

OFFICE OF THE COMMISSIONER OF CUSTOMS (IMPORT)
JAWAHARLAL NEHRU CUSTOM HOUSE, NHAVA SHEVA,
TALUKA ✦ URAN, DIST.- RAIGAD, PIN ✦ 400 707.

F. NO : S/22-Gen-59/2009 AM(I)

Dated:- 23/03/2009

STANDING ORDER NO 09 / 2009

Attention of all concerned is invited to the HAZARDOUS WASTE (MANAGEMENT, HANDLING AND TRANS BOUNDARY MOVEMENTS) RULES, 2008. ✦ These Rules have been enacted by the Ministry of Environment and Forests, Government of India, in exercise of powers conferred on them by Section 6, 8 and 25 of the Environment Protection Act, 1986 (29 of 1986) and in supersession of the Hazardous Waste (Management and Handling) Rules 1989.

2. ✦ ✦ ✦ ✦ ✦ ✦ ✦ ✦ For the sake of convenience, the Hazardous Wastes (Management, Handling & Trans boundary Movements) Rules, 2008 have been put on the Jawaharlal Nehru Custom House intranet site, which is accessible to all concerned.

3. ✦ ✦ ✦ ✦ ✦ ✦ ✦ ✦ Chapter IV of the rules, *ibid*, deal import and export of Hazardous Waste, it deals at length with the procedures laid down in this respect.

4. ✦ ✦ ✦ ✦ ✦ ✦ ✦ ✦ Schedule II of the Rules, *ibid*, indicates the list of waste constituents with concentration limits. ✦ In order to decide whether specific wastes listed there in are hazardous or not, a reference can be made to the competent authorities / laboratories.

5. The Schedule III (Part A) of the rules ibid, indicates list of Hazardous Wastes Applicable for Import with Prior Informed Consent (Annexure VIII of the Based Convention). Hazardous Waste in the schedule 3 (Part A) are restricted and cannot be allowed to be imported without permission from the Ministry of Environment & Forest and DGFT License.

6. The Schedule III (Part B) of the rules, ibid, includes Hazardous Wastes applicable for Import and Export not requiring Prior Informed Consent. This Schedule categories the various items of import / export with the attendant conditions attached to each item (For details refer the schedule).

7. Schedule IV of the rules, ibid indicates list of Hazardous Wastes requiring Registration for recycling / reprocessing.

8. Schedule V (Part A) of the Rules, ibid, indicates specifications of used oil suitable for reprocessing / recycling. Part B of Schedule V, refers to specifications of fuel derived from waste oil.

9. Schedule VI of the Rules, ibid, indicates the list of Hazardous Wastes Prohibited for import / export.

10. Schedule VIII of the Rules, ibid, list out the Authorities and their corresponding duties. Special attention is invited to S. No. 6 wherein the Customs Authorities (under the Customs Act of 1962) are required to :-

- i) Verify the documents
- ii) Inform the Ministry of Environment and Forests of any illegal traffic.
- iii) Analyse wastes permitted for import / export.

- iv) Train the officials in the provisions of these rules.
- v) Take action against importers / exporters for violation under the Customs Act, 1962.

11. All concerned are directed to familiarize themselves with the provisions of Hazardous Wastes (Management, Handling & Trans boundary Movements) Rules, 2008, for their proper appreciation and implementation.

12. In consideration of the above, Appraising Groups have to accordingly, modify their Examination Order, incorporating the relevant aspects of HAZARDOUS WASTE (MANAGEMENT, HANDLING AND TRANS BOUNDARY MOVEMENTS) RULES, 2008.

Sd/-
(SANJEEV BEHARI)

COMMISSIONER OF CUSTOMS (IMPORT)

JNCH, NHAVA SHEVA.

Attested By

(AMARJEET SINGH)

DY. COMMISSIONER OF CUSTOMS,

APPRAISING MAIN (IMPORT), JNCH

Copy to :

1. The Chief Commissioner of Customs, Mumbai Zone II
2. The Commissioner of Customs (Import/Export/Appeal), JNCH
3. All Additional Commissioner of Customs, JNCH
4. All Asstt./Dy. Commissioner of Customs, JNCH
5. Office Copy.

