

Hazardous Chemicals Control Ordinance (Cap. 595)

Guidelines on Application for Permit to Use Scheduled Chemicals

Introduction

1. The Hazardous Chemicals Control Ordinance (HCCO) (Cap. 595) aims to regulate, through an activity-based permit system, the import, export, manufacture and use of non-pesticide hazardous chemicals that have potentially harmful or adverse effects on human health or the environment. At present, the non-pesticide hazardous chemicals under the HCCO include such chemicals that are subject to regulation of the Stockholm Convention on Persistent Organic Pollutants or the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade.
2. Non-pesticide hazardous chemicals regulated under the HCCO consist of two types: (i) Type 1 chemicals, and (ii) Type 2 chemicals, which are listed in Schedule 1 and Schedule 2 to the HCCO, respectively. A Type 1 chemical or Type 2 chemical is defined as a “scheduled chemical” under the HCCO. The full list of scheduled chemicals is shown in the Appendix.
3. No person may import, export, manufacture or use any scheduled chemical unless he is in possession of a valid activity-based permit in respect of that scheduled chemical issued by the Environmental Protection Department (EPD).

Application of the Ordinance

4. The HCCO applies to a scheduled chemical, whether or not the chemical exists alone or is a part of any preparation or product. In this context, “preparation” means a mixture or solution composed of two or more substances.
5. The HCCO does not apply to a scheduled chemical if the chemical is a constituent element of a manufactured product, except when the chemical is polychlorinated biphenyls (PCB) and when its concentration as a constituent element of a manufactured product exceeds 0.005 per cent (or 50 ppm) and its volume exceeds 0.05 litre. In this context, “manufactured product” means a product that, during its manufacture, is formed into a specific physical shape or design and has an end use function wholly or partly dependent on its shape or design. For example, asbestos present in automobile brake pads is considered as a constituent element of the manufactured product. In this case, asbestos would not be controlled under the HCCO.
6. Any scheduled chemical that is classified as waste under the Waste Disposal Ordinance (Cap 354) is not subject to the control of the HCCO but its disposal should be conducted in accordance with the requirements of the former Ordinance. Please visit the EPD’s website at http://www.epd.gov.hk/epd/english/environmentinhk/waste/guide_ref/waste_guidelines.html for further information about the waste control.

Permitting Requirements for Use of Scheduled Chemicals under the HCCO

7. To use a scheduled chemical in Hong Kong, a valid use permit issued by the EPD under the HCCO must first be obtained. Each use permit may cover one or more scheduled chemicals and is generally valid for 12 months.
8. In accordance with section 80 of the Air Pollution Control Ordinance, Cap.311 (APCO), the

import, transshipment, supply and use of all forms of asbestos and asbestos containing materials are banned excepts goods in transit and registered proprietary Chinese medicine. Exemption may be granted under certain circumstances. If the applicant wishes to use the above materials, he must obtain the EPD's exemption issued under the APCO prior to applying for the activity-based permit.

9. The EPD will consider the merits of each application on a case-by-case basis and will only grant the relevant permit if it is satisfied that the proposed activity for the scheduled chemical(s) concerned is genuinely essential and in full compliance with the Hong Kong laws and environmental requirements.

Who Should Apply

10. Any person who acts in the capacity of a user and engages in a business involving the use of a scheduled chemical in Hong Kong should apply for a use permit under the HCCO. Potential users may include, but not limited to, local industries, universities, research institutes and testing laboratories.

Procedure for Permit Application

11. Applicants are required to complete a Use Permit application form (Form No. EPD HCC5), which can be obtained from the EPD office at Room 3404, 34/F, Hopewell Centre, 183 Queen's Road West, Wan Chai, Hong Kong or downloaded from the EPD's website at http://www.epd.gov.hk/epd/english/application_for_licences/applic_foms/forms.html.

12. Every section on the application form must be completed. The completed form should be submitted in person or by post to Territorial Control Office (Hazardous Chemicals Control Section) of Environmental Protection Department (Address: Room 3404, 34/F, Hopewell Centre, 183 Queen's Road East, Wan Chai, Hong Kong).

13. EPD will diligently process an application upon receipt. However, the actual processing time of an application will depend on the number of applications being processed, and the complexity and availability of information of individual applications. Applicants are advised to submit the completed application form and all relevant information not less than 15 working days before the operation of the proposed activity.

