

Ministerial Ordinance to Provide Requirements referred to in Article 2, Paragraph (2) of the Act on Preventing Mercury Pollution of the Environment (Tentative translation)

(Order of the Ministry of Economy, Trade and Industry, and the Ministry of the Environment No. 10 of December 7, 2015)

Under the provisions of Article 2, paragraph (2) of the Act on Preventing Mercury Pollution of the Environment (Act No. 42 of 2015), this Ordinance provides the requirements referred to in Article 2, paragraph (2) of the Act on Preventing Mercury Pollution of the Environment.

The requirements provided by the Ordinance of the competent ministry referred to in Article 2, paragraph (2) of the Act on Preventing Mercury Pollution of the Environment (hereinafter referred to as "the Act") shall fall under those listed in item (27) in the appended table 3 of the public notice, Materials Provided in Article 2, Paragraph (1), Item (i), (a) of the Act on Control of Export, Import and Others of Specified Hazardous Wastes and Other Wastes (Public Notice of the Environment Agency, the Ministry of Health and Welfare, and the Ministry of International Trade and Industry No. 1 of 1998).

Supplementary Provisions

This Ordinance shall come into effect from the date of enforcement of the Act.

The requirements referred to in Article 2, paragraph (2) of the Act on Preventing Mercury Pollution of the Environment apply to any of the following (for those materials listed in No. 2 and No. 3, excluding those without the characteristics described in the lower box of Appended Table 7 of the Ministerial Ordinance Specifying the Scope of Specified Hazardous Wastes and Other Wastes based on the Act for the Control of Export and Import of Specified Hazardous and Other Wastes (Ministry of Environment Order No. 12 of 2018), of the relevant testing classifications of all tests listed in the middle column of the Table).

- (i) Substances containing 0.1% by weight of mercury, Mercury benzoate, Ethyl mercury chloride, Mercury(I) chloride, Mercuric chloride (HgCl_2), Mercuric ammonium chloride, Methylmercury chloride, Dimerccury(II) cyanide oxide, Mercury oleate, Mercury gluconate, Mercury (II) acetate, Mercurous salicylate, Mercury (II) oxide, Mercury(II) cyanide, Diethylmercury, Dimethylmercury, Mercury(II) bromide, Mercurous nitrate, Mercuric nitrate, Phenylmercuric hydroxide, Mercury(II) thiocyanate, Mercury arsenate,

- Mercury(II) iodide, Mercuric iodide, Mercury fulminate, Mercuric sulfide, Mercurous sulfate or Mercuric sulfate
- (ii) Substances containing 1% by weight of Mercury nucleate, Mercurous acetate, Phenylmercuric acetate, Phenylmercuric nitrate or Thiomersal
 - (iii) Substances containing mercury other than those listed in "2" above
 - (iv) Any materials to be exported or imported for the disposal operations listed from D1 to D4 in Annex IV A and R10 of Annex IV B of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, as follows:
 - (a) Materials in solid form, that do not conform to the environmental conditions (limited to those related to total mercury or alkyl mercury) in the Appendix to the Environment Agency Notification No. 46, 1991 (Environmental Standards for Soil Contamination).
 - (b) Materials in liquid form, to which the requirements stipulated by Article 6 (2) of Water Pollution Control Law Enforcement Regulations (Ministerial Ordinance of the Prime Minister's Office and the Ministry of International Trade and Industry No. 2, 1971) (limited to mercury and alkyl mercury as well as other substances containing mercury and alkyl mercury) are applicable.
 - (v) Materials that are exported or imported for the purpose of disposal other than the disposal processes listed in the preceding item, and that are listed below.
 - (a) Materials in solid form, that do not comply with the standard listed in Appended Table 3 of the Ministerial Ordinance on Standards for Verification Concerning Industrial Wastes containing Metals, etc. (Ministerial Ordinance of the Prime Minister's Office No. 5, 1972) (limited to mercury and alkyl mercury as well as other substances containing mercury and alkyl mercury).
 - (b) Materials in liquid form, that do not meet the standards stipulated by Appended Table 1 of the Ordinance of the Prime Minister's Office on Effluent Standards No. 35, 1971 (limited to mercury and alkyl mercury as well as other substances containing mercury and alkyl mercury).

Supplementary Provisions

This Ordinance shall come into effect on the date of enforcement of the Act.

Supplementary Provisions [Ministerial Ordinance of the Ministry of Economy, Trade and Industry and the Ministry of the Environment No. 6, October 1, 2018]

This Ordinance shall comes into effect on October 1, 2018.