**Full text of the National Technical Regulation QCVN 66: 2018 / BTNMT on environment for non-ferrous metal scrap imported as raw production materials**

**QCVN 66: 2018 / BTNMT**

NATIONAL TECHNICAL REGULATION ON ENVIRONMENT FOR METAL SCRAP USED TO IMPORT AS RAW PRODUCTION MATERIALS

*National technical regulation on environment for imported non-ferrous metal scraps for production*

**Preface**

**QCVN 66: 2018 / BTNMT** prepared by Vietnam Environment Administration, submitted to by Department of Science and Technology, Department of Legal Affairs; The Ministry of Science and Technology appraises and is issued under Circular No. [09/2018 / TT-BTNMT](https://vanbanphapluat.co/thong-tu-09-2018-tt-btnmt-quy-chuan-ky-thuat-quoc-gia-moi-truong-doi-voi-phe-lieu-thuy-tinh) dated September 14, 2018 of the Minister of Natural Resources and Environment.

**NATIONAL TECHNICAL REGULATION ON ENVIRONMENT FOR METAL SCRAP USED TO IMPORT AS RAW PRODUCTION MATERIALS**

***National technical regulation on environment for imported non-ferrous metal scraps for production***

**1. GENERAL PROVISIONS**

**1.1. Scope:**

1.1.1. This regulation prescribes types of non-ferrous metal scrap permitted to be imported as raw production materials; non-ferrous metal scraps are not allowed to import; impurities must not be mixed in imported non-ferrous metal scrap; unwanted unwanted impurities are allowed to mix in imported non-ferrous metal scrap; Other technical requirements on non-ferrous metal scrap imported from abroad.

1.1.2. This regulation does not apply to non-ferrous metal scrap imported from enterprises in non-tariff areas in the territory of Vietnam.

**1.2. Subjects of application:**

1.2.1. This regulation applies to organizations and individuals that import and use imported non-ferrous metal scrap as raw production materials; State management agencies related to the import and use of imported non-ferrous metal scrap as raw materials for production; conformity assessment organizations related to the import of non-ferrous metal scrap from abroad.

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

**1.3. Interpretation of terms:**

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

1.3.1. *Non-ferrous metal scrap in this Regulation* includes the following types of scrap: copper, aluminum, nickel, zinc, tin, tungsten, molybdenum, magnesium, titanium, zircon, antimony, manganese, and chromium as specified in the list of scrap. allowed to import from foreign countries as production materials promulgated by the Prime Minister.

1.3.2. *Impurities* are substances and materials which are not imported non-ferrous metal, including materials which are adhered or not adhered to such non-ferrous metal scrap. For example, all materials other than copper (Cu) or copper alloys, if mixed in imported copper scrap are considered impurities.

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

1.3.4 *. 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.

1.3.5. *Lot of imported* non-ferrous metal scrap is the quantity of non-ferrous metal scrap corresponding to a certain HS code, registered by a importing organization or individual for state inspection of quality of imported scrap (below) hereinafter referred to as test registration) once to be imported into Vietnam. In an imported non-ferrous metal scrap shipment, an importing organization or individual may not register for inspection of more than one non-ferrous metal scrap.

1.3.6. *The state inspection agency for quality of imported non-ferrous metal 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 scrap metal. imported colors for use 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 conducting business 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 assessment 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 non-ferrous metal scrap must be excluded 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 member. meet the specific requirements in Section 2.3 and Section 2.4.

2.1.2. Non-ferrous metal scrap in loose or bound form; pressed into cubes, lumps or bales, and cakes, other than those specified in Section 2.3.1.

**2.2. Provisions on types of non-ferrous metal scrap permitted to import:**

2.2.1. Imported non-ferrous metal scrap with HS code is on the List of scrap permitted for import from foreign countries as production materials promulgated by the Prime Minister.

