



## **Waste Disposal Ordinance (Cap. 354)**

### **Guidelines for Application of Waste Disposal Licence for E-waste**

Applicant of a Waste Disposal Licence (WDL) for e-waste is required to submit an operation plan and relevant documents to support his application. These guidelines elaborate on the key requirements and documents to be submitted for the application. Please read carefully before completing the form.

#### **Important Notes:**

- **The issuance of WDL by the Environmental Protection Department (EPD) only indicates that the operation is in compliance with section 16 of the Waste Disposal Ordinance (WDO). The issuance of the WDL does not in any way exempt the licensee from the obligations to comply with the provisions of any other enactments, or indemnify him against the consequences of any breach of any laws of Hong Kong or relevant requirements of Government departments.**
- **For the avoidance of doubt, any person issued with a WDL will not necessarily be granted the permit for import or export of waste, or any other registrations/approval/licences/permits/agreements required by the EPD and/or other Government departments.**

#### **Why do I need to have a WDL for e-waste?**

2. According to the WDO, any person who uses any land or premises for disposal (storage, treatment, reprocessing and recycling) of any e-waste must first obtain a WDL. E-waste includes air conditioners, refrigerators, washing machines, television sets, computers, printers, scanners and monitors <sup>1</sup>.

#### **Are there any exemptions to the WDL requirement?**

3. The WDL requirement is not applicable in the following circumstances:

---

<sup>1</sup> E-waste is defined as any electrical equipment or electronic equipment that, judging by its appearance is an item set out in column 2 of Schedule 6 to the Product Eco-responsibility Ordinance (Cap. 603) and has been abandoned.

- (a) storage of e-waste in premises of multi-storey buildings;
- (b) storage of e-waste with a total volume of not more than 50 m<sup>3</sup>; or
- (c) disposal of e-waste that is not chemical waste on land or premises with an area of not more than 100 m<sup>2</sup>.

**Who may apply?**

4. The applicant shall be the owner or the lawful occupier of the land or premises used for conducting the waste disposal operation.

**How long will a WDL be valid and what are the key requirements?**

- 5. In general, WDLs for e-waste are normally valid up to three years.
- 6. E-waste disposal facility in Hong Kong shall be operated in compliance with all legal and Government departments' requirements such as land use, town planning, environmental protection, structural and fire safety, etc. The owner, occupier and/or operator of the facility shall consult relevant Government departments and seek for approval, as the case may be.
- 7. The facility shall be operated in an environmentally safe and acceptable manner. The operation shall achieve a recycling rate of no less than 80% by weight for local e-waste. A higher recycling rate is required for facilities treating imported e-waste to reduce potential pollution nuisance and disposal burden to the local environment.
- 8. The areas used for the storage, handling, treatment and disposal of e-waste shall be paved with impermeable floor made of suitable materials, such as concrete and steel plates, to avoid land contamination.
- 9. The mechanical plant, machinery, equipment and treatment processes in connection with the e-waste treatment, reprocessing and recycling operation shall be housed indoor or in a structure with four walls and a roof on paved ground. The structure shall be designed to withstand rain, sunlight and extreme weather conditions.
- 10. For standalone storage area, it should have a roof and be enclosed on at least three sides by a wall, partition or fence with a height of not less than two metres or the total height of e-waste in stack, whichever is less.

11. Suitable drainage or flood prevention structure shall be installed to prevent discharge of large quantity of pollutants due to flooding of the site, buildings and operations therein. Surface runoff interceptor and/or sedimentation tank should also be installed as necessary to capture the first flush of the paved open space and/or surface water for either local treatment or off-site disposal.

12. Appropriate fire safety and control system commensurable with the operation shall be installed for the facility.

13. The building(s), structure(s), walls, and roof(s) must be properly maintained.

**What related legal or Government departments' requirements should I comply with before construction and operation of my facility?**

14. You are advised to check if other registrations/approval/licences/permits/agreements are also required before construction or operation of the disposal facility. Common examples of such requirements for waste disposal facilities are listed below for your reference. As the WDL only regulates on requirements stipulated under the WDO, the owner, the occupier and/or the operator shall make applications and contact with relevant departments or the competent authorities directly. If necessary, the EPD will provide appropriate assistance:

