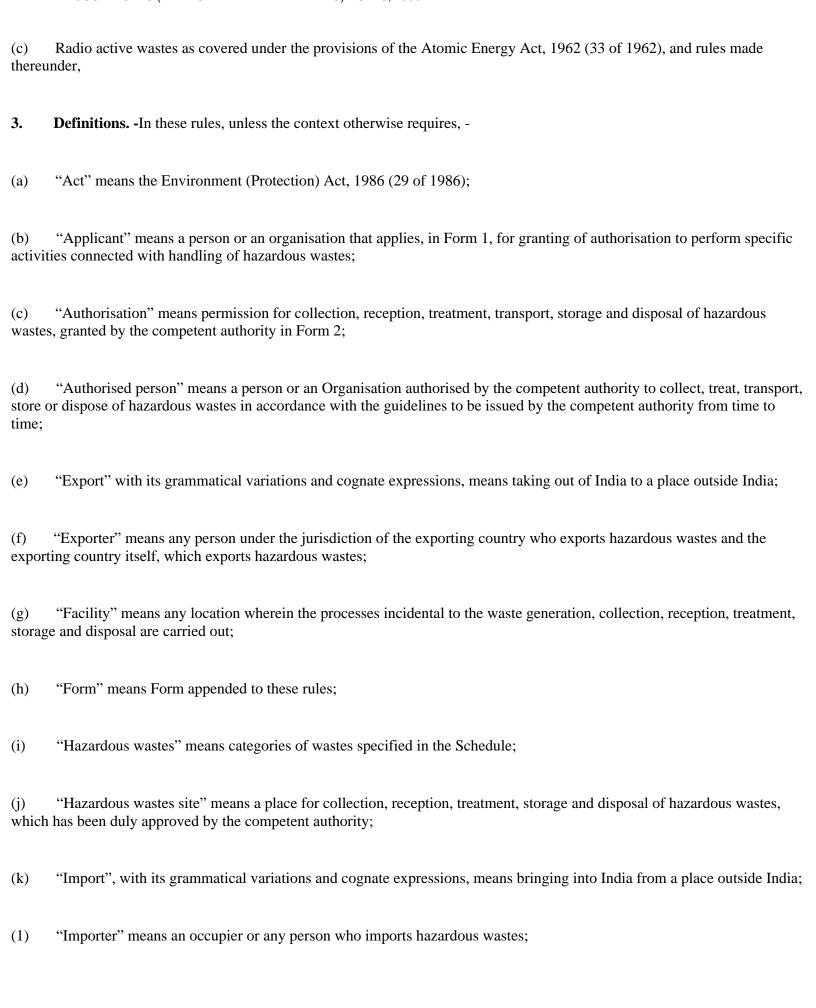
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	HAZARDOUS WASTES (MANAGEMENT AND HANDLING) RULES, 1989 ¹
	tercise of the powers conferred by section 6, 8 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), the Central ernment hereby makes the following rules, namely: -
1. dated	Vide Notification No. S.O. 594 (E), dated 28th July, 1989 published in Gazette of India, Extraordinary, Pt. II, sec. 3(ii), 1 28th July, 1989.
1.	Short title and commencement
(1)	These rules may be called the Hazardous Wastes (Management and Handling) Rules, 1989.
(2)	They shall come into force on the date of their publication in the Official Gazette.
2.	Application These rules shall apply to hazardous wastes as specified in the Schedule and shall not apply to-
(a) 1974	Waste water and exhaust gases as covered under the provisions of the Water (Prevention and Control of Pollution) Act, (6 of 1974), and the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981), and rules made thereunder;
(b) Ship	Wastes arising out of the operation from ships beyond five kilometres as covered under the provisions of the Merchant ping Act, 1958 (44 of 1958), and the rules made thereunder;

HAZARDOUS WASTES (MANAGEMENT AND HANDLING) RULES, 1989

FORM 2



HAZARDOUS WASTES (MANAGEMENT AND HANDLING) RULES, 1989

- (m) "Operator of a facility" means a person who owns or operates a facility for collection, reception, treatment, storage and disposal of hazardous wastes;
- (n) "Schedule" means the Schedule appended to these rules;
- (o) "State Pollution Control Board" means the Board appointed under subsection (1) of section 4 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) and under section 4 of the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981);
- (p) "Trans boundary movement" means any movement of hazardous wastes or other wastes from an area under the national jurisdiction of one country to or through an area under the national jurisdiction of another country or to or through an area not under the national jurisdiction of any country, provided at least two countries are involved in the movement;
- (q) The words and expressions used in these rules and not defined but defined in the Act, shall have the meanings respectively assigned to them in the Act.