2.2.2. Imported non-ferrous metal scrap has different shapes and sizes, such as: bar sections, pipe sections, piece heads, sheet heads, cutting heads, nets, wires, chips, fibers, cubes, ingots and debris. Non-ferrous metal electric wire and cable cores must be removed from plastic, rubber or other insulating sheaths before being transported to Vietnam; Particularly for magnetic wires (non-ferrous metal wires coated with insulated enamel paints, cotton fibers or paper), it is not required to remove this insulating layer.

2.2.3. Imported non-ferrous metal scrap has the following origin: it is removed from metal processing or other manufacturing processes; to select and recover from construction works, means of transport, machinery, equipment and other products after they have been dismantled or dismantled in foreign countries or export territories to remove impurities, materials banned from import in accordance with Vietnamese law.

2.2.4. Imported non-ferrous metal scrap is still adhering to some unwanted impurities as specified in Section 2.5.

**2.3. Provisions on types of non-ferrous metal scrap not allowed to be imported:**

2.3.1. Containers, boxes, cans, boxes and other containers of non-ferrous metal or alloys of used non-ferrous metals pressed into blocks, lumps or bales, and cakes.

2.3.2. Containers, boxes, cans, boxes and other non-ferrous metals or alloys of non-ferrous metals used to contain oils, lubricants, greases, chemicals and food that have not been cleaned to meet regulations specified in Section 2.4 and Section 2.5.

2.3.3. Imported non-ferrous metal scrap has the concentration of radioactive activity and the level of surface contamination of the metal in excess of the level specified in the Minister's Circular [No. 22/2014 / TT-BKHCN of](https://vanbanphapluat.co/thong-tu-22-2014-tt-bkhcn-quan-ly-chat-thai-phong-xa-nguon-phong-xa-da-qua-su-dung) August 25, 2014. Science and technology regulating the management of used radioactive waste 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 non-ferrous metal 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 licensing 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 contaminants allowed to be mixed in imported non-ferrous metal scrap:**

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

2.5.2. The materials remaining after use, stick to non-ferrous metals such as oil, grease, paint, plating, other non-ferrous materials.

2.5.3. Other residual impurities are not imported metals or alloys of such non-ferrous metals but also adhere or are detached from imported non-ferrous metal scrap (except Section 2.5.1 and Section 2.5. .2) satisfies the requirements of Section 2.4. In each shipment, the total weight of impurities prescribed in Section 2.5.3 shall not exceed 2% 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 non-ferrous metal scrap shipments shall be carried out through visual inspection or examination and sampling for analysis. Inspection agencies and assessment organizations appointed under the provisions of law when conducting inspection and assessment of imported non-ferrous metal scrap must comply with the inspection and examination process specified 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 volumes of imported non-ferrous metal scrap shipments; estimating the impurity ratio and combining with the equipment to quickly measure some parameters for non-ferrous metal scrap shipments.

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 volume.

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

- In case a batch of imported non-ferrous metal scrap is inspected and assessed in accordance with Section 2 of this Regulation, the designated assessment organization shall provide a document on the assessment results (assessment certificate). shipment of non-ferrous metal scrap to 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 metal scrap shipments. imported colors for customs clearance according to regulations;

- In case the batch of imported scrap cargo does not comply with Section 2 of this Regulation, the designated assessment organization shall supply a document on the assessment result (assessment certificate) of a batch of non-ferrous scrap metal to organizations and individuals requesting expertise and inspection agencies, to carry out handling according to regulations;

- In case the unidentified batch of imported non-ferrous metal scrap shipments in accordance with Section 2 of this Regulation has been determined, Section 3.1.2 shall be complied with.

