13-2008-nd-cp-huong-dan-luat-chat-luong-san-pham-hang-hoa) and other papers related to scrap import activities in accordance with the law on environmental protection;

b) Send a written notice to the customs authority, inspection authority and designated inspection organization about the time and place of inspection and sampling to assess the quality of imported iron and steel scrap as prescribed. law provisions;

c) Cooperate with inspection agencies and relevant agencies in the process of examining and assessing the quality of imported iron and steel scrap.

4.1.2. Inspection agency to receive, check and process registration documents state inspection on the quality of scrap iron and steel imports as stipulated in Paragraph 2c Article 7 of Decree No. [132/2008 / ND-CP](https://vanbanphapluat.co/nghi-dinh-132-2008-nd-cp-huong-dan-luat-chat-luong-san-pham-hang-hoa) was amending and supplementing Clause 3 Article 1 of Decree No. [74/2018 / ND-CP](https://vanbanphapluat.co/nghi-dinh-74-2018-nd-cp-sua-doi-13-2008-nd-cp-huong-dan-luat-chat-luong-san-pham-hang-hoa) , specifically as follows:

a) Receiving registration documents for state inspection of quality of imported iron and steel scrap;

b) Preside over and cooperate with customs authorities, designated inspection organizations and relevant agencies to carry out inspection and sampling (in case of sampling) to assess the quality of goods lots. scrap iron and steel imported according to the provisions of law;

c) Notify the results of state inspection of quality of imported iron and steel scrap to organizations and individuals registering for inspection in accordance with law.

4.2. Shipments of iron and steel scrap imported into Vietnam must be inspected, assessed and assessed in conformity with the technical regulations in Section 2 of this Regulation, serving as a basis for inspection agencies to handle according to provisions of law.

4.3. Inspection of imported iron and steel scrap shall be conducted by an appointed assessment organization or recognized in accordance with law.

4.4. The determination of concentration and concentration of environmental parameters must be done by organizations that have been granted certificates of eligibility for environmental monitoring service activities under the provisions of Decree No. [127/2014 / ND -CP](https://vanbanphapluat.co/nghi-dinh-127-2014-nd-cp-quy-dinh-dieu-kien-to-chuc-hoat-dong-dich-vu-quan-trac-moi-truong) dated December 31, 2014 of the Government stipulating conditions of organizations conducting environmental monitoring services. The determination of the proportion of mass, impurities and other parameters shall be carried out by the organization that has been granted the trial operation registration certificate according to the provisions of Decree No. [107/2016 / ND-CP](https://vanbanphapluat.co/nghi-dinh-107-2016-nd-cp-quy-dinh-kinh-doanh-dich-vu-danh-gia-su-phu-hop-2016) .

4.5. The designated inspection organization shall provide documents about the results of the inspection of the shipment of iron and steel scrap (inspection certificate) to the organization or individual requesting the assessment and the inspection agency. In particular, the content of inspection certificate must fully show the results of mass ratio, impurity content and other technical regulations in Section 2 of this Regulation (enclosed with: photos of the units). inspection positions and sampling locations are stored on CD / DVDs; results of analysis and testing results cards of representative samples provided by organizations that have been granted certificates of eligibility for translation activities Department of environmental monitoring or Certificate of registration of testing activities).

**5. ORGANIZATION OF IMPLEMENTATION**

5.1. State management agencies in charge of environmental protection and organizations and individuals involved in the import of iron and steel scraps from abroad must comply with this Regulation.

5.2. State management agencies in charge of environmental protection shall guide and inspect the implementation of this Regulation.

5.3. In case the legal documents cited in this Regulation are amended, supplemented or replaced, the provisions of the new document will apply. In case the standards cited in this Regulation are amended, supplemented or replaced, the new documents will be applied./.

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