4. Responsibility of the occupier for handling of wastes. -

- (1) The occupier generating hazardous wastes listed in column (2) of the Schedule in quantities equal to or exceeding the limits given in column (3) of the said Schedule, shall take all practical steps to ensure that such wastes are properly handled and disposed of without any adverse effects which may result for such wastes and the occupier shall also be responsible for proper collection, reception, treatment, storage and disposal of these wastes either himself or through the operator of facility.
- (2) The occupier or any other person acting on his behalf who intends to get his hazardous waste treated by the operator of a facility under sub-rule (1) shall give to the operator of a facility such information as may be specified by the State Pollution Control Board or *Committee].
- * "Committee" means Committee notified under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 in respect of Union Territories', vide the Hazardous Wastes (Management and Handling) Amendment Rule, 1996, sec. 2; S.O. 625(E), dated 3rd September, 1996.

5. Grant of authorisation for handling hazardous wastes. -

- (1) Hazardous wastes shall be collected, treated, stored and disposed of only in such facilities as may be authorised for this purpose.
- (2) Every occupier generating hazardous wastes and having a facility for collection, reception treatment, transport, storage and disposal of such wastes shall make an application in Form I to the ¹[State Pollution Control Board or Committee for the grant of authorisation for any of the above activities:

Provided that the occupier not having a facility for the collection, reception, treatment, transport, storage and disposal of hazardous wastes shall make an application to the State Pollution Control Board in Form I for the grant of authorisation within a

HAZARDOUS WASTES (MANAGEMENT AND HANDLING) RULES, 1989 period of six months from the date of commencement of these rules. Any person who intends to be an operator of a facility for the collection, reception, treatment, transport, storage and (3) disposal of hazardous wastes, shall make an application in Form I to the '[State Pollution Control Board or Committee] for the grant of authorisation for any of the above activities: Provided that the operator engaged in the business of collection, reception, treatment, transport, storage and disposal of hazardous wastes shall make an application to the State Pollution Control Board in Form I for the grant of authorisation within a period of six months from the date of commencement of these rules. The ¹[State Pollution Control Board or Committee] shall not issue an authorisation unless it is satisfied that the operator (4) of a facility or an occupier, as the case may be, possesses appropriate facilities, technical capabilities and equipment to handle hazardous wastes safely. (5) The authorisation to operate a facility shall be issued in Form 2 and shall be subject to conditions laid down therein. An authorisation granted under this rule shall, unless sooner suspended or cancelled, be in force for a period of (6) two years from the date of issue or from the date of renewal. (ii) An application for the renewal of an authorisation shall be made in Form 1, before its expiry. The authorisation shall continue to be in force until it is renewed or revoked. (iii) The ¹[State Pollution Control Board or Committee] may, after giving reasonable opportunity of being heard to the (7)applicant, refuse to grant any authorisation. Subs. by S.O. 625 (E), dated 3rd September, 1996 (w.e.f 3-9-1996). 1.

- 6. Power to suspend or cancel an authorisation. -
- (1) The ¹[State Pollution Control Board or Committee] may cancel an authorisation issued under these rules or suspend it for such period as it thinks fit if, in its opinion, the authorised person has failed to comply with any of the conditions of the authorisation or with any provisions of the Act or these rules, after giving the authorised person an opportunity to show cause and after recording reasons therefor.
- (2) Upon suspension or cancellation of the authorisation and during the pendency of an appeal under rule 12, the ¹[State Pollution Control Board or Committee] may give directions to the persons whose authorisation has been suspended or cancelled for the safe storage of the hazardous wastes, and such person shall comply with such directions.

1. Subs. by S.O. 625(E), dated 3rd September, 1996 (w.e.f 3-9-1996). 96

- 7. Packaging, labelling and transport of hazardous wastes. -
- (1) Before hazardous waste is delivered at the hazardous wastes site, the occupier or operator of a facility shall ensure that the hazardous waste is packaged in a manner suitable for storage and transport and the labelling and packaging shall be easily visible and be able to withstand physical conditions and climatic factors.
- (2) Packaging, labelling and transport of hazardous wastes shall be in accordance with the provisions of the rules issued by the Central Government under the Motor Vehicles Act, 1988, and other guidelines issue from time to time.

