

(e) that results in the unlawful disposal of hazardous wastes in contravention of the Convention, the Act, these Regulations or of general principles of international law,

commits an offence and is liable on summary conviction before a Resident Magistrate to a fine not exceeding fifty thousand dollars or to imprisonment for a term not exceeding two years or to both such fine and imprisonment.

Offence of failing to return waste

23. Every person who fails to comply with the provisions of regulation 20 commits an offence and is liable on summary conviction before a Resident Magistrate to a fine not exceeding fifty thousand dollars or to imprisonment for term not exceeding two years or to both such fine and imprisonment.

Offence of dumping hazardous waste

24. Every person who unlawfully dumps or otherwise disposes of any hazardous waste into an area under the jurisdiction of Jamaica commits an offence and is liable on summary conviction before a Resident Magistrate to a fine not exceeding fifty thousand dollars or to imprisonment for a term not exceeding two years or to both such fine and imprisonment.

#### PART IX—*General*

Acts otherwise unlawful not permitted.

25. Nothing in these Regulations shall be construed as permitting any activity which is prohibited by virtue of the provisions of any other enactment.

#### FIRST SCHEDULE

(Regulation 2)

#### *Categories of Wastes to be Controlled*

##### Waste Streams

Y1	Clinical waste from medical care in hospitals, medical centres and clinics
Y2	Waste from the production and preparation of pharmaceutical products
Y3	Waste pharmaceuticals, drugs and medicines
Y4	Waste from the production, formulation and use of biocides and phytopharmaceuticals
Y5	Waste from the manufacture, formulation and use of wood preserving chemicals
Y6	Waste from the production, formulation and use of organic solvents
Y7	Waste from heat treatment and tempering operations containing cyanides
Y8	Waste mineral oils unfit for their originally intended use
Y9	Waste oils or water, hydrocarbons or water mixtures, or emulsions

FIRST SCHEDULE, *contd.**Categories of Wastes to be Controlled, contd.*

## Waste Streams

Y10	Waste substances and articles containing or contaminated with polychlorinated biphenyls (PCBs), polychlorinated terphenyls (PCTs) or polybrominated biphenyls (PBBs)
Y11	Waste tarry residues arising from refining, distillation and any pyrolytic treatment
Y12	Waste from production, formulation and use of inks, dyes, pigments, paints, lacquers and varnish
Y13	Waste from production, formulation or use of resins, latex, plasticizers, glues and adhesives
Y14	Waste chemical substances arising from research and development of teaching activities which are not identified or are new and whose effects on man or the environment are not known
Y15	Waste of an explosive nature not subject to other legislation
Y16	Waste from production, formulation or use of photographic chemicals or processing materials
Y17	Waste resulting from surface treatment of metals or plastics
Y18	Residues arising from industrial waste disposal operations

*Waste having as a constituent any of the following:*

Y19	Metal carbonyls
Y20	Beryllium; beryllium compounds
Y21	Hexavalent chromium compounds
Y22	Copper compounds
Y23	Zinc compounds
Y24	Arsenic; arsenic compounds
Y25	Selenium; selenium compounds
Y26	Cadmium; cadmium compounds
Y27	Antimony; antimony compounds
Y28	Tellurium; tellurium compounds
Y29	Mercury; mercury compounds

FIRST SCHEDULE, *contd.**Categories of Wastes to be Controlled, contd.*

## Waste Streams

Y30	Thallium; thallium compounds
Y31	Lead; lead compounds
Y32	Inorganic fluorine compounds, excluding calcium fluoride
Y33	Inorganic cyanides
Y34	Acidic solutions or acids in solid form
Y35	Basic solutions or bases in solid form
Y36	Asbestos (dust and fibres)
Y37	Organic phosphorus compounds
Y38	Organic cyanides
Y39	Phenols; phenol compounds/ including chlorophenols
Y40	Ethers
Y41	Halogenated organic solvents
Y42	Organic solvents, excluding halogenated solvents
Y43	Any congener of polychlorinated dibenzo-furan
Y44	Any congener of polychlorinated dibenzo-p-dioxin
Y45	Organohalogen compounds other than substances referred to in this Schedule (such as, Y39, Y41, Y42, Y43 and Y44)

## SECOND SCHEDULE

(Regulation 2)

*Categories of Wastes Requiring- Special Consideration*

Y46	Wastes collected from households that possess any of the characteristics specified in the Third Schedule
Y47	Residues arising from the incineration of household wastes

