

TOXIC WASTE – POISONS FROM THE INDUSTRIALISED WORLD

“I think the economic logic behind dumping a load of toxic waste in the lowest wage country is impeccable, and we should face up to that. . .”

Lawrence Summers, Former Chief Economist, World Bank, 1991

The impressive industrial productivity that characterizes the so-called developed world comes at a price that we are reluctant to pay – hazardous wastes that are expensive and dangerous to dispose or recycle.

Some 90 percent of the world's hazardous wastes is generated by the market economies of the OECD (Organisation for Economic Cooperation and Development including countries such as Australia, Canada, Japan, the USA and the European Union.)

Exporting this hazardous wastes to less industrialized countries has been one way the “developed” world has avoided dealing with the problem of waste disposal and public scrutiny at home.

However, most of the countries receiving the waste are tragically ill-equipped to process or dispose of it. Efforts to extract recyclable or potentially valuable elements from the waste attract the poorest of people working in uncontrolled and exploitative circumstances. Lack of the most basic regulations, like protective clothing, leave the workers vulnerable to poisoning and disease.

So while waste traders make money from dumping hazardous wastes, the health of people and the environments in less-industrialised countries are sacrificed to this poisonous trade.

What's being done to address this problem?

In 1989, the Basel Convention on the Control of Transboundary Movement of Hazardous Waste was established to stop the industrialised nations of the OECD from dumping their wastes on less industrialised nations. It was clear, however, that the Convention alone was insufficient to stop the transport of hazardous wastes that OECD countries claimed was being exported for “recycling” or “recovery” purposes. This loophole has been steadily exploited as toxic waste exporters have seen the Basel Convention moving towards banning their trade.

In 1994, the G-77 nations, including India, lead a strong push to totally ban the exports of hazardous wastes under any disguise (recycling or recovery). The push was victorious, and the Basel Ban on exports of hazardous wastes from OECD to non-OECD countries became a reality.

Since then, the Ban has been under constant attack from a number of industrialised countries. More recently, India has begun chipping away at loopholes in the Ban to keep waste trade alive.

Is India party to the Basel Convention?

Yes. However, India is yet to ratify the Basel Ban amendment prohibiting the exports of hazardous wastes from OECD countries to non-OECD nations.

What has Greenpeace done to prevent the dumping of hazardous wastes in less-industrialised countries?

Greenpeace has led the campaign for more than 10 years to expose toxic trade scandals and work towards a worldwide ban on the dumping of hazardous wastes on industrialising nations by rich countries. Now that the ban is a reality, Greenpeace continues to expose violations of the ban, and work towards plugging all loopholes, even while promoting more progressive concepts and practices of waste management.

What has Greenpeace done in India to highlight and address this problem?

The fact that India was a major dumping ground for the world's hazardous wastes was virtually unknown until Greenpeace visited India on an investigation that exposed that the dangerous trade was ongoing and taking its toll on Indian workers and the environment.

In 1995, a major Indian importer, Bhopal-based Bharat Zinc, of toxic zinc wastes was found to be processing the hazardous waste exported to them from a Germany company. Bharat Zinc, at that time, was touted by the Indian Ministry of Environment as a model facility. Greenpeace investigators documented employees working

under deplorable conditions, and hazardous waste stockpiles wantonly dumped around the factory.

In 1997, Greenpeace investigators visited another model factory called Indian Lead Ltd, an importer and processor of used automobile batteries. The findings were much the same as with Bharat Zinc.

On May 5, 1997, India's determination to guard against hazardous waste dumping was reiterated by the Chief Justice of the Supreme Court, India's highest court. He ruled prohibiting the imports of all hazardous wastes.

The ban is still current, but violations of the Supreme Court order seem to be the norm. Greenpeace has documented the imports of a variety of wastes into India, including zinc ash and residues, used batteries, brass dross, copper cables (possibly including cables coated with the poison plastic PVC), wastes of toxic metals like chromium, cadmium and thallium.