8. Inventory of disposal sites. -

- (1) The State Government or a person authorised by it shall undertake a continuing programme to identify the sites and compile and publish periodically an inventory of disposal sites within the State for the disposal of hazardous wastes.
- (2) The State Government or a person authorised by it shall undertake an environmental impact study before identifying a site as waste disposal site in the State.
- (3) The State Government or a person authorised by it shall undertake a continuing programme to compile and publish an inventory of sites within the State at which hazardous wastes have at any time been stored or disposed of and such inventory shall contain, besides the location and description, information relating to the amount, nature and toxicity of hazardous wastes at each such site as may be associated with such site.

9. Records and returns. -

- (1) The occupier generating hazardous waste and operator of a facility for collection, reception, treatment, transport, storage and disposal of hazardous waste shall maintain records of such operations in Form 3.
- (2) The occupier and operator of a facility shall send annual returns to the ¹[State Pollution Control Board or Committee] in Form 4.
- 1. Subs. by S.O. 625(E), dated 3rd September, 1996 (w.e.f 3-9-1996).
- 10. Accident reporting and follow-up. -Where an accident occurs at the facility or on a hazardous waste site or during transportation of hazardous wastes, the occupier or operator of a facility shall report immediately to the ¹[State Pollution Control Board or Committee] about the accident in Form 5.
- 1. Subs. by S.O. 625(E), dated 3rd September, 1996 (w.e.f 3-9-1996).

11. Import of hazardous wastes. -

- (1) Import of hazardous wastes from any country to India shall not be permitted for dumping and disposal of such wastes. However, import of such wastes may be allowed for processing or reuse as raw material, after examining each case on merit by the ¹[State Pollution Control Board or Committee] or by an officer authorised in this behalf.
- (2) The exporting country or the exporter, as the case may be, of hazardous wastes shall communicate in Form 6 to the Central Government (the Ministry of Environment and Forests) of the proposed transboundary movement of hazardous wastes.
- (3) The Central Government shall, after examining the communication received under sub-rule (2) and on being satisfied that the import of such hazardous wastes is to be used for processing or reuse as raw material, grant permission for the import of such wastes subject to such conditions as the Central Government may specify in this behalf and if, however, the Central Government is not satisfied with the communication received under sub-rule (2), it may refuse permission to import such hazardous wastes.
- (4) Any importer importing hazardous wastes shall provide necessary information as to the type of hazardous wastes he is to import, in Form 6, to the concerned ¹[State Pollution Control Board or Committee]/the Central Pollution Control Board in the case of Union Territories.
- (5) The ¹[State Pollution Control Board or Committee] shall examine the information received under sub-rule (4) and issue such instructions to the importer as it considers necessary.
- (6) The Central Government or the ¹[State Pollution Control Board or Committee] as the case may be, shall inform the concerned Port Authority to take appropriate steps regarding the safe handling of the hazardous wastes at the time of off-loading the same.
- (7) Any person importing hazardous wastes shall maintain the records of the hazardous wastes imported as specified in Form 7 and the records so maintained shall be open for inspection by the ¹[State Pollution Control Board or Committee] the Ministry of Environment and Forests/the Central Pollution Control Boards in the case of Union Territories or an officer appointed by them in this behalf.
- 1. Subs. by S.O. 625(E), dated 3rd September, 1996 (w.e.f 3-9-1996).

12. Appeal. -

(1) An appeal shall lie, against any order of suspension or cancellation or refusal of an authorisation by the ¹[State Pollution Control Board to the State Government or Committee to the Union Territory] and to the Ministry of environment and Forests in the case of the Central Pollution Control Board.

(2) Every appeal shall be in writing and shall be accompanied by a copy of the order appealed against and shall be presented within thirty days of the order passed.

1. Subs. by S.O. 625(E) dated 3rd September, 1996(w.e.f. 3-9.1996).

SCHEDULE

(See Rules 3 (i), 3(n) and 4)

