

(Provisional Translation)

ORDINANCE FOR ENFORCEMENT OF THE LAW FOR THE CONTROL OF EXPORT, IMPORT AND OTHERS OF SPECIFIