

WASTE MANAGEMENT RULES, 2021

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LEGAL NOTICE NO. 184

REPUBLIC OF TRINIDAD AND TOBAGO

THE ENVIRONMENTAL MANAGEMENT ACT, CHAP. 35:05

RULES

MADE BY THE MINISTER UNDER SECTION 26 OF THE ENVIRONMENTAL
MANAGEMENT ACT AND SUBJECT TO NEGATIVE RESOLUTION OF
PARLIAMENT

WASTE MANAGEMENT RULES, 2021

PART I

Preliminary

1. (1) These Rules may be cited as the Waste Management Rules, 2021. Citation,
application and
commencement

(2) These Rules apply to the generation, processing, treatment, packaging, storage, transportation, collection, disposal, recovery, recycling or other activities related to the management of waste other than radioactive waste.

(3) These Rules come into operation on 31st May, 2022.

2. In these Rules—

Interpretation

“Act” means the Environmental Management Act;

Chap. 35:05

“approved form” means a form approved by the Authority and published on its website;

“Authority” has the meaning assigned to it in section 2 of the Act;

“by-product” means a material, product or substance which is the result of a production process, is certain to be used and can be used directly;

“collection” means the physical removal of waste for transport;

“Commission” has the meaning assigned to it in section 2 of the Act;

“dilution” means the treatment of waste by mixing it with water or another waste so as to reduce the concentration of its hazardous constituents;

“disposal” means an operation that principally results in the deposit of waste on land or in water;

“emergency” means any situation arising from an event beyond the reasonable control of any person, that requires corrective action to restore normal operation and causes a breach of a permit condition in a facility;

“environment” has the meaning assigned to it in section 2 of the Act;

“environmentally sound management” means the taking of all practicable steps to ensure that waste is managed in a manner which will protect human health and the environment against an adverse effect of the waste;

“facility” means a site at which waste is generated or handled;

“fit and proper person” means a person who demonstrates or is likely to demonstrate his competence to manage waste generated or handled in an environmentally sound manner;

“generation” means the production of waste from a process;

“generator” means a permit holder who produces—

(a) waste at or above the annual regulated quantity specified in Schedule 1; or

(b) hazardous waste;

“handler” means a permit holder who receives waste from another person for handling;

“handling” means accepting waste produced by another person for collection, storage, processing, treatment, recovery, recycling or disposal;

“hazardous characteristic” means a property of waste which renders it hazardous in accordance with Schedule 2;

“hazardous waste” means waste specified in Schedule 1 which—

(a) contains, consists of or is contaminated with a substance in an amount at or above the relevant amount set out in Table 1 of Schedule 2; or

(b) exhibits a characteristic set out in Table 2 of Schedule 2;

“household” means premises used wholly as a living accommodation;

“manifest” means a record of the movement of waste from one person to another;

- “non-hazardous waste” means waste which is not hazardous waste;
- “operator” means a person who owns or operates a facility or a site which is intended to be used as a facility;
- “packaging” means the material used for the containment and protection of waste from physical damage during handling;
- “permit” means a Waste Generation Permit or a Waste Handling Permit;
- “permit holder” means a person to whom a permit is granted;
- “person” has the meaning assigned to it in section 2 of the Act;
- “premises” has the meaning assigned to it in section 2 of the Act;
- “prescribed fee” means the fee prescribed in the Waste Management (Fees) Regulations, 2021;
- “process” has the meaning assigned to it in section 2 of the Act;
- “processing” means the treatment, recovery, recycling or disposal of waste;
- “recovery” means an operation which extracts or diverts a material or energy from waste for reuse, recycling or other similar operations so that the waste ceases to be waste;
- “recycling” means an operation by which waste is reprocessed so as to obtain a product or material suitable for use whether for an original or other purpose;
- “reduction” means the action of reducing waste generated through the lifecycle of a process;
- “regulated quantity” means the quantity of waste specified in Schedule 1;
- “release” has the meaning assigned to it in section 2 of the Act;
- “reuse” means the using again of a product, material or substance which is not waste for the same purpose for which it was conceived;
- “storage” means the containment of waste on a temporary basis in such a manner as not to constitute the disposal of the waste;
- “transport” means the movement of waste from one premises to another;
- “transporter” means a person who transports waste;

“treatment” means a process designed to change the physical, chemical or biological character or composition of waste in order to reduce the impact of the waste on human health and the environment prior to its storage, recovery or disposal;

“vehicle” has the meaning assigned to it in section 2 of the Act;

“waste” has the meaning assigned to it in section 2 of the Act and includes the waste listed in Schedule 1;

“Waste Generation Permit” means a permit issued in accordance with rule 8(4)(a);

“Waste Handling Permit” means a permit issued in accordance with rule 15(2)(a); and

“Waste Permit Register” means the Waste Permit Register established pursuant to rule 36.

Obligations of
generators and
handlers

3. A generator or handler shall—
 - (a) comply with the provisions of the Act;
 - (b) implement measures to ensure the environmentally sound management of waste;
 - (c) implement measures to reduce the generation of waste;
 - (d) ensure that the treatment, recovery or disposal of waste is conducted at a facility in accordance with these Rules;
 - (e) prevent the dilution of waste as a substitute for its treatment;
 - (f) ensure that hazardous waste is segregated from non-hazardous waste to facilitate the safe handling of the waste; and
 - (g) take such other measures as the Authority may determine.