Categories of Hazardous Wastes

Waste Categories	Type of wastes	Regulatory quantities
Waste Category No. 1	Cyanide wastes	1 kilogramme per year calculated as cyanide.
Waste Category No. 2	Metal finishing wastes	10 kilogram's per year the sum of the specified substances calculated as pure metal
Waste Category No. 3	Waste containing water soluble chemical compounds of lead, copper zine, chromium, nickel, selenium, barium and antimony	10 kilogrammes per year the sum of the specified substance calculated as pure metal.
Waste Category No. 4	Mercury, arsenic, thallium and cadmium bearing wastes	5 kilogrammes per year the sum of the specified substance calculated as pure metal.
Waste Category No. 5	Non-halogenated hydrocarbons including solvents	200 kilogram's per year calculated as non-halogenated hydrocarbons.
Waste Category No. 6	Halogenated hydrocarbons including solvents	50 kilogrammes per year calculated as halogenated hydrocarbons.
Waste Category No. 7	Wastes from paints, pigments glue, varnish and printing ink	250 kilogram's per year calculated as oil or oil emulsion.
Waste Category No. 8	Wastes from dyes and dye intermediates containing inorganic chemical compounds	200 kilogram's per year calculated as inorganic chemicals.

HAZARDOUS WASTES (MANAGEMENT AND HANDLING) RULES, 1989				
Waste Category No. 9	Wastes from dyes and dye	50 kilogram's per year calculated as		
	intermediates containing organic chemical compounds	organic chemicals.		
Waste Category No. 10	Waste oil and oil emulsions	1000 kilogram's per year calculated as oil and oil emulsions.		
Waste Category No. 11	Tarry wastes from refining and tat residues from distillation or pyrolytic treatment	200 kilogram's per year calculate as tar.		
Waste Category No. 12	Sludges arising from treatment	Irrespective of any quantity.		
	Of waste waters containing heavy metals, toxic organics, oils, emulsions and spend chemicals and incineration ash			
Waste Category No. 13	Phenols	5 kilogrammes per year calculated as phenols.		
Waste Category No. 14	Asbestos	200 kilogram's per year calculated as asbestos.		
Waste Category No. 15	Wastes from manufacturing of pesticides and herbicides and residues from pesticides and her-bicides formulation units	5 kilogram's per year calculated as pesticides and their intermediate products.		
Waste Category No. 16	Acid/alkaline/slurry wastes	700 kilogramme per year calculated as acids/alkalies.		
Waste Category No. 17	Off-specification and discarded Products	Irrespective of any quantity.		
Waste Category No. 18	Discarded container and container liners of hazardous and toxic chemicals and wastes	Irrespective of any quantity.		

¹[FORM 1

[See Rules 3 (b), 5(2), 5(3) and 5(6) (ii)l

Application for authorization/renewal of authorisation for collection/reception/ treatment/transport/storage/disposal of hazardous wastes

1.	Subs. by G.S.R. 380(E), dated 31st March, 1992 (w.e.f. 31.03.1992).
From.	
•••••	
ТО	
The M	Iember/Secretary
	Pollution Control Board,
Sir,	
	hereby apply for authorisation/renewal of authorisation under sub-rule (3) of rule 5 of the Hazardous Wastes agement and Handling) Rules, 1989, for collection/reception/treatment/transport/ storage/disposal of hazardous wastes.
	For office use only
1.	Code No.:
2.	Whether the unit is situated in a critically polluted areas as identified by the Ministry of Environment and Forests :
	To be filled by applicant
Part A	A- General:
3.	(a) Name of the owner occupier:
(b)	Name and address of the unit and location of activity:
(c)	Authorisation required for (please tick mark appropriate activity/activities):
(i)	Collection
(ii)	Reception

(iii)	Treatment
(iv)	Transport
(v)	Storage
(vi)	Disposal
(d)	In case of renewal of authorisation, previous authorisation number and date:
4. Rules,	(a) Whether the unit is generating hazardous waste as defined in the Hazardous Wastes (Management and Handling) 1989:
(b)	If so the category No.:
5.	(a) Total capital invested on the project:
(b)	Year of commencement of production:
(c)	Whether the industry works general 1/2 shifts/round the clock:
6.	(a) List and quantum of products and bye-products:
(b)	List and quantum of raw materials used:
	Furnish a flow diagram of manufacturing process showing input and output in terms of products and waste generated ing for captive power generation and demineralised water:
Part B	3- Pertaining to sewage and trade effluent:
8.	Quantity and source of water for:
(a) (b)	Colling m ³ /d: Process m ³ /d:

