

Newsletter



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- 1 Official Mexican Standard NOM-052-SEMARNAT-2005 establishing characteristics, identification and classification procedures, and listings of hazardous wastes



On June 23, 2006, the Federal Official Gazette Publisher Official Mexican Standard NOM-052-SEMARNAT-2005, establishing characteristics, identification and classification procedures, and listings of hazardous wastes, abrogating NOM-052-SEMARNAT-1993.

NOM-052-SEMARNAT-2005 was published in concordance with legal provisions set forth by the General Law for the Prevention and Integral Management of Wastes, which came into full force and effect on January 2004.

The referred Standard includes a new characterization of hazardous wastes, including 3 different kinds of toxicity: (i) environmental; (ii) acute; and (iii) chronic, depending on the effects caused to organisms. Likewise, the classification of hazardous wastes was updated as follows:

Listing 1: Classification of hazardous wastes by specific source;

Listing 2: Classification of hazardous wastes by non-specific source;

Listing 3: Classification of hazardous wastes resulting from the disposal of chemical products out of specification or lapsed (Acute Toxics);

Listing 4: Classification of hazardous wastes resulting from the disposal of lapsed chemical products or out of specification (Chronic Toxics), and;

Listing 5: Classification of hazardous wastes subject to Particular Management Conditions.

In addition to the analysis to determine CRETIB characteristics of a waste, a new classification named CRIT was included; it means: corrosive, reactive, inflammable and environmental toxic. This analysis won't apply to determine acute or chronic toxicity of a waste. Moreover, this Standard includes a new toxic component extraction procedure for hazardous wastes denominated PECT. Additionally, the hazardous waste listings have been updated by including some new ones.

It is important to point out that a non-hazardous certificate from the Ministry of the Environment and Natural Resources is no longer required to attest that a waste is non-hazardous; even when such waste is listed in NOM-052. The sole obligation to unlist a waste as hazardous, according to the Decree published in the Federal Official Gazette on October 17, 2005, is to execute a CRETIB or CRIT analysis to the waste to prove that it is not hazardous, and keep said analysis in force at the facilities in

case that the competent authority carries out an inspection visit.

Likewise, reviewing the new hazardous waste listing in the Standard should result convenient to verify that the company does not generate a new hazardous waste which was not listed in the previous Standard. If the company finds that indeed it is generating new hazardous wastes, its registry as a hazardous wastes generator must be updated by either applying directly before the authority, or by including said wastes in the annual report on hazardous waste generation; same that has to be filed in the Annual Emissions Inventory Format (COA).

Please have in mind that the Standard will come into full force and effect 90 days after its publication in the Federal Official Gazette.

We hope that this information is of your interest, and that you find it useful in complying with your obligations related to hazardous waste management, more specifically in what regards its classification.

The referred newsletter, does not try to resolve a specific problem, it is just a personal consideration of the author with respect of the Norm mentioned on this document.

Should you have comments or queries, please do not hesitate to contact us.

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