PART II

Waste Generation Permit

Application for
a Waste
Generation
Permit

4. (1) Subject to subrule (4), a person shall not generate—
 - (a) waste at or above the annual regulated quantity specified in Schedule 1; or
 - (b) hazardous waste,

unless he holds a Waste Generation Permit.

(2) A person who, immediately before the commencement of these Rules, generates—

- (a) waste at or above the annual regulated quantity specified in Schedule 1; or
- (b) hazardous waste,

shall, within sixty working days of the commencement of these Rules or such longer period as determined by the Authority, apply to the Authority for a Waste Generation Permit.

(3) A person who intends to generate—

- (a) waste at or above the annual regulated quantity specified in Schedule 1; or
- (b) hazardous waste,

shall, at least forty working days prior to the commencement of operations at a facility, apply to the Authority for a Waste Generation Permit.

(4) A person referred to in subrule (2) may continue to generate—

- (a) waste at or above the annual regulated quantity specified in Schedule 1; or
- (b) hazardous waste,

pending the submission and determination of his application for a Waste Generation Permit pursuant to subrule (2).

5. An applicant for a Waste Generation Permit shall submit an application on the approved form to the Authority and pay the prescribed fee.

Form of application for a Waste Generation Permit

6. An application made under rule 5 shall include the following information:

Information to be included for a Waste Generation Permit

- (a) where the applicant is—
 - (i) an individual, his full name and mailing address; or
 - (ii) a firm, business, company, enterprise, body corporate, trust, unincorporated association, partnership or governmental entity, however constituted, its registered name and address;
- (b) a description of the layout of the facility and the process to be conducted including its input, output and by-product;

- (c) a description of the type and characteristic of the waste to be generated at the facility and the estimated quantity of waste to be generated annually, including the episodic generation of waste;
- (d) a description of the arrangement for the collection, transport, storage, treatment, recovery or disposal of each type of waste to be generated at the facility;
- (e) a description of measures to reuse, reduce or recover waste; and
- (f) such other information as the Authority may determine.

Application for
a Waste
Generation
Permit to be
signed

7. An application made under rule 5 shall be signed by the proposed operator of the facility or a duly authorised representative of the operator.

Processing of
an application
for a Waste
Generation
Permit

8. (1) Within twenty working days of the receipt of an application for a Waste Generation Permit, the Authority shall, in writing—

- (a) acknowledge receipt of the application;
- (b) indicate whether any of the information required on the form is incomplete or in need of clarification;
- (c) request any further information that the Authority may require; and
- (d) specify a time for the submission of any information required.

(2) The Authority may, at the written request of an applicant, extend the time to provide the further information requested pursuant to subrule (1)(c).

(3) Subject to subrule (1)(b) and (c), where an application for a Waste Generation Permit is submitted, the Authority shall within twenty working days of the receipt of the application issue—

- (a) a Waste Generation Permit together with an identification number to the applicant; or
- (b) a notice of refusal.

(4) Where further information is requested under subrule (1)(b) or (1)(c), the Authority shall, within twenty working days of being satisfied that all the necessary information has been submitted, issue—

- (a) a Waste Generation Permit together with an identification number to the generator; or
- (b) a notice of refusal.

(5) Where the Authority refuses to grant a Waste Generation Permit, it shall provide the applicant with its reason in writing.

(6) The Authority may refuse to issue a Waste Generation Permit—

- (a) where the issue of a Waste Generation Permit would not be in the interest of the public;
- (b) where the applicant submitted false, materially misleading or inadequate information, or made a false or materially misleading representation, to the Authority;
- (c) where the applicant is not a fit and proper person; or
- (d) for such other reason as the Authority thinks fit.

9. (1) A Waste Generation Permit is valid for a period of three years from the date of issue and may be renewed for a further period of three years or such other period as determined by the Authority.

Duration and
renewal of a
Waste
Generation
Permit

(2) A holder of a Waste Generation Permit shall, at least thirty working days prior to the expiration of his permit, submit an application for the renewal of his permit, on the approved form, to the Authority and pay the prescribed fee.

(3) Notwithstanding rule 4(1) and subrule (1), a Waste Generation Permit shall continue to be valid pending the determination of an application for its renewal.

10. A holder of a Waste Generation Permit shall pay to the Authority the Waste Generation Fee prescribed in the Waste Management (Fees) Regulations, 2021.

Annual Waste
Generation
Fee

PART III

Waste Handling Permit

11. (1) Subject to subrules (4) and (5), a person shall not handle waste unless he holds a Waste Handling Permit.

Application for
a Waste
handling
Permit

(2) A person who handles waste, immediately before the commencement of these Rules, shall, within ninety working days of the commencement of these Rules or such longer period as determined by the Authority, apply to the Authority for a Waste Handling Permit.

(3) A person who intends to handle waste shall, at least sixty working days prior to the commencement of operations at a facility, apply to the Authority for a Waste Handling Permit.