Are all the items mentioned banned for imports into India?

No. Not all the items are banned for imports. Currently, the litigation in the Supreme Court of India is ongoing, and a report by a specially appointed High Powered Committee is expected to provide the recommendations required to put in place infrastructure and rules to stop the dumping of hazardous wastes in India.

In the meantime, some waste items that are potentially hazardous but not patently hazardous (i.e. not listed under List A of hazardous wastes of the Basel Convention) are restricted for imports.

Wastes on the restricted list of imports can only be imported by companies authorized by the Ministry of Environment to import them. However, an authorization to import is insufficient to effect an import. Imports, say of zinc ash which is potentially hazardous, will only be permitted if prior informed consent is acquired and if the waste consignment is accompanied by analytical results that prove that the consignment is non-hazardous. The prior informed consent needs to be acquired by the exporter seeking to export to India.

It is learnt that the Ministry of Environment has granted authorizations to import hazardous wastes to 19 companies. However, it has not granted any permission based on specific

applications for prior informed consent to export wastes to India.

Who are the importing companies?

The import data released by Greenpeace is an extract from the Government of India's annual trade statistics and does not have the names of exporting companies. While this can be found through additional investigation, the point that is sought to be made here is that despite a Supreme Court (the highest court in India) order banning the imports, waste trade continues uncontrolled.

Some of the wastes such as waste and used batteries (including lead-acid batteries) are clearly in violation of Indian Supreme Court ban. Exports of hazardous wastes such as used batteries to non-OECD countries are additionally banned by European Union member countries.

For other waste items such as hard zinc spelter, zinc ash and residues, brass ash etc, Indian law requires that they should be proven to be non-hazardous before they can be permitted for imports. In the absence of analytical results proving this, these waste items are illegal and ought to be considered hazardous.

Don't hazardous wastes provide valuable recoverable resources and won't a ban on its imports affect the economies of countries like India?

Valuable and recoverable resources are only a portion of the hazardous wastes. The remainder is highly toxic residue that cannot be disposed without threat to the environment or public health. If the wastes were as valuable as they are portrayed to be, industrialised countries would be loathe to part with it.

Moreover, India is faced with a monumental hazardous waste problem indigenously owing to its industries. However, no efforts are being made to ensure that these hazardous wastes are disposed carefully or to recover valuable resources from these. Plugging the imports of toxic wastes will provide another opportunity for us to address the growing problem of indigenously generated wastes.

Hazardous Wastes and Potentially Hazardous Wastes Imported into India During Year Ending March 1999.

Source: Monthly Statistics of the Foreign Trade of India (Annual Number for 1998-1999). Volume II: Imports. March 1999, Directorate General of Commercial Intelligence & Statistics, Ministry of Commerce, Government of India, Calcutta

Compiled by Greenpeace

ITC Code	Description	Exporting Country	Quantity (kg)	
26201100	Hard zinc spelter	A zinc-rich residue from galvanising or zinc refining operations. Depending upon the source of the residue, the spelter may contain high or trace levels of toxic contaminants. Indian law requires that only authorised waste recovery units import such wastes upon provision of analytical proof that the waste is not hazardous. No such permissions have been given. ILLEGAL UNDER INDIAN LAW	Australia	78800
			Belgium	25000
			Canada	41865
			Cyprus	17000
			Germany	117000
			Hongkong	54800
			Malaysia	80000
			Netherlands	25000
			Pakistan	20000
			Philippines	20000
			Saudi Arabia	95000
			Singapore	20000
			UAE	172569
			UK	86220
			USA	482216
	TOTAL	1335470		
26201900	Other ash & res cont. mainly Zinc			
	Zinc ash is a zinc-bearing waste that is considered hazardous unless proven otherwise under European Union and Australian law. Such wastes are known to contain dangerous levels of poisonous compounds of lead and cadmium and exhibit other hazardous characteristics. The Indian Supreme Court hazardous waste import ban of May 1997 was a result of a Greenpeace expose` that revealed the export of hazardous zinc ash from Germany to India.	Australia	514822	
		Bangladesh	5000	
		Belgium	545410	
		Canada	381284	
		China	58000	
		Germany	462588	
		Greece	308500	
		Hongkong	45000	
		Indonesia	62461	
		Jordan	205000	
		Kenya	20000	
		Korea	22000	
		Kuwait	118000	
		Malaysia	266180	
		Mauritius	40000	
		Netherlands	220000	
		New Zealand	41800	
		Norway	101000	
Peru	40000			
	Philippines	20105		

