

F.No.23-76/2009-HSMD  
Government of India  
Ministry of Environment & Forests

Paryavaran Bhawan  
C.G.O. Complex, Lodi Road  
New Delhi- 110 003

Dated: 1<sup>st</sup> October, 2009

**OFFICE MEMORANDUM**

Subject: Second Amendment to Hazardous Waste (Management, Handling & Transboundary) Rules, 2008

This has reference to the Second Amendment vide S.O. No.2447(E) dated 23<sup>rd</sup> September, 2009 to the Hazardous Waste (Management, Handling & Transboundary) Movement Rules, 2008 (25 copies enclosed). This amendment should be read in continuation of the earlier amendment of 21<sup>st</sup> July, 2009.

2. These amendments pertain to the category of wastes, which do not require either MoEF approval or DGFT licence, i.e. wastes marked as \*\* category in the Schedule III (Part B) of the aforesaid Rules.

3. The first amendment pertains to Rule 16, sub-rule (5) which provides for ensuring that the shipment is accompanied by the Movement Document, i.e. Form 9 and pre-shipment inspection certificate issued by inspection agency certified by the exporting country. The alternative of an inspection and certification agency approved by the Director General of Foreign Trade(DGFT) has now been added. Further, in addition to actual user, importers on behalf of actual users can also import subject to the following conditions --

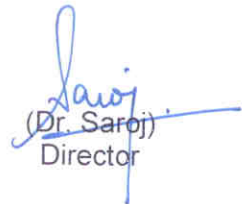
- (a) They will require to be registered with the respective State Pollution Control Boards (SPCBs); and
- (b) They will furnish quarterly returns to the SPCBs, which will include details of actual users along with the quantities.

4. With regard to the amended provision mentioned in the above para, the State Pollution Control Boards(SPCBs) have been requested to undertake registration of importers who intend to import wastes on behalf of the actual users. Since this is a new provision and registration by the SPCBs may take some time, it may not be feasible to apply this to the consignments that have already arrived or are in transit. An interim period of two months for registration may, therefore, be allowed. Until then, Customs authorities could clear the consignments based on fulfillment of other conditions as stipulated in the Hazardous Waste Rules, 2008, so as to ensure that there is no misdeclaration.

5. Instructions may accordingly be issued to the Customs Authorities.

6. This issues with the approval of Competent Authority.

To:

  
(Dr. Saroj)  
Director

Ms. K. Subramaniam, Joint Secretary (Customs), Ministry of Finance, Department of Revenue, Government of India.