- Planning permission from the Town Planning Board;
- Registration with the EPD under the Waste Disposal (Chemical Waste)(General) Regulation for production of chemical waste (cathode ray tubes monitors, flat-panel displays, batteries, compressor oils, mercury lamps, printed circuit boards, refrigerants, etc.) to facilitate their collection by licensed collectors;
- WDL for chemical waste under the WDO if there is any treatment/reprocessing of chemical waste at the same site;
- Permits for import and export of waste to and from Hong Kong under the WDO if any e-waste or chemical waste is to be imported to or exported from Hong Kong. These permits shall not be issued if, among other requirements, that the waste will not be managed in an environmentally sound manner. (Note: Import of waste listed under Schedule 7 of the WDO [including any chemical waste] from any state or party listed in Schedule 9 of the WDO is prohibited);
- Licence or approval from the EPD under the Air Pollution Control

Ordinance (Cap.311) for chimney, emergency generator set or Specified Process that are installed in the facility;

- Approval from the EPD under the Ozone Layer Protection (Controlled Refrigerants) Regulation (Cap.403B) for equipment to be used for the recovery and recycling of controlled refrigerants (including CFC-11, CFC-12 and CFC-115);
- Registration with and export licence from the Trade and Industry Department under the Ozone Layer Protection Ordinance (Cap.403) for exporting scheduled substances including some types of refrigerants;
- Dangerous Goods Licence or approval from the Fire Services Department if manufacture, storage or conveyance of any chemicals (such as acetylene or refrigerants in the form of compressed gas) that are classified as dangerous goods under Dangerous Goods Ordinance (Cap.295);
- Certificate or approval on the provision of fire service installations and equipment from the Fire Service Department;
- Approval for construction and use of Notifiable Gas Installation (NGI) and permit for storage and transport of Liquefied Petroleum Gas (LPG) (i.e. butanes, butylenes, propane or propylene) of aggregate water capacity over 130 litres under the Gas Safety (Gas Supply) Regulations (Cap.51B);
- Registration as Gas Supply Company for business of import, manufacture or supply of LPG under the Gas Safety (Registration of Gas Supply Companies) Regulations (Cap.51E);
- Prior approval and consent from the Building Authority for building works, including alterations and additions, to the premises on leased land and comply with the requirements set out in the Buildings Ordinance (Cap. 123); and
- Land Lease and the Deed of Mutual Covenant.

**What are the documents required to be submitted together with the WDL application form?**

15. The applicant has to attach the following documents to a duly completed application form:

- Proof showing that the applicant is the owner or lawful occupier of the waste disposal site;
- Copy of the Business Registration Certificate, and Certificate of Incorporation if the applicant is a limited company/organisation, or copy of

Hong Kong identity card<sup>2</sup> (or provision of his/her Hong Kong identity card in person for checking at an EPD regional office)/non-resident travel document<sup>2</sup> if the business is run by a partnership or sole proprietorship;

- Authorisation letter showing that the person signing the declaration in the application form is authorised by the company or the organisation to make such declaration (if the applicant is a company or an organisation);
- Site location plan showing the boundary of the facility and its surrounding land uses;
- Operation plan, including site layout plans and other drawings to show the major components of the facility (please consult the “*A Guide for Writing Operation Plan for Waste Disposal Licence of E-Waste*” for details);
- Resume of management staff (including qualifications and relevant experience);
- Copy of letter of planning permission<sup>3</sup> (if any) issued by the Town Planning Board; and
- Copy of other approval or licences (if any) (such as those issued by Buildings Department or Fire Services Department).

### **How to submit a WDL application and the application fee?**

16. New or renewed applications should be made by means of the application form (Form EPD-236) which is downloadable from the EPD website. The duly completed application form together with the required supporting documents should be submitted to any one of the EPD regional offices, as appended to this document, by post or by hand (during office hours).

17. The application fees for a new licence and a renewed one are HK\$29,820 and HK\$14,840 respectively, a formal application should be accompanied by the application fee which is non-refundable. The payment should be made according to the instructions as stipulated on the Demand Note issued by the EPD.

18. You may complete the application form by typing or writing with black or blue

---

<sup>2</sup> The copy of Hong Kong identity card and non-resident travel document will be properly discarded upon completion of licensing work.

<sup>3</sup> The use/development on-site should be in line with the development scheme under the planning application approved by the Town Planning Board. Otherwise, the use/development on-site may not be regarded as having obtained a valid planning permission.

ink. If there is insufficient space in any column to fill in all the information, you may use separate sheet(s) of paper, which are numbered and duly signed by the applicant.

19. If the applicant is a sole proprietor, he must fill in himself the declaration in Section 7 of the application form. In the case where the applicant is a company or an organisation, Section 7 must be filled by a person authorised by the company or the organisation, as the case may be. If it is a partnership business, it shall be filled by one of the partners. Documentary proof of authorisation is required unless the applicant is a sole proprietor.

**When to submit a WDL application and how long is the processing time of a WDL application?**

20. You are advised to submit your application as soon as you assess that you can fulfill the requirements and when your supporting documents are ready. The approval time required for each case varies, which depends on the availability of a complete operation plan, the complexity of the operation involved and the time required for the applicant to arrange for a trial run. After receiving an application, the EPD will follow up on the details of the information, documents and contents of the application as soon as possible, so as to facilitate the applicant to make supplement, clarification and response. If applicants can positively address the views and requirements on the application (including the operation plan) from the EPD, it would also help to shorten the approval time.

21. For a renewal application, it is recommended to be made not less than four months prior to expiry of the existing licence.

**What will be considered in the processing of the applications?**

22. In processing the licence application, the EPD will consider the information submitted by the applicant and carry out site visit(s). The EPD will issue a WDL to the applicant if the application meets the requirements of the WDO. In relation to land use planning and safety aspects, the EPD will make reference to the comments provided by relevant departments (such as the Planning Department, the Buildings Department and the Fire Services Department) for each licence application. The EPD will inform the applicant on the comments, but such comments are not prerequisites for the issuance of the WDL.

- The Planning Department will assess whether the site operation concerned complies with requirements of the statutory plan (for example, the subject operation is always permitted in accordance with the relevant statutory zoning plan, or it requires approval from the Town Planning Board).
- The Buildings Department will advise on compliance of relevant structural safety requirements. Any structures or facility must obtain prior approval by the Buildings Department before construction.
- E-waste disposal facility shall be equipped with fire safety installations (including emergency vehicular access, emergency exits, fire extinguisher(s), etc). The Fire Services Department will advise on specific requirements (such as installation of water tank(s) for street fire hydrant, sprinkler system, fire alarm system, etc) based on its on-site risk assessment, taking into account factors such as the location and size of the disposal facility and the distance to the water supply nearby.

**What are the sanctions for noncompliance to the requirements of WDL?**

23. The key offences and maximum penalties related to WDL are summarized below.

Section of the WDO and Offence	Maximum penalty for the first offence
<ul style="list-style-type: none"> <li>• s.16 - Dispose e-waste without a WDL</li> <li>• s.23(8) - Contravene any term and condition of a WDL</li> </ul>	HK\$200,000 and 6-month imprisonment plus a daily fine of HK\$10,000 for a continuing offence

Environmental Compliance Division  
 Environmental Protection Department  
 July 2019

## For enquiries

Please contact the following EPD offices on the WDL for e-waste:

<b>EPD Offices/Address</b>	<b>Responsible Area</b>	<b>Tel./ Fax/E-mail</b>
Regional Office (East)  5/F., Nan Fung Commercial Centre, 19 Lam Lok Street, Kowloon Bay, Kowloon.	Kwun Tong, Wong Tai Sin, Sai Kung, Tseung Kwan O, Yau Tsim Mong & Kowloon City	Tel: 2755 5518 Fax: 2756 8588 E-mail: enquiry@epd.gov.hk
Regional Office (North)  10/F., Sha Tin Government Offices, No.1 Sheung Wo Che Road, Sha Tin, New Territories.	Yuen Long, Shatin, Tai Po & North	Tel: 2158 5757 Fax: 2685 1133 E-mail: enquiry@epd.gov.hk
Regional Office (South)  2/F., Chinachem Exchange Square, 1 Hoi Wan Street, Quarry Bay, Hong Kong.	Hong Kong Island & Islands	Tel: 2516 1718 Fax: 2960 1760 E-mail: enquiry@epd.gov.hk
Regional Office (West)  8/F., Tsuen Wan Government Offices, 38 Sai Lau Kok Road, Tsuen Wan, New Territories.	Tuen Mun, Tsuen Wan, Kwai Tsing, Cheung Sha Wan & Sham Shui Po	Tel: 2417 6116 Fax: 2411 3073 E-mail: enquiry@epd.gov.hk
Territorial Control Office  28/F, Southorn Centre, 130 Hennessy Road, Wan Chai, Hong Kong.	General licensing requirements	Tel: 2835 1063 Fax: 2305 0453 E-mail: enquiry@epd.gov.hk