		Currently, zinc ash can only be imported by companies authorized by the Ministry of Environment, licensed by the Directorate General of Foreign Trade, and upon provision of analytical data that the import consignment is non-hazardous.	Russia	25500
			Saudi Arabia	745025
			Singapore	715161
			South Africa	230000
			Sri Lanka	43000
			Sweden	53900
			Thailand	226238
			UAE	1479335
			UK	969069
			USA	3963042
		None of these imports were proven to be non-hazardous. Nor were they accompanied by the necessary papers. In the absence of these documents, all these imports are illegal.		
		STATUS: ILLEGAL UNDER INDIAN LAW, AND POSSIBLY UNDER EU, AUSTRALIAN LAW		
			TOTAL	11927420
26203001	Brass dross			
		Brass dross is a residue containing copper, zinc and other contaminants, some toxic. This is a restricted item under Indian law and is allowed for import only for reuse or recovery by authorised units.	New Zealand	20580
			USA	222546
			TOTAL	243126
		ILLEGALITY STATUS UNKNOWN		
26209000	Othr ash and residues of Metals/Metallic compounds			
		Not permitted to be imported except against a license or in accordance with a public notice issued in this behalf.	USA	20000
			TOTAL	20000
		ILLEGALITY STATUS UNKNOWN		
74040001	Copper waste and scrap (including wire scrap)			
		Copper waste and scrap is freely importable. However, PVC scrap which often is exported along with copper cables as sheathing for the cables, is a restricted item.	Argentina	52000
			Australia	99000
			Bahrain	255850
			Belgium	44000
			Benin	20998
			Canada	419773

		According to the Ministry of Environment, there have been no imports of post-consumer PVC scrap.	Taiwan	78214
			China	45360
			Denmark	15000
			France	16000
			Germany	717641
		PVC-coated copper cable scrap includes a component which is post-consumer PVC scrap. Because reprocessing of PVC scrap constitutes a highly hazardous and polluting practice, Greenpeace considers all PVC wastes to be hazardous.	Ghana	69000
			Indonesia	768620
			Iran	6992
			Israel	20000
			Italy	98000
			Japan	99717
			Jordan	587420
			Kenya	22000
			Korea	148590
			Kuwait	828509
		It is unclear as to what portion of the imports are of PVC-coated copper cables, and what portion constitutes non-PVC copper scrap.	Lebanon	203620
			Liechtenstein	22000
			Madagascar	20000
			Malaysia	2570147
			Maldives	500
			Mauritius	4000
			Mexico	61620
			Netherlands	181020
			Pakistan	372360
			Peru	350327
			Philippines	1000
			Romania	57166
			Russia	1206830
			Saudi Arabia	2656076
			Singapore	8905040
			South Africa	638359
			Sri Lanka	351578
			Sweden	311508
			Switzerland	24000
			Thailand	115316
			UAE	7313055
			UK	12981422
			USA	2080882
			Yemen	18000
			Zambia	62006
			TOTAL	44920516
79020000		Zinc skimmings (>65% Zn) and (<65% Zn)		
		Zinc skimmings is a zinc-bearing waste that usually contains higher levels of zinc than zinc ash. However, this is considered hazardous unless proven to contain more than 65 % zinc and	Argentina	195900
			Australia	452530
			Belgium	3241120
			Canada	241952
			Taiwan	218900
			China	316151
			Denmark	402940