(4) A person referred to in subrule (2), may continue to handle waste pending the submission and determination of his application for a Waste Handling Permit pursuant to subrule (2).

(5) A person is not required to apply for a Waste Handling Permit if he—

- (a) stores waste, which is generated at his facility, for removal and disposal by a third party;
- (b) solely recovers or recycles waste which is generated at his facility for use in any process on premises owned or occupied by him; or
- (c) solely disposes of waste which is generated on premises owned or occupied by him and where the disposal does not generate waste which requires further treatment by another person.

Form of application for a Waste Handling Permit

12. An applicant for a Waste Handling Permit shall submit an application on the approved form to the Authority, and pay the prescribed fee.

Information to be included for a Waste Handling Permit

13. An application submitted under rule 12 shall include the following information:

- (a) where the applicant is—
 - (i) an individual, his full name and mailing address; or
 - (ii) a firm, business, company, enterprise, body corporate, trust, unincorporated association, partnership or governmental entity, however constituted, its registered name and address;
- (b) a description of the layout of the facility;
- (c) a description of the activity to be conducted on the facility, including a process description and the specification of equipment to be used to handle waste and its input, output or by-product;
- (d) insurance certificate for the vehicle to be used to transport waste;
- (e) the proposed type, characteristic and maximum quantity of waste to be handled monthly and annually;
- (f) a description of the measure to be implemented to ensure the environmentally sound management of waste; and
- (g) such other information as the Authority may determine.

Application for a Waste Handling Permit to be signed

14. An application made under rule 12 shall be signed by the proposed operator of the facility or a duly authorised representative of the operator.

15. (1) Within twenty working days of the receipt of an application for a Waste Handling Permit, the Authority shall, in writing—
- Processing of an application for a Waste Handling Permit
- (a) acknowledge receipt of the application;
 - (b) indicate whether any of the information required on the form is incomplete or in need of clarification;
 - (c) request any further information that the Authority may require; and
 - (d) specify a time for the submission of any information required.
- (2) Subject to subrule (1)(b) and (c), where an application for a Waste Handling Permit is submitted, the Authority shall within twenty working days of the receipt of the application, issue—
- (a) a Waste Handling Permit together with an identification number to the applicant; or
 - (b) a notice of refusal.
- (3) The Authority may, at the written request of an applicant, extend the time to provide the further information requested pursuant to subrule (1)(c).
- (4) Where further information is requested under subrule (1)(b) or (1)(c), the Authority shall, within twenty working days of being satisfied that all the necessary information has been submitted, issue —
- (a) a Waste Handling Permit together with an identification number to the handler; or
 - (b) a notice of refusal.
- (5) Where the Authority refuses to grant a Waste Handling Permit, it shall provide the applicant with its reason in writing.
- (6) The Authority may refuse to issue a Waste Handling Permit—
- (a) where the issue of a Waste Handling Permit would not be in the interest of the public;
 - (b) where the applicant submitted false, materially misleading or inadequate information, or made a false or materially misleading representation, to the Authority;
 - (c) where the applicant is not a fit and proper person; or
 - (d) for such other reason as the Authority thinks fit.
16. (1) A Waste Handling Permit is valid for a period of three years from the date of issue and may be renewed for a further period of three years or such other period as determined by the Authority.
- Duration and renewal of a Waste Handling Permit

(2) A holder of a Waste Handling Permit shall, at least thirty working days prior to the expiration of his permit, submit an application for the renewal of his permit, on the approved form, to the Authority and pay the prescribed fee.

(3) Notwithstanding rule 11(1) and subrule (1), a Waste Handling Permit shall continue to be valid pending the determination of an application for its renewal.

PART IV

Variation

Application for
variation of a
permit

17. An applicant for the variation of a permit shall submit an application on the approved form to the Authority and pay the prescribed fee at least forty-five working days prior to any modification, addition or removal of a process which will result in—

- (a) an increase in the quantity of waste generated or handled;
- (b) the addition of a new waste which is not covered by the permit; or
- (c) a change to the characteristics of a waste generated or handled.

Application for
variation of a
permit to be
signed

18. An application made under rule 17 shall be signed by the permit holder or a duly authorised representative of the permit holder.

Variation of a
permit on the
Authority's
own initiative

19. (1) The Authority may vary a permit, on its own initiative or upon receipt of an application under rule 17, where it appears that the matters specified in rule 17 occurred or will occur.

(2) The Authority shall not vary a permit on its own initiative under subrule (1) unless it has—

- (a) served written notice on the permit holder;
- (b) specified in the notice the reasons for the variation;
- (c) given the permit holder at least ten working days from the date of the service of the notice to make written submissions in relation to the intended variation; and
- (d) taken into consideration any submissions made by the permit holder.

(3) Where the Authority refuses to vary a permit, it shall provide the permit holder with its reason in writing.