HAZARDOUS WASTES (MANAGEMENT AND HANDLING) RULES, 1989

HAZ	ARDOUS WASTES (MANAGEMENT AND HANDLING) RULES, 1989
(c)	Domestic use m ³ /d:
(d)	Other m^3/d :
9.	Sewage and trade effluent discharge-
(a)	Quantum of discharge ml/d:
(b)	Is there any effluent treatment plant:
(c)	If yes, a brief description of unit operation with capacity:
(d)	Characteristics of final effluent pH:
Suspe	ended solids
Disso	lved solids
Chem	nical Oxygen Demand (COD)
Bio- (Chemical Oxygen Demand (BOD5)
Oil ar	nd grease
(Addi	tional parameters as specified by the Pollution Control Board)
(e)	Mode of disposal and final discharge point map showing discharge point)
(f)	Parameters and frequency of self-monitoring
Part (C-Pertaining to stack (chimney) and vent emissions:
10.	(a) Number of stacks and vents with height and dia (m)
(b)	Quality and quantity of stack emission from each of the above stacks-particulate matter and Sulphur Dioxide (SO,2)
(Addi	tional parameters as specified by the Pollution Control Board concerned)
(c)	A brief account of the air pollution control unit with the emissions
(d)	Parameters and Frequency of self-monitoring
Part 1	D- Pertaining to hazardous wastes and hazardous chemicals:
11.	Solid wastes:

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(a) Total quantum of generation:	
(b) Quantum of hazardous waste generated and its nature, as defined under the Environment (Protection) Act, 1986 (see Hazardous Wastes (Management and Handling Rules, 1989):	the
(c) Mode of storage within the plant, method of disposal, and any other information sought by the concerned Pollution Control Board:	
12. (a) Hazardous chemicals as defined under the Environment (Protection) Act, 1986 (see the Manufacture, Storage Import of Hazardous Chemicals Rules, 1989):	and
(b) Whether any isolated storage is involved if yes, attach details: Yes/No	
(c) Whether emergency plans are prepared for taking:	
-On-site measures Yes/No -Off-site measures Yes/No	
Yours faithfully	
Name and Signature of the applicant]	
FORM 2	
[See rules 3(C) and 5(5)]	
Authorisation for Operating a Facilities for Collection, Reception, Treatment, Storage, Transport, and Disposal o Hazardous Wastes	f
1. Number of authorisation and date of issue	
2of is hereby granted an authorisation to operate a facilities for collection, reception, treatmestorage, transport and disposal of hazardous waste on the premises situated at	nt,
3. The authorisation is granted to operate a facility for collection reception, treatment, storage, transport arid disposal of hazardous waste,-,	
4. The authorisation shall be in force for a period ofyears from the date of issue.	

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The authorisation is subject to the conditions stated below and to such conditions as may be specified in the rules for the time being. in force under the Environment(Protection)Act, 1986.
Date
Signature
Designation
Terms and Conditions of Authorisation
1. The authorisation shall comply with the provisions of the Environment (Protection) Act, 1986, and the rules made thereunder.
2. The authorisation or its renewal shall be produced for inspection at the request of an officer authorised by the ¹ [State Pollution Control Board or Committee].
3. The person authorised shall not rent, lend, sell, transfer or otherwise transport the hazardous wastes without obtaining prior permission of the ¹ [State Pollution Control Board or Committee].
4. Any unauthorised change in personnel, equipment or working conditions as mentioned in the application by the person authorised shall constitute a breach of the authorisation.
5. It is the duty of the authorised person to take prior permission of the ¹ [State Pollution Control Board or Committee] to close down the facility.
6. An Application for the renewal of an authorisation shall be made as laid down in rule 5(6)(ii).
1. Subs. by S.O. 625(E), dated 3rd September, 1996 (w.e.f 3-9-1996).
FORM 3
[See rule 9(1)]

- 1. Name and address of the occupier or operator of a facility.
- 2. Date of issuance of authorisation and its reference number.
- 3. Description of hazardous waste:

Format for maintaining Records of Hazardous Wastes at the Facility

Physical form with description	Chemical form	Total volume and weight (in kg.)