		low levels of lead and cadmium.	Dominican Repub	14000
			Finland	70600
		The imports under this category may contain both hazardous and non-hazardous skimmings.	France	2035768
			Germany	2315356
			Hongkong	122140
			Hungary	64000
		In any case, the imports lack any paperwork, authorisations or analytical data proving their non-hazardous nature.	Israel	15000
			Italy	112900
			Jordan	86500
			Kenya	78000
			Kuwait	29000
			Lebanon	24000
		STATUS: Illegal	Malaysia	537556
			Netherlands	3130586
			New Zealand	20000
			Norway	136980
			Pakistan	19000
			Philippines	60000
			Poland	221019
			Russia	374810
			Saudi Arabia	248750
			Singapore	2790314
			Slovenia	20000
			South Africa	158740
			Spain	226181
			Sri Lanka	281500
			Sweden	16297
			Tajkistan	18080
			Thailand	220519
			Uganda	47200
			UAE	2072793
			UK	8755121
			USA	11918782
			Venezuela	27000
			TOTAL	41337986.3
81051002	Waste & scrap of Cobalt and cobalt alloys (including Cobalt powders)			
		Import permitted against a license and only for the purpose of processing or reuse as per import Licensing Note	Belgium	37506
			Canada	3725
			China	135
			Congo	2500
			Finland	6575
			France	22954
		ILLEGALITY STATUS UNKNOWN	Germany	6757
			Ireland	48
			Italy	10
			Japan	200
			Korea	27
			Namibia	200

			Norway	10000
			Singapore	1000
			Sweden	202
			Switzerland	1728
			UK	1780
			USA	2125
			Zaire	300
			Zambia	200
			TOTAL	97972
81071002	Waste & Scrp of Cadmium and its alloys (incl powder)			
		Cadmium is a highly toxic metal with no known biological function.	Belgium	550
			Bulgaria	37627
		Import permitted against a license and only for the purpose of processing or reuse as per import Licensing Note	Canada	35003
			Mexico	18000
			UK	18000
			TOTAL	109180
		ILLEGALITY STATUS UNKNOWN		
81122002	Waste & Scrp of Chromium and chromium based alloys			
		Chromium is a highly toxic metal, and can cause serious health and environmental problems in very small doses.	Germany	60
			Japan	800
		Import permitted against a license and only for the purpose of processing or reuse as per import Licensing Note	Korea	280
			UK	1000
			USA	300
			TOTAL	2440
		ILLEGALITY STATUS UNKNOWN		
81129119	Waste & Scrp of Hafnium, Indium, Niobium, Rhenium, Thallium and other base metals n.e.s incl powder			
		Restricted – Import permitted against a Licence and only for the purpose of processing or reuse as per	China	20000
			Germany	30
			Ukraine	11340
			USA	30

		Import Licensing Note. Among these, Thallium is a highly toxic and cancer-causing metal. ILLEGALITY STATUS UNKNOWN	TOTAL	31400
85481000	Waste & Scrp of Primary Cells, batteries and electric accumulators, and spent primary cells, batteries and spent electric accumulators			
		This category includes waste and scrap of primary cells, primary batteries and electric accumulators; spent primary cells, spent primary batteries and spent electric accumulators, lead battery plates, battery lugs, scrap drained/dry whole intact lead batteries, scrap wet whole intact lead batteries. IMPORTS ARE ILLEGAL UNDER BASEL AND INDIAN LAW.	Taiwan	19000
			China	22450
			Denmark	170500
			Germany	228696
			Hongkong	23830
			Italy	154621
			Mexico	2912
			South Africa	3384
			Switzerland	500
			UAE	125729
			USA	109591
			TOTAL	861213