(4) The Authority may refuse to vary a permit—

- (a) where the varying of the permit would not be in the interest of the public;

- (b) where the applicant submitted false, materially misleading or inadequate information, or made any false or materially misleading representation, to the Authority;
- (c) where the applicant is not a fit and proper person; or
- (d) for such other reason as the Authority thinks fit.
20. (1) Within twenty working days of the receipt of an application for the variation of a permit, the Authority shall in writing—
- Processing of application for variation of a permit
- (a) acknowledge receipt of the application;
- (b) indicate whether the information required on the form is incomplete or in need of clarification;
- (c) request any further information that the Authority may require; and
- (d) specify a time for the submission of the information required under paragraph (c).
- (2) The Authority may, at the written request of the permit holder, extend the time to provide the further information requested pursuant to subrule 1(c).
- (3) Subject to subrule (1)(b), where an application for a variation is submitted, the Authority shall, within twenty working days of the receipt of the application, issue a varied permit to the permit holder.
- (4) Where further information is requested pursuant to subrule 1(b) or (c), the Authority shall, within twenty working days of being satisfied that all the necessary information has been submitted, issue a varied permit to the permit holder.

PART V

Transfer, Suspension, Revocation and Surrender of Permits

21. A permit shall not be transferred without the prior approval of the Authority.
- Restriction of transfer of a permit
22. The Authority may, on the application of a permit holder, transfer a permit to another person.
- Authority may transfer a permit
23. An application for the transfer of a permit shall made be on the approved form and shall be accompanied by—
- Application for transfer of a permit
- (a) the name and address of the person to whom the permit is to be transferred;
- (b) the permit which is to be transferred;

- (c) the prescribed fee; and
- (d) such other information as the Authority may require.
- Grant or refusal of application 24. Within twenty working days of the receipt of an application for the transfer of a permit, the Authority shall grant or refuse to grant the transfer giving reasons therefore.
- Transfer of a permit 25. Where the Authority grants the transfer of a permit, a new permit shall be issued in the name of the new permit holder and the previous permit shall be cancelled.
- Refusal to transfer a permit 26. The Authority may refuse to transfer a permit—
- (a) where the transfer of the permit would not be in the interest of the public;
- (b) where the applicant submitted false, materially misleading or inadequate information, or made any false or materially misleading representation, to the Authority;
- (c) where the person to whom the permit is to be transferred is not a fit and proper person; or
- (d) for such other reason as the Authority thinks fit.
- Possession of facility upon transfer of a permit 27. The person to whom the permit is to be transferred shall not take possession of any facility or other premises related to the permit unless the Authority approves the transfer.
- Terms and conditions of permit upon transfer 28. (1) Subject to subrule (2), where the Authority approves the transfer of a permit, the terms and conditions of the permit shall be binding on the person to whom the permit is transferred and shall be observed by him.
- (2) The Authority may, upon approving the transfer of a permit, vary such terms or conditions of, or incorporate such other terms or conditions into, the permit as the Authority may consider necessary.
- Suspension of permit 29. Where a permit holder contravenes a material condition of the permit, the Authority may suspend the permit for such period it considers necessary and take such measures in accordance with section 63 of the Act.
- Emergency response activities 30. The Authority may suspend a permit where, pursuant to section 25 of the Act, it is necessary or expedient to enable the Authority to carry out emergency response activities.
- Revocation of permit 31. Where a permit holder—
- (a) becomes a person of unsound mind;
- (b) is unable, unfit or unwilling to perform his functions;

- (c) is in breach of a material term or condition of the permit;
- (d) dies;
- (e) becomes bankrupt;
- (f) goes into liquidation or receivership; or
- (g) becomes a party to an amalgamation,

the Authority shall either revoke the permit or, if it would be contrary to the interest of the public to revoke, suspend, vary or transfer the permit.

32. (1) A permit shall not be surrendered without the prior approval of the Authority. Surrender and cancellation of permit

(2) A permit holder who ceases or intends to cease to generate or handle waste shall submit an application to surrender his permit to the Authority on the approved form and include—

- (a) a description of the type and characteristic of waste on the premises owned or occupied by him;
- (b) a description of the measures implemented to properly dispose of the waste on the premises owned or occupied by him, including its conveyance to another person with a valid permit; and
- (c) such other information as the Authority may determine.

(3) The Authority shall not approve the surrender of a permit unless it is satisfied that all the waste generated or handled by the permit holder has been properly disposed of through environmentally sound management.

(4) Where the Authority approves the surrender of a permit, the permit holder shall deliver the permit to the Authority within fourteen days of being notified of the approval and the Authority shall cancel the permit.

33. Prior to taking action pursuant to rule 8(6), 15(6), 19(4), 26, 29 or 31, the Authority shall— Notification

- (a) notify the permit holder, in writing, of its proposed action specifying the reasons for the proposed action; and
- (b) allow the permit holder at least ten working days within which to make written submissions to the Authority in relation to its proposed action.

PART VI

Waste Manifest

Generator to
prepare
manifest

34. (1) A generator shall prepare a manifest which shall include the following information:

- (a) his name and contact information;
- (b) the name and contact information of the waste handling facility;
- (c) a description of the waste;
- (d) a waste code as specified in Schedule 1;
- (e) the physical characteristic of the waste;
- (f) the hazardous characteristic of the waste, if applicable;
- (g) the packaging of the waste;
- (h) the quantity of waste;
- (i) name and contact information of the transporter;
- (j) the date the waste was collected and delivered by the transporter;
- (k) the date the waste was received by his waste handling facility;
- (l) the signature of the transporter, generator and handler or their duly authorised representative;
- (m) a declaration that the information provided is accurate; and
- (n) such other information as the Authority may determine.