3.1.2. Procedures for checking and inspecting through analytical sampling:

a) Sampling for analysis and evaluation of quality of imported non-ferrous metal scrap in accordance with Section 2 of this Regulation shall be carried out as follows:

- Taking samples for non-ferrous metal scrap shipments imported by the method specified 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 non-ferrous metal scrap shipments that must take two or more representative samples as prescribed in Section 3.2.1, the inspection results for the imported non-ferrous metal scrap shipments shall be the average value. of representative sample analysis results.

b) Results of inspection and sampling of quality analysis of imported non-ferrous metal scrap shall be handled in one of the following cases:

- In case a batch of imported non-ferrous metal scrap is inspected and assessed in accordance with Section 2 of this Regulation, the designated assessment organization shall provide a document on the assessment results (assessment certificate). shipment of non-ferrous metal scrap to 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 metal scrap shipments. imported colors for customs clearance according to regulations;

- In case the shipment of imported non-ferrous metal scrap is not in accordance with Section 2 of this Regulation, the designated assessment organization shall provide a document of assessment results (assessment certificate) of the batch of scrap metal scrap. color categories 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 to determine the proportion of mass, impurity content:

a) For non-ferrous metal scrap shipments imported as bulk cargo (not contained in a container)

A representative sample is a sample randomly taken at any 5 locations at different points of the shipment of imported non-ferrous metal scrap cargo (with the distance between sampling points being relatively uniform to ensure the representative, according to one of the figures: rectangle, square, triangular pyramid, Z shape, ...) Total representative sample is 50 kg. In case of suspicion that the shipment of imported non-ferrous metal 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 goods lot by the sampling method specified in This item, but not more than 03 representative samples.

b) For imported non-ferrous metal scrap cargo contained in containers

Quality inspection of imported non-ferrous metal 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 50 kg is taken from the well-mixed mass to represent a representative sample (mass 50 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: rectangle, square, triangular pyramid, Z shape, ...). The weight of a random sample is 50 kg;

- For batch of imported non-ferrous metal scrap with less than 05 containers, select 01 container for random sampling and a representative sample of imported non-ferrous metal scrap shipment;

- For batch of imported non-ferrous metal scrap with from 05 to less than 20 containers, select 2 containers for random sampling. A representative sample is a mix of 2 random samples;

- For imported non-ferrous metal scrap shipments 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 non-ferrous metal scrap may have one or several representative samples.

3.2.2. Method of determining the impurity ratio:

Conducting separation and classification of impurities by physical and mechanical methods to separate impurities from non-ferrous metals 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. Method of determining the impurity composition:

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; TCVN 7078-1: 2002 (ISO 7503-1: 1988); National Standard for Radiation Safety - Assessment of surface contamination - Part 1: Beta emitting sources (maximum beta power greater than 0.15 MeV) and alpha emitting sources; 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) The determination of hazardous waste threshold in the amount of impurities separated from imported non-ferrous metal scrap complies 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. Non-ferrous metal scrap imported as raw production materials are imported goods of group 2, subject to state inspection of the quality of imported goods according to 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) December 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 non-ferrous metal scrap as raw production materials must carry out the procedures for state inspection of quality of imported non-ferrous metal scrap in accordance with the law, specifically as follows:

a) Registering state inspection of quality of imported non-ferrous metal 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, place of inspection and sampling to assess the quality of imported non-ferrous metal scrap as prescribed. law provisions;

c) Cooperate with inspection agencies and relevant agencies in the process of examining and assessing the quality of imported non-ferrous metal scrap.

4.1.2. Inspection agency to receive, check and process registration dossiers for state inspection of quality scrap ferrous metals imported under the provisions of 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) Receive application for registration of state inspection of quality of imported non-ferrous metal 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. non-ferrous metal scrap imported under the provisions of law;

c) Notify the result of state inspection of quality of imported non-ferrous metal scrap to organizations and individuals registering for inspection in accordance with law.

4.2. The shipment of non-ferrous metal scrap imported into Vietnam must be inspected, assessed, assessed in conformity with the technical regulations in Section 2 of this Regulation, as a basis for inspection agencies to handle according to provisions of law.

4.3. Inspection of imported non-ferrous metal 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 according to 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 mass ratio, the impurity content and other parameters is done 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 assessment of non-ferrous metal scrap shipments (assessment certificate) to the organization or individual requesting the assessment and the inspection agency. In particular, the content of inspection certificate must fully show 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; return of analysis and testing results 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 non-ferrous metal scrap from abroad must comply with the provisions of 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./.