## THIRD SCHEDULE (Regulation 2)

*List of Hazardous Characteristics*

UN Class	Code	Characteristics
3	H1	<i>Explosive</i>  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 speed as to cause damage to the surroundings.
3	H3	<i>Flammable liquids</i>  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, <i>et cetera</i> , 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	<i>Flammable solids</i>  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	Substances or wastes liable to spontaneous combustion Substances or wastes which are liable to spontaneous heating under normal conditions encountered in transport, or to heating upon contact with air, and being then liable to catch fire.
4.3	H4.3	Substances or wastes which, in contact with water, emit flammable gases. Substances or wastes which, by interaction with water, are liable to become spontaneously flammable or to give off flammable or dangerous gases.

THIRD SCHEDULE, *contd.**List of Hazardous Characteristics, contd.*

UN Class	Code	Characteristics
5.1	H5.1	<i>Oxidizing</i> 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	<i>Organic Peroxides</i> Organic substances or wastes which contain the bivalent-o-o-structure are thermally unstable substances which may undergo exothermic self-accelerating decomposition.
6.1	H6.1	<i>Poisonous (Acute)</i> 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	<i>Infectious substances</i> Substances or wastes containing viable micro-organisms or their toxins which are known or suspected to cause disease in animals or humans.
8	H8	<i>Corrosives</i> 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	Liberation of toxic gases in contact with air or water Substances or wastes which, by interaction with air or water, are liable to give off toxic gases in dangerous quantities.
9	H11	<i>Toxic (Delayed or chronic)</i> 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	<i>Exo-toxic</i> Substances or wastes which, if released, present or may present immediate or delayed adverse impacts to the environment by means of bio-accumulation or toxic effects upon biotic systems.

- 9 H13 Capable, by any means after disposal, of yielding another material, for example, leachate which possesses any of the characteristics listed above.

Corresponds to the hazard classification system included in the United Nations Recommendations on the Transport of Dangerous Goods.

FOURTH SCHEDULE

(Regulation 2)

*Disposal Operations*

PART A—*Operations Which Do Not Lead to the Possibility of Resource Recovery, Recycling, Reclamation, Direct Re-use or Alternative Uses*

- D1 Deposit into or onto land (for example, landfill)
- D2 Land treatment (for example, biodegradation of liquid or sludgy discards in soils)
- D3 Deep injection (for example, injection of pumpable discards into wells, salt domes or naturally occurring repositories)
- D4 Surface impoundment (for example, placement of liquid or sludge discards into pits, ponds or lagoons)
- D5 Specially engineered landfill (for example, placement into lined discrete cells which are capped and isolated from one another and the environment)
- D6 Release into a water body, except seas or oceans
- D7 Release into seas or oceans, including sea-bed insertion
- D8 Biological treatment not specified elsewhere in this Schedule which results in final compounds or mixtures which are discarded by means of any of the operations in this Part
- D9 Physico-chemical treatment not specified elsewhere in this Schedule which results in final compounds or mixtures which are discarded by means of any of the operations in this Part (for example, evaporation, drying, calcination, neutralization, precipitation).
- D10 Incineration on land
- D11 Incineration at sea
- D12 Permanent storage (for example, emplacement of containers in a mine)
- D13 Blending or mixing prior to submission to any of the operations in this Part
- D14 Repackaging prior to submission to any of the operations in this Part

FOURTH SCHEDULE, *contd.*

D15 Storage pending any of the operations in this Part

*PART B—Operations Which May Lead To Resource Recovery,  
Recycling, Reclamation, Direct Re-Use Or Alternative Uses*

Part B encompasses all such operations with respect to materials legally defined as or considered to be hazardous wastes and which otherwise would have been destined for operations included in Part A

- R1 Used as a fuel (other than in direct incineration) or other means to generate energy
- R2 Solvent reclamation or regeneration
- R3 Recycling or reclamation of organic substances which are not used as solvents
- R4 Recycling or reclamation of metals and metal compounds
- R5 Recycling or reclamation of other inorganic materials
- R6 Regeneration of acids or bases
- R7 Recovery of components used for pollution abatement
- R8 Recovery of components from catalysts
- R9 Used oil re-refining or other reuses of previously used oil
- R10 Land treatment resulting in benefit to agriculture or ecological improvement
- R11 Uses of residual materials obtained from any of the operations numbered R1-R10
- R12 Exchange of wastes for submission to any of the operations numbered R1-R11
- R13 Accumulation of material intended for any operation in this Part