Application Fee

14. Upon receipt of the application, a demand note for the fee, specifying the date by which it should be paid, will be sent to the applicant by post. A permit application will not be processed unless the fee is paid by the due date. For details of payment instructions, please refer to the back of the demand note. No cash should be sent by post. Please note that the application fee is not refundable regardless of the result of the application. The details of the application fees are shown at the EPD website: http://www.epd.gov.hk/epd/english/application_for_licences/applic_foms/hcco.html.

Renewal of Permit

15. Every permit shall generally expire 12 months after the date of issue. The permit holder may apply to the EPD for renewal one month before the date of expiry and pay a prescribed renewal fee.

16. No application for renewal will be accepted after the date of expiry. Application made after the expiry date will be treated as a fresh application, to be accompanied by a new application form and the relevant prescribed application fee.

Further Information

17. For further information about the HCCO, please visit the EPD's website at https://www.epd.gov.hk/epd/english/resources_pub/resources_subject/cg_hazardous_chemical.html. For enquiries, please call the EPD at 3107 2981 or email to hcco@epd.gov.hk.

WARNING

- A person who uses any scheduled chemical not under and in accordance with a permit issued under the HCCO commits an offence, and is liable on conviction to a fine at level 5 and to imprisonment for one year.
- The issue of a Use Permit under the HCCO does not in any way exempt the permit holder from compliance with the provisions of other legislations.

Environmental Protection Department
June 2023

《有毒化學品管制條例》的受管制化學品名單 (第1類和第2類化學品)
List of Scheduled Chemicals under the Hazardous Chemical Control Ordinance
(Type 1 and Type 2 Chemicals)

第1類化學品**Type 1 Chemical**

項 Item	化學品	Chemical	附註 Note
1	六溴聯苯	Hexabromobiphenyl (HBB)	
2	六溴二苯醚和 七溴二苯醚	Hexabromodiphenyl ether (hexaBDE) and heptabromodiphenyl ether (heptaBDE)	(A)
3	六氯苯	Hexachlorobenzene (HCB)	
4	五氯苯	Pentachlorobenzene (PeCB)	
5	多氯聯苯	Polychlorinated biphenyls (PCB)	
6	四溴二苯醚和 五溴二苯醚	Tetrabromodiphenyl ether (tetraBDE) and pentabromodiphenyl ether (pentaBDE)	(B)
7	六溴環十二烷	Hexabromocyclododecane	(C)
8	六氯丁二烯	Hexachlorobutadiene	
9	多氯萘	Polychlorinated naphthalenes	(D)
10	十溴二苯醚	Decabromodiphenyl ether	
11	短鏈氯化石蠟 (烷烴, C ₁₀₋₁₃ , 氯化)	Short-chain chlorinated paraffins (Alkanes C ₁₀₋₁₃ , chloro)	(E)

附註(A)至(E)：
Note (A) to (E):

(A) 包括(a) BDE-153、(b) BDE154、(c) BDE175、(d) BDE-183及(e) 商用八溴二苯醚中存在的其他六溴二苯醚和七溴二苯醚。

Including (a) BDE-153, (b) BDE154, (c) BDE175, (d) BDE-183 and (e) other hexa- and heptabromodiphenyl ethers present in commercial octabromodiphenyl ether.

(B) 包括(a) BDE-47、(b) BDE-99及(c) 商用五溴二苯醚中所含的其他四溴二苯醚和五溴二苯醚。

Including (a) BDE-47, (b) BDE99 and (c) other tetra- and pentabromodiphenyl ethers present in commercial pentabromodiphenyl ether.

(C) 包括1,2,5,6,9,10 - 六溴環十二烷及其主要非對映異構物。

Including 1,2,5,6,9,10-hexabromocyclododecane and its main diastereoisomers.

(D) 包括 (a) 二氯萘、(b) 三氯萘、(c) 四氯萘、(d) 五氯萘、(e) 六氯萘、(f) 七氯萘和(g) 八氯萘。

Including (a) dichlorinated naphthalenes, (b) trichlorinated naphthalenes, (c) tetrachlorinated naphthalenes, (d) pentachlorinated naphthalenes, (e) hexachlorinated naphthalenes, (f) heptachlorinated naphthalenes, and (g) octachlorinated naphthalene.

