
8.5 Hazardous waste registration

The Environment Law and its regulations establish numerous licensing requirements which cover various phases of the generation, handling and storage of hazardous wastes. The regulations define "hazardous waste" in terms of certain properties they exhibit, such as corrosiveness, toxicity, reactivity, explosivity and flammability. Certain substances which are considered hazardous are listed. The regulations impose many requirements on the generators, transporters, handlers and disposers of hazardous wastes. Among the licence and document retention requirements are the following:

1. Plants that generate or handle hazardous waste must submit an environmental impact statement along with an application to obtain a generator's number from the *Instituto Nacional de Ecología (INECO)*, the National Institute for Ecology. A plant may not generate hazardous waste until it receives approval from the *INECO*.
2. Ecological waybills must be obtained from the *INECO* for each importation, exportation, transportation or handling of any hazardous materials.
3. Hazardous waste generators must maintain a monthly log detailing all hazardous materials in the possession of the company and file biannual reports with the *INECO*.

8.6 Penalties

The Environment Law provides for administrative and criminal sanctions and fines for violations of the environmental laws. Several of the regulations supplement the sanctions contained in the Environment Law. The *Procuraduría Federal de Protección al Ambiente (PFPA)*, Federal Agency for Environmental Protection, has wide authority to select and apply the various sanctions. In the past, the *PFPA* has generally handled violations of the environmental laws by ordering violators to take corrective action and, in certain cases, to close their businesses until the violations were corrected. The *PFPA* may also order a violating business to close permanently.

Moreover, the *PFPA* has the power to impose administrative fines and to double their amounts in the case of recurrence; order administrative arrest for up to 36 hours; seek criminal fines; and seek imprisonment for one month to six years, depending on the violation.