Asian Network for Prevention for Illegal TBM of Hazardous Waste Workshop

BORDER CONTROL PRACTICE: ILLEGAL TRAFFIC TAKE BACK PROCEDURE

Ministry of Environment and Forestry Republic of Indonesia



OKAYAMA, 27 Nopember 2014

LEGAL BASIC FOR WASTE IMPORTATION

1. Act No. 32/2009 regarding Enironemntal Protection and Management, article 69:

Everyone is prohibited to do the following

- point (1.c). Bring in wastes from outside of Indonesia into the living environment of Indonesia (explanation: except for those governed by the law and regulations)
- point (1.d). Bring in HW into Indonesian territory
- 2. Government Regulation No. 18/1999 regarding Hazardous waste Management, article 53:
 - point (1): Everyone is prohibited to import hazardous waste
- Act No. 18/2008 regarding Domestic Solid Waste Management, article 29: Everyone is prohibited to bringing in domestic solid waste into Indonesia territory
- 4. Ministry of Trade regulation No. 39/2009, article 6:
- Point (1) Every non hazardous waste importer should provide statement letter from the exporter to make sure non hazardous waste being imported is not hazardous waste

NON HAZARDOUS WASTE RECOMMENDATION

Act No. 32/2009

Gov.Regulation
No.18/1999
Regarding Hazardous
Waste Management

Ministry of Trade regulation No.39/2009 Act No. 18/2008 Domestic Solid Waste Management

CONSIDERATION FOR NON HW IMPORTATION

- SOME LOCAL INDUSTRIES STILL NEED NON HW AS RAW MATERIAL FOR THEIR PROCESS
- SOME MATERIALS NEEDED IS NOT PROVIDED IN INDONESIA SUCH AS: SPECIAL PAPER FOR CORN BLOCK DESIGN

IMPORTATION IDENTIFICATION PROCEDURE FOR ILLEGAL TRAFFIC MECHANISM

Customs: identfiication of some suspicious containers

Request assistance to the MOE

Cooporation inspection between MOE (technical unit) and Customs

Report

Formal letter from MOE to related institution (MOT, MOI, Customs) stated:

- the result of investigation process
- amount of containers which indicated clean and containers contain hw/domestic waste

Investigation by MOE Investigator

Court Process

Legal sampling

Investigation

 Expetise witnesses

Repatriation Implementation

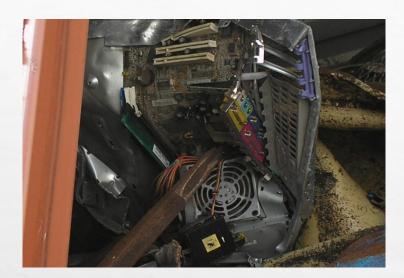
·Legal basic:

- ✓ Court decision
- ✓ MOT regulation, article 6.2 (90 days)
- ✓ Basel convention, article 9

•Procedure :

- ✓ G-G communication (Indonesia Basel and original country Basel Focal Point) → formal letter re: repatriation of illegal container
- ✓ Notification from original country
- ✓ Documentation needed to reexport : customs procedure

PICTURES OF ILLEGAL CONTAINERS CONTAIN METAL SCRAP CONTAMINATED WITH HAZARDOUS WASTES AND MIXED WITH DOMESTIC WASTE









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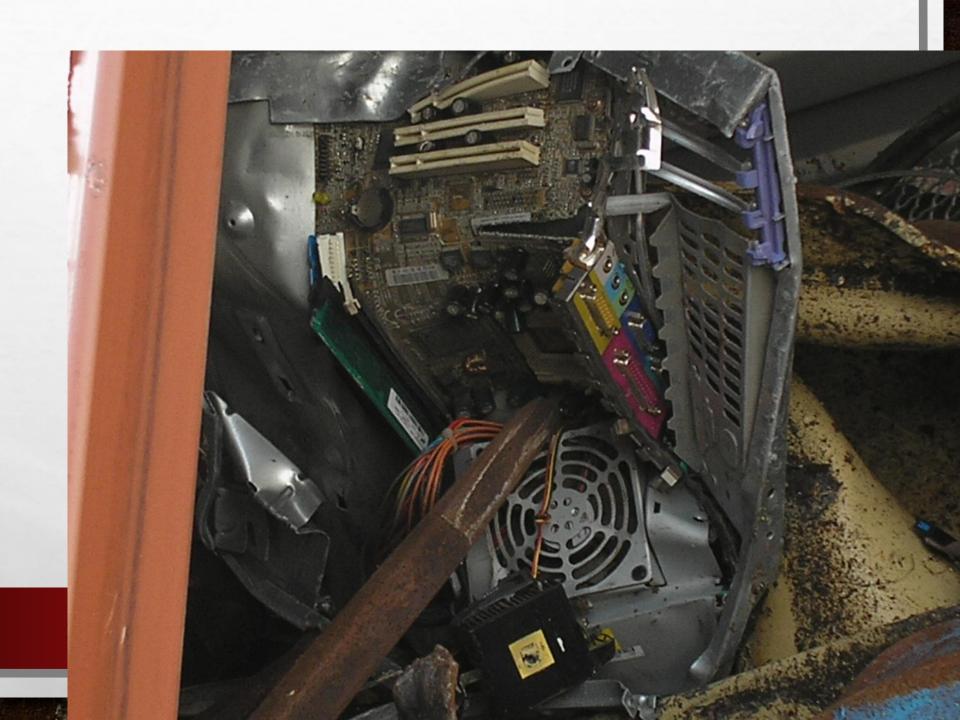




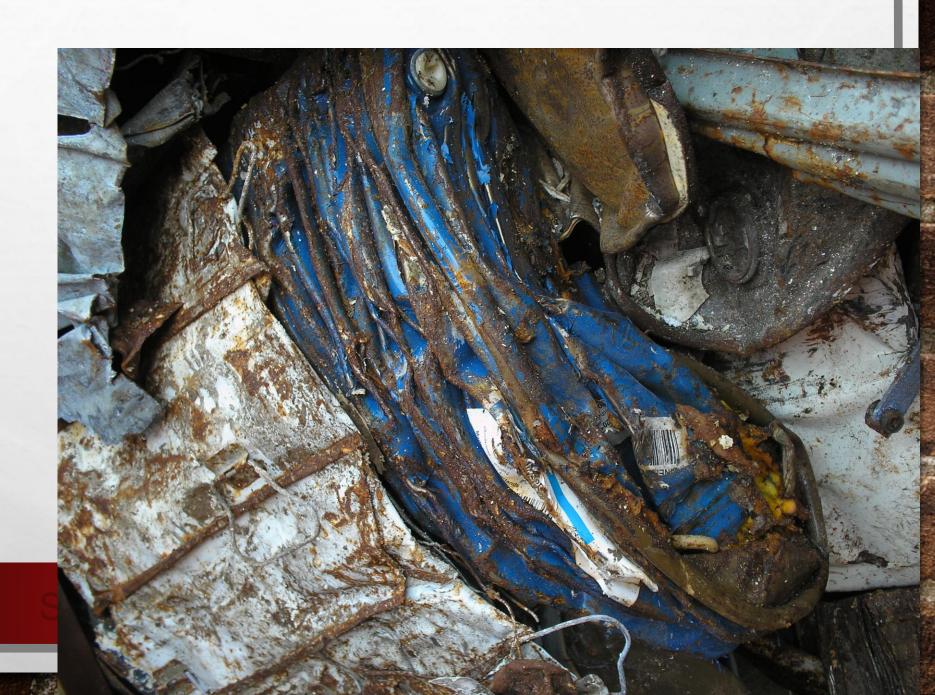


PICTURES OF ILLEGAL CONTAINERS CONTAIN METAL SCRAP
CONTAMINATED WITH HAZARDOUS WASTES AND MIXED WITH DOMESTIC WASTE









CLEAN CONTAINERS



CLEAN CONTAINERS



LABORATORY ANALYSIS

- TCLPTEST RESULT : ZN (73, 6 114 MG/L) > STANDARD REGULATION (50, 0 MG/L)
- CHARACTERISTIC TEST: REACTIVE (SULFIDE CONCENTRATION IS HIGH)
- SAMPLE IS CLASSIFY AS HAZARDOUS WASTE

ADMINISTRATION SANCTION AND COURT SANCTION

- 1. ACT NO.32/2009, ARTICLE 106:
- -ADMINISTRATION SANCTION: US\$ 500,00 US\$1,500,000
- -COURT SANCTION: PRISONER 5-15 YEARS
- 2. ACT NO. 18/2008:
- -ADMINISTRATION SANCTION: US\$ 10,00 US\$300,000
- -COURT SANCTION: PRISONER 3-9 YEARS







TERIMA KASIH THANK YOU

UPIK SITTI ASLIA KAMIL

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