(E) 鏈長 C₁₀ 至 C₁₃ 的直鏈氯化碳氫化合物，且氯含量按重量計超過 48%。例如，以下化學文摘社編號標註的物質可能含有短鏈氯化石蠟：(a) 85535-84-8、(b) 68920-70-7、(c) 71011-12-6、(d) 85536-22-7、(e) 85681-73-8 和(f) 108171-26-2。

Straight-chain chlorinated hydrocarbons with chain lengths ranging from C₁₀ to C₁₃ and a content of chlorine greater than 48% by weight. For example, the substances with the following CAS registry number may contain short-chain chlorinated paraffins: (a) 85535-84-8, (b) 68920-70-7, (c) 71011-12-6, (d) 85536-22-7, (e) 85681-73-8, and (f) 108171-26-2.

第2類化學品

Type 2 Chemical

項 Item	化學品	Chemical	附註 Note
1	石棉	Asbestos	(F), (G)
2	全氟辛烷磺酸、 其鹽類和全氟辛基磺酰氟	Perfluorooctane sulfonic acid (PFOS), its salts and perfluorooctane sulfonyl fluoride (PFOSF)	(H)
3	多溴聯苯	Polybrominated biphenyls (PBB)	(I)
4	多氯三聯苯	Polychlorinated terphenyls (PCT)	
5	(已廢除)	(Repealed)	
6	四乙基鉛	Tetraethyl lead	
7	四甲基鉛	Tetramethyl lead	
8	三丁錫化合物	Tributyltin compounds	(J)
9	三(2,3-二溴丙磷酸酯)磷酸鹽	Tris (2,3-dibromopropyl) phosphate	
10	全氟辛酸、 其鹽類及相關化合物	Perfluorooctanoic acid (PFOA), its salts and related compounds	

附註(F)至(J)：
Note (F) to (J):

(F) 《空氣污染管制條例》[第311章] 全面禁止進口、轉運、供應和使用所有種類的石棉和含石棉物料，過境貨品及已註冊中成藥除外。環保署在個別情況下可考慮批給豁免。如申請人需要進口、轉運或使用石棉，在申請《有毒化學品管制條例》許可證前，必先取得環保署根據《空氣污染管制條例》所批的豁免。

The Air Pollution Control Ordinance, Cap. 311 (APCO) has banned the import, transshipment, supply and use of all forms of asbestos and asbestos containing materials except goods in transit and registered proprietary Chinese medicine. Exemption may be granted under certain circumstances. If the applicant wishes to use, import or transship asbestos, he must obtain the EPD's exemption issued under the APCO prior to applying for a permit under the HCCO.

(G) 包括(a) 陽起石、(b) 直閃石、(c) 鐵石棉、(d) 青石棉和(e) 透閃石。
Including (a) actinolite, (b) anthophyllite, (c) amosite, (d) crocidolite and (e) tremolite.

(H) 全氟辛烷磺酸的鹽類例子：(a) 全氟辛基磺酸鉀、(b) 全氟辛基磺酸鋰、(c) 全氟辛基磺酸銨、(d) 全氟辛基磺酸二乙醇銨、(e) 全氟辛基磺酸四乙基銨和(f) 全氟辛基磺酸二癸二甲基銨。
Examples of salts of perfluorooctane sulfonic acid: (a) potassium perfluorooctane sulfonate, (b) lithium perfluorooctane sulfonate, (c) ammonium perfluorooctane sulfonate, (d) diethanolammonium perfluorooctane sulfonate, (e) tetraethylammonium perfluorooctane sulfonate and (f) didecylidimethylammonium perfluorooctane sulfonate.

(I) 包括(a) 八溴聯苯和(b) 十溴聯苯。
Including (a) octabromobiphenyl and (b) decabromobiphenyl.

(J) 包括(a) 三丁錫氧化物、(b) 三丁錫氟化物、(c) 三丁錫甲基丙烯酸、(d) 三丁錫苯甲酸、(e) 三丁錫氯化物、(f) 三丁錫亞油酸和(g) 三丁錫環烷酸。
Including (a) tributyltin oxide, (b) tributyltin fluoride, (c) tributyltin methacrylate, (d) tributyltin benzoate, (e) tributyltin chloride, (f) tributyltin linoleate and (g) tributyltin naphthenate.

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