4. Description of storage and treatment of hazardous wastes:

	Method of storage hazardous wastes	Method of treatment of hazardous wastes

5. Details of transportation of hazardous waste:

Name and address of the conscience of the package	1 0	Mode of transportation to site of disposal	Date of transportation

6. Details of disposal of hazardous waste:

Date of disposal	Concentration of	Site of disposal	Method of disposal	Persons involved in
	hazardous material	(identify the location		disposal
	in the final waste	on the relevant		
	form	layout drawing for		
		reference)		

7. Data on environmental surveillance:

Date of	Analysis of ground water			Analysis of soil samples			Analysis of air		Analysis of
measurement							sampling		any other
	Location of sampling	Depth of sampling	1	Location of sampling	Depth of sampling	Date	Location of sampling	Date	samples (give details)

Name and signature of the Head of the

FORM 4

[See rule 9(2)]

Format for Submission of Returns Regarding Disposal of Hazardous Waste

(To be submitted to the ¹[State Pollution Control Board or Committee])

- 1. Name and address of the Institution.
- 2. Details of waste disposal operation:

	Date of	Remarks
issuance of authorisation for the disposal of hazardous waste and its reference number Interpretation authorisation form and contents Chemical form Total volume of the hazardous of with No. of packages Total transportation to the site of disposal (attach a sketch showing the location(s) of disposal) Interpretation disposal (attach a sketch showing the location(s) of disposal) Interpretation to the site of disposal (attach a sketch showing the location(s) of disposal) Interpretation to the site of disposal (attach a sketch showing the location(s) of disposal) Interpretation to the site of disposal Interpretation to the	n disposal ((if any)

3. Details of environmental surveillance:

Date of	Analysis of ground water			Analysis of soil samples		Analysis of air		Analysis of	
measurement							sampling		any other
	Location	Depth of	Date	Location	Depth of	Date	Location		samples (give
	sampling	sampling		of	sampling		of		details)
				sampling			sampling		

Name and signature of the Head of the facility

1. Subs. by S.O. 625(E), dated 3rd September, 1996 (w.e.f. 3-9-1996).

FORM 5

(See rule 10)

- 1. The date and time of the accident
- 2. Sequence of events leading to accident
- 3. The hazardous waste involved in accident
- 4. The data for assessing the effects of the accident on health or the environment

5.	The emergency measures taken
6.	The steps taken to alleviate the effects of accidents
7.	The steps taken to prevent of recurrence of such accidents
	FORM 6
	[See rule 1](2) And (4)]
	Format for Notification and Movement Document
A.	INFORMATION TO BE PROVIDED ON NOTIFICATION:
1.	Reason for waste export
2.	Exporter of the waste'
3.	Generator(s) of the waste and site of generation ¹
4.	Importer of wastes ¹
5.	Intended carder(s) of the waste)r their agents, if known ²
6.	Exporting country's Competent Authority ²
7.	Expected countries of transit Competent Authority ²
8.	Importing country's Competent Authority ²
9.	General or single notification
10. poi	Projected date(s) of shipment(s) and period of time over which waste is to be exported and proposed itinerary (including nt of entry and exit) ³
11.	Means of transport envisaged (road, rail. sea, air, inland waters)
12.	Information relating to insurance ⁴

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entry and exit where these have been designated

General description of the waste

8.

- 9. Information on special handling requirements including emergency provision in case of accidents
- 10. Type and number of packages
- 11. Quantity in weight/volume
- 12. Declaration by the exporter that the information is correct
- 13. Declaration by the exporter indicating no objection from the competent authorities of all States concerned which are parties
- 14. Certificate by importer of receipt at designated disposal facility and indication of method of disposal and of the approximate date of disposal
- 1. Full name and address, telephone, telex or telefax number and the name, address, telephone, telex or telefax number of the person to be contacted.
- 2. Full name and address, telephone, telex and telefax number.
- 3. In the case or a general notification covering several shipments, either the expected dates of each shipment or, if this is not known, the expected frequency of the shipments will be required.
- 4. Information to be provided on relevant insurance requirement and how they are met by exporter, carrier and importer.
- 5. The nature and the concentration of the most hazardous components in terms of toxicity and other dangers presented by the waste both in handling and in relation to the proposed disposal method.
- 6. In the case of a general notification covering several shipments, both the estimated total quantity and the estimated quantities for each individual shipment will be required.
- 7. In so far as this is necessary to assess the hazard and determine the appropriateness of the proposed disposal operation.
- 8. Full name and address, telephone, telex or telefax number and the name, address, telephone, telex or telefax number of the person to be contacted in case of emergency.

FORM 7

[See rule 11(7)]

Format for Maintaining Records of Hazardous Wastes Imported

1. Name and address of the importer

Date and reference number of issuance of permission to import hazardous wastes

2.

3.	Description of hazardous waste:
(a)	Physical form
(b)	Chemical form
(c)	Total volume and weight (in kilograms)
4.	Description of storage, treatment and reuse of hazardous waste
(a)	Date
(b)	Method of storage
(c)	Method of treatment and reuse (give details)