(2) A person shall not consign or receive waste without a complete and accurate waste manifest.

PART VII

Miscellaneous

Fees are
non-refundable

35. All fees paid pursuant to these Rules are non-refundable.

Waste Permit
Register

36. (1) The Authority shall establish and maintain a Waste Permit Register.

(2) The Authority shall enter in the Waste Permit Register the details and status of—

- (a) an application for a permit;
- (b) an application for a variation, transfer, surrender or cancellation of a permit;

- (c) permits, including their terms and conditions;
- (d) the decision of the Authority to suspend or revoke a permit;
- (e) notices of refusal; and
- (f) such other information that the Authority may deem necessary.

37. The Authority shall keep the Waste Permit Register open to inspection by the public at its office during ordinary working business hours or at any time on its online register and the Authority shall provide members of the public with extracts from the Waste Permit Register upon submission of an application on the approved form and payment of the prescribed fee.

Inspection of
Waste Permit
Register

38. A generator or handler shall ensure that waste is—

Packaging of
waste

- (a) packaged so as to prevent any leakage or emission under normal transportation conditions or potentially dangerous transportation conditions; and
- (b) properly labelled and marked so as to identify the hazardous characteristics and dangers associated with its transportation.

39. (1) In an application for a permit made under these Rules, the applicant may assert a claim that any of the information submitted to the Authority is a trade secret or confidential business information and request that such information be omitted from the Waste Permit Register.

Trade secrets
and
confidential
business
information

(2) The Authority may refuse a request made under subrule (1) where—

- (a) the applicant has not disclosed the basis for the request;
- (b) the basis of the request is invalid; or
- (c) the interest of the public in disclosing the information outweighs the prejudice to the applicant.

40. The Authority shall omit from the Waste Permit Register any information which the applicant requests should be treated as a trade secret or confidential business information, if—

Omission from
Waste Permit
Register

- (a) the Authority does not contest the claim; or
- (b) the Authority rejects the claim but the claim is upheld on appeal by the Commission.

41. (1) The permit holder shall—

Recordkeeping

- (a) make and maintain such records as the Authority may prescribe; and

(b) shall keep such records in such form as may be prescribed by the Authority for a period of not less than six years from the expiration date of a permit or such period as the Authority may determine.

(2) A permit holder shall ensure that all records kept under this rule are available to an officer authorised by of the Authority upon request during the normal office hours of the facility.

Permit holder
to have in force
a policy of
insurance

42. A permit holder shall have in force a policy of insurance which provides coverage to the satisfaction of the Authority in respect of liabilities associated with the generation or handling of waste during the life of the permit including—

- (a) major incidents; and
- (b) restorative or rehabilitation work.

Annual
Reports

43. (1) A permit holder shall submit an annual report to the Authority within thirty days of the yearly anniversary of the date of issue of the permit.

(2) An annual report shall include the following information:

- (a) the reporting period;
- (b) the type, characteristic and quantity of each type of waste generated or handled each month and accumulated on the facility at the end of the reporting period;
- (c) the type and quantity of each type of waste sent for offsite disposal each month, and the identification of the facility which received the waste;
- (d) the method of treatment, recovery or disposal for each type of waste generated or handled;
- (e) a list of each transporter used for transporting waste to and from the facility;
- (f) a description of spills, releases or any incidents arising from waste generation or handling on the facility;
- (g) a description of measures implemented to reduce the hazardous characteristic or quantity of waste generated during the reporting period; and
- (h) such other information as the Authority may determine.

Duties of the
Authority

44. The Authority shall institute mechanisms to encourage waste minimisation including—

- (a) establishing waste prevention programmes, plans or measures;
- (b) encouraging generators and handles to rethink, reuse, reduce and recycle waste;

- (c) providing technical guidance to generators and handlers and other interested groups or persons;
- (d) establishing cooperation with local authorities and private sector businesses on waste management practices, including actions that make waste recycling easier;
- (e) carrying out research aimed at promoting the use of innovative ideas or technology for recycling and waste collection from households; and
- (f) such other measures as the Authority deems appropriate.

45. A breach of these Rules shall be a breach of an environmental ^{Violations} requirement and shall be enforceable under Part VI of the Act.

46. (1) Any person who is aggrieved by a decision of the Authority ^{Appeals} under these Rules may within twenty-eight days of the decision, by notice in writing, appeal against the decision.

(2) An appeal shall be made to the Commission in accordance with the Act.

47. (1) The following premises are exempt from obtaining a permit ^{Exemptions} under these Rules but owners or operators of such premises are obligated to ensure that waste is conveyed to a permit holder:

- (a) households;
- (b) places of worship;
- (c) penal institutions;
- (d) early childhood care institutions and primary and secondary schools;
- (e) children's homes and child rehabilitation centers;
- (f) public meeting spaces and public camp sites;
- (g) vessels;
- (h) aircrafts; and
- (i) agricultural farms.

(2) The following waste is exempted from control under these Rules but a generator of such waste is obligated to ensure that the waste is conveyed to the holder of a Waste Handling Permit:

- (a) gaseous emissions; and
- (b) wastewater from wastewater treatment premises.

(3) The transport of waste by or on behalf of the Tobago House of Assembly or a Municipal Corporation is exempted from control under these Rules.

SCHEDULE 1
ANNUAL REGULATED WASTE

Waste Code	Type of Waste	Annual Regulated Quantity (kg or l)
1-0	Metal waste and waste consisting of alloys of any of the following:	
1-1	Antimony	50
1-2	Arsenic	50
1-3	Beryllium	50
1-4	Cadmium	50
1-5	Lead	50
1-6	Mercury	50
1-7	Selenium	50
1-8	Tellurium	50
1-9	Thallium	50
1-10	Copper	500
1-11	Zinc	500
2-0	Spent solutions or chemical wastes having as a constituent or contaminant any of the following:	
2-1	Antimony; antimony compounds	50
2-2	Beryllium; beryllium compounds	50
2-3	Cadmium; cadmium compounds	50
2-4	Lead; lead compounds	50
2-5	Selenium; selenium compounds	50
2-6	Tellurium; tellurium compounds	50
2-7	Arsenic; arsenic compounds	50
2-8	Mercury; mercury compounds	50
2-9	Thallium; thallium compounds	50
2-10	Metal carbonyls	50
2-11	Hexavalent chromium compounds	50
2-12	Copper compounds	500
2-13	Zinc compounds	500
3-0	Galvanic sludges	1000
4-0	Waste liquors from the pickling of metals	1000
5-0	Leaching residues from zinc processing dust and sludges	1000
6-0	Bottom ash	100
7-0	Fly ash	100
8-0	Spent electrolytic solutions from electrorefining and electrowinning operations	200
9-0	Spent or waste catalysts	200
10-0	Waste batteries	

SCHEDULE 1
ANNUAL REGULATED WASTE—*Continued*

10-1	Waste lead-acid batteries, whole or crushed	1000
10-2	Waste lithium-ion batteries, whole or crushed	500
10-3	Waste nickel-cadmium batteries, whole or crushed	500
10-4	Waste alkaline batteries, whole or crushed	500
11-0	Waste electrical and electronic assemblies or scrap	
11-1	Temperature exchange equipment: cooling and freezing Equipment including refrigerators, freezers, air conditioners, heat pumps.	1000
11-2	Screens and monitors: typical equipment includes televisions, monitors, laptops, notebooks, tablets.	1000
11-3	Lamps: Typical equipment includes fluorescent lamps, high intensity discharge lamps, LED lamps.	1000
11-4	Large equipment: Typical equipment includes washing machines, clothes dryers, dish-washing machines, electric stoves, large printing machines, large medical devices, copying equipment, photovoltaic panels.	1000
11-5	Small equipment: Typical equipment includes vacuum cleaners, microwaves, ventilation equipment, small appliances, radio sets, video cameras, electrical and electronic toys, small electrical and electronic tools, small medical devices, small monitoring and control instruments.	1000
11-6	IT and telecommunication equipment: Typical equipment includes mobile phones, Global Positioning Systems (GPS), pocket calculators, routers, personal computers, printers, telephones.	1000
12-0	Waste metal cables coated or insulated with plastics containing or contaminated with coal tar, PCB, lead, cadmium and other organohalogen compounds	100
13-0	Waste cathode-ray tubes and other activated glasses	100
14-0	Waste inorganic fluorine compounds	100
15-0	Waste gypsum	1000
16-0	Waste asbestos (dusts and fibres)	1000
17-0	Waste mineral oils unfit for their originally intended use	5000
18-0	Wastes from the production and formulation of resins, latex, plasticisers, glues or adhesives	100
19-0	Wastes containing, consisting of or contaminated with resins, latex, plasticisers, glues or adhesives	100
20-0	Waste phenols, phenol compounds, including chlorophenol in the form of liquids or sludges	1000
21-0	Waste ethers	100
22-0	Tannery and fellmongery wastes, including leather dust, ash, sludges and flours	1000
23-0	Fluff-light fraction and dust	1000
24-0	Waste organic phosphorous compounds	100
25-0	Waste non-halogenated organic solvents	500
26-0	Waste halogenated organic solvents	500

