

INSTRUCTION NO. 40

F. No. C.6/10/2009-SEZ
Government of India
Ministry of Commerce and Industry
Department of Commerce
SEZ Section

Udyog Bhawan, Delhi
Dated the 1st October, 2009

To

All Development Commissioners

Subject: Effective implementation of the Hazardous Waste Rules, 2008 -
Reference from M/so Environment & Forests regarding.

Sir/Madam,

Kindly find enclosed a copy of OM no. 23-16/2009-HSMD dated 24th September 2009 from M/o Environment & Forests on the captioned subject for further necessary action.

Yours Faithfully

Sd/-
(R.K.Pandey)
Under Secretary
Tel: 23062496
Email: rk.pandey@nic.in

F.No. 23-16/2009-HSMD
Government of India
Ministry of Environment & Forests

Paryavaran Bhawan
C.G.O. Complex, Lodi Road
New Delhi 0 10003
Dated 24th September, 2009

OFFICE MEMORANDUM

Subject: Effective implementation of the Hazardous Waste Rules, 2008

This is with reference to improving implementation of the Hazardous Waste Rules, 2008. The Ministry has constituted a co-ordination committee in Jan 2009, comprising of representatives of the Ministries of Shipping, Finance and Commerce (DGFT), CPCB and selected SPCBs and experts for effective implementation of the Hazardous Waste Rules, 2008, especially related to import and export matters.

2. Recently the committee visited Kandla Special Economic Zone (KSEZ), held discussions with the Development Commissioner (DC) and visited some of the units recycling plastic waste. As per the legal framework of SEZs, Approval Committees have been set up under the respective DCs for granting approvals for setting up of units in the SEZs. The Approval Committees meet on a regular basis and have representatives from the State Government and GOI. It is felt that the officers of the State Pollution Control Boards should attend these meetings and assist the DCs in ensuring compliance of the environmental regulations, especially Hazardous Waste (Management, Handling & Transboundary Movement) Rules, 2008. This will also ensure that all required environmental norms are met before approval for setting up of units in SEZs.

3. SPCBs can also use this forum to acquaint the SEZ officers & Customs authorities about the provisions of the Hazardous Waste (Management, Handling & Transboundary Movement) Rules, 2008. In particular, it needs to be emphasized that --

- a) no import of hazardous waste from any country to India for disposal is permitted.

- b) import shall be only for the intended use of recycling or recovery or reuse.
 - c) Customs authorities at the Ports have the responsibility to verify the documents, draw random samples prior to clearing the consignment and ensure that each consignment is accompanied by movement document (Form-9) and a certification from an accredited agency. They are also required to take action under the Customs Act, 1962 against importers found to be violating these rules.
4. It is requested that the SPCBs should monitor the units which are recycling/ reprocessing imported waste on a regular basis, take action against violations and keep the Ministry informed.

Sd/-
(Rajiv Gauba)
Joint Secretary

To:

1. Chairman, Central Pollution Control Board, Delhi - 32
2. All Member Secretaries of SPCBs/PCCs.
3. Shri D.K. Mittal, Additional Secretary, Ministry of Commerce & Industry (For kind information please). It is requested that DCs may also be suitably advised.