Circular No. 9/2009-Customs

F. No. 401 /148/2008-Cus-III

Government of India

Ministry of Finance
Department of Revenue
Central Board of Excise & Customs
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New Delhi dated the 23rd February , 2009

To

All Chief Commissioners of Customs / Customs (Prev.).

All Chief Commissioners of Customs & Central Excise.

All Commissioners of Customs / Customs (Prev.).

All Commissioners of Customs & Central Excise.

Subject: Testing of samples of Hazardous wastes from the laboratories recognised under the Environment (Protection) Act, 1986- reg.

Sir/Madam,

Reference is invited to the Notification No. 35/2004-(N.T)- Customs dated 19.3.2004 and Board's Circular No. 31/2004-Cus dated 26/4/2004 regarding the import and export of hazardous wastes. As the field formations were facing certain difficulties in getting such consignments tested before permitting their clearance, the matter was taken up with Ministry of Environment and Forests.

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2. Now, it has been informed by Ministry of Environment and Forests (MoEF) that if Customs authorities need assistance for undertaking sampling and analysis of the hazardous waste consignments, they could utilise the facilities of the recognised laboratories. These laboratories are recognised from time-to-time by the Ministry of Environment and Forests under Section 12(1) (b) and Section 13 of the Environment (Protection) Act, 1986 (EPA) read with Rule 10 of the Environment (Protection) Rules, 1986. The labs notified by MoEF are authorised to test all kinds of samples of hazardous wastes. The details of these laboratories are available at the website of the Ministry at: http://envfor.nic.in/

3. It has also been informed by Ministry of Environment and Forests that the State Pollution Control Boards (SPCBs) and Pollution Control Committees (PCCs) have been asked to coordinate with the Customs on regular basis for implementation of the provisions of Hazardous Waste (Management, Handling and Transboundary Movement) Rules 2008, especially relating to the import/export of hazardous wastes. Further, the MoEF has informed that information regarding the registered recyclers has also been made available by the SPCBs on their websites, which can be accessed online by Customs, if required.

4. Accordingly, it is requested that the field formations may consider utilizing the services of these laboratories for getting the consignments of hazardous wastes and substances tested and seek assistance from SPCBs/PCCs in dealing with the import/export consignments of hazardous wastes as and when required.

Yours faithfully,

(M.M. Parthiban)
Director (Customs
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