SCHEDULE 1
ANNUAL REGULATED WASTE—Continued

27-0	Waste halogenated or unhalogenated non-aqueous distillation residues arising from organic solvent recovery operations	500
28-0	Waste from the production of aliphatic halogenated hydrocarbons (such as chloromethane, dichloro-ethane, vinyl chloride, vinylidene chloride, allyl chloride and epichlorhydrin)	100
29-0	Wastes containing, consisting of or contaminated with polychlorinated biphenyl (PCB), polychlorinated terphenyl (PCT), polychlorinated naphthalene (PCN) or polybrominated biphenyl (PBB), or any other polybrominated analogues of these compounds	100
30-0	Waste tarry residues (excluding asphalt cements) arising from refining, distillation and any pyrolytic treatment of organic materials	5000
31-0	Bituminous material (asphalt waste) from road construction and maintenance, containing tar	5000
32-0	Wastes from the production and preparation of pharmaceutical products	500
33-0	Clinical wastes arising from medical, nursing, dental, veterinary, or similar practices, and wastes generated in hospitals or other facilities during the investigation or treatment of patients, or research projects as follows:	
33-1	Infectious waste: waste suspected to contain pathogens, including laboratory cultures, waste from isolation wards, tissues (swabs), materials or equipment that have been in contact with infected patients, excreta	50
33-2	Pathological waste: waste, including human tissues or fluids including body parts, blood and other body fluids, fetuses	50
33-3	Sharps waste: waste, including needles, infusion sets, scalpels, knives, blades, broken glass	100
33-4	Waste pharmaceuticals, drugs and medicines: wastes that are expired, damaged or otherwise not usable for their intended purpose including items contaminated by or containing pharmaceuticals	200
33-5	Hygiene waste: wastes, including dressings, bedding, clothing, sanitary protection	500
34-0	Wastes from the production and formulation of biocides and phytopharmaceuticals	100
35-0	Wastes containing, consisting of or contaminated with biocides and phytopharmaceuticals	100
36-0	Wastes containing, consisting of or contaminated with pesticides and herbicides	100
37-0	Wastes from the manufacture and formulation of wood-preserving chemicals ¹	200
38-0	Wastes containing, consisting of or contaminated with wood-preserving chemicals	200
39-0	Wastes that contain, consist of or are contaminated with inorganic cyanides, excepting precious-metal-bearing residues in solid form containing traces of inorganic cyanides	100

¹ This entry does not include wood treated with wood preserving chemicals.

SCHEDULE 1
ANNUAL REGULATED WASTE—*Continued*

40-0	Wastes that contain, consist of or are contaminated with organic cyanides	100
41-0	Waste oils/water, hydrocarbons/water mixtures, emulsions	
41-1	Waste hydrocarbons	5000
41-2	Waste oils/water, hydrocarbons/water mixtures, emulsions consisting of mainly water (more than 50%)	5000
41-3	Waste oils/water, hydrocarbons/water mixtures, emulsions consisting of mainly oil and hydrocarbons (more than 50%)	5000
41-4	Drilling muds	5000
42-0	Wastes from the production and formulation of inks, dyes, pigments, paints, lacquers, varnish	200
43-0	Wastes containing, consisting of or contaminated with inks, dyes, pigments, paints, lacquers, varnish	200
44-0	Wastes of an explosive nature not subject to other legislation	100
45-0	Acidic solutions and acids in solid form	200
46-0	Basic (alkaline) solutions and bases (alkalis) in solid form	200
47-0	Wastes from industrial pollution control devices for cleaning of industrial off-gases	500
48-0	Waste oil filters and absorbents	5000
49-0	Wastes that contain, consist of or are contaminated with any congener of polychlorinated dibenzo-furan	100
50-0	Wastes that contain, consist of or are contaminated with any congener of polychlorinated dibenzo-P-dioxin	100
51-0	Wastes that contain, consist of or are contaminated with peroxides	100
52-0	Waste chemical substances arising from research and development or teaching activities which are not identified and are new and whose effects on human health and the environment are not known	100
53-0	Spent activated carbon	100
54-0	Industrial waste treatment sludges and residues not otherwise stated	1000
55-0	Waste photographic film and paper containing silver halides and metallic silver	500
56-0	Spent processing solutions containing silver halides and metallic silver	500
57-0	Slag	5000
58-0	Glass cullet and other waste and scrap	1000
59-0	Plastic waste	1000
60-0	Paper, paperboard and paper product wastes	1000
61-0	Textile wastes	

SCHEDULE 1
ANNUAL REGULATED WASTE—*Continued*

61-1	Textile wastes (clothing)	1000
61-2	Textile wastes (coverings, carpets)	1000
62-0	Waste and scraps of rubber	5000
63-0	Waste tyres	5000
64-0	Food processing wastes	
64-1	Wastes from agro-food processing (animal)	5000
64-2	Wastes from agro-food processing (vegetable)	5000
65-0	Waste edible fats and oils of animal or vegetable origin	5000
66-0	Grease trap waste	5000
67-0	Sewage sludge and residues, including nightsoil and septic tank sludge	5000
68-0	Waste or scrap metal not otherwise stated	5000

SCHEDULE 2
HAZARDOUS CHARACTERISTICS

Table 1: Waste Thresholds

Substance	Solid waste threshold (mg/kg)	Liquid waste threshold (µg/L)
aldrin and dieldrin (total)	10	6
antimony	9	60
arsenic	300	200
asbestos more than 0.01% weight for weight (w/w)	0	0
barium	4,500	40,000
benzene	5	20
benzo(a)pyrene	3	0.2
beryllium	90	1,200
boron	20,000	3,700
cadmium	90	2
carbon tetrachloride	2	60
chlorobenzene	84	6,000
chloroform	1	4
chromium (hexavalent)	300	10
copper	220	14
cresol (total)	4,000	3,000

SCHEDULE 2
HAZARDOUS CHARACTERISTICS—*Continued*

Table 1: Waste Thresholds

cyanide	240	70
dichlorobenzene (1,2-dichlorobenzene)	540	30,000
dichlorobenzene (1,4-dichlorobenzene)	8	800
dichloroethane (1,2-dichloroethane)	1	60
dichloroethylene (1,1-dichloroethylene)	69	500
dichloromethane (methylene chloride)	105	220
dichlorophenoxyacetic acid (2,4-dichlorophenoxyacetic acid)	210	600
dinitrotoluene (2,4-dinitrotoluene)	5	5
ethylbenzene	17	6,000
fluoride	930	30,000
lead	300	34
mercury	80	6
methyl ethyl ketone	8,100	11,200
molybdenum	117	1,000
nickel	1,200	110
nitrobenzene	15	3
organochlorine pesticides (total)	50	0.00011
organophosphate pesticides (total)	250	0.035
per- and polyfluoroalkyl substances (PFAS)	0	0
persistent organic pollutant (other)	50	0
petroleum hydrocarbons (C6 to C9)	950	Not Applicable
petroleum hydrocarbons (C10 to C36)	5,300	Not Applicable
petroleum hydrocarbons (total)	Not Applicable	6,000
phenols (total)	40,000	11,600
polychlorinated biphenyls (PCBs)	2	0.00074
polycyclic aromatic hydrocarbons (total)	300	0.2
selenium	700	110
styrene (vinyl benzene)	1,800	600
silver	117	1
tetrachloroethane (1,1,1,2-tetrachloroethane)	6	11
tetrachloroethane (1,1,2,2-tetrachloroethane)	6	2
tetrachloroethylene	24	82
trichloroethane (1,1,1-trichloroethane)	2,430	16,000
trichloroethane (1,1,2-trichloroethane)	0.45	0.82
trichloroethylene	1	6
trichlorophenol (2,4,5-trichlorophenol)	1,890	2,400
trichlorophenol (2,4,6-trichlorophenol)	19	200
toluene	1,470	16,000
vanadium	117	172
vinyl chloride	0.18	6
xylenes (total)	174	12,000
zinc	400	30

SCHEDULE 2

HAZARDOUS CHARACTERISTICS—Continued

Table 2: Hazardous Characteristics

UN CLASS	CODE	CHARACTERISTICS
1	H1	<u>Explosive</u> An explosive substance or waste is a solid or liquid substance or waste (or mixture of substances or wastes) which is in itself capable by chemical reaction of producing gas at such a temperature and pressure and at such a speed as to cause damage to the surroundings.
3	H3	<u>Flammable liquids</u> The word “flammable” has the same meaning as “inflammable”. Flammable liquids are liquids, or mixtures of liquids, or liquids containing solids in solution or suspension (for example, paints, varnishes, lacquers, etc., but not including substances or wastes otherwise classified on account of their dangerous characteristics) which give off a flammable vapour at temperatures of not more than 60.5°C, closed-cup test, or not more than 65.6°C, open-cup test.
4.1	H4.1	<u>Flammable solids</u> Solids, or waste solids, other than those classed as explosives, which under conditions encountered in transport are readily combustible, or may cause or contribute to fire through friction.
4.2	H4.2	<u>Substances or wastes liable to spontaneous combustion</u> Substances or wastes which are liable to spontaneous heating under normal conditions encountered in transport, or to heating up on contact with air, and being then liable to catch fire.
4.3	H4.3	<u>Substances or wastes which, in contact with water emit flammable gases</u> Substances or wastes which, by interaction with water, are liable to become spontaneously flammable or to give off flammable gases in dangerous quantities.
5.1	H5.1	<u>Oxidizing</u> Substances or wastes which, while in themselves not necessarily combustible, may, generally by yielding oxygen cause, or contribute to, the combustion of other materials.
5.2	H5.2	<u>Organic Peroxides</u> Organic substances or wastes which contain the bivalent-o-o-structure are thermally unstable substances which may undergo exothermic self-accelerating decomposition

SCHEDULE 2

HAZARDOUS CHARACTERISTICS—*Continued*

Table 2: Hazardous Characteristics

6.1	H6.1	<u>Poisonous (Acute)</u> Substances or wastes liable either to cause death or serious injury or to harm human health if swallowed or inhaled or by skin contact.
6.2	H6.2	<u>Infectious substances</u> Substances or wastes containing viable microorganisms or their toxins which are known or suspected to cause disease in animals or humans.
8	H8	<u>Corrosives</u> Substances or wastes which, by chemical action, will cause severe damage when in contact with living tissue, or, in the case of leakage, will materially damage, or even destroy, other goods or the means of transport; they may also cause other hazards.
9	H10	<u>Liberation of toxic gases in contact with air or water</u> Substances or wastes which, by interaction with air or water, are liable to give off toxic gases in dangerous quantities.
9	H11	<u>Toxic (Delayed or chronic)</u> Substances or wastes which, if they are inhaled or ingested or if they penetrate the skin, may involve delayed or chronic effects, including carcinogenicity.
9	H12	<u>Ecotoxic</u> Substances or wastes which if released present or may present immediate or delayed adverse impacts to the environment by means of bioaccumulation and toxic effects upon biotic systems.
9	H13	Capable, by any means, after disposal, of yielding another material, e.g., leachate, which possesses any of the characteristics listed above.

Dated the 14th day of June, 2021.

C. ROBINSON-REGIS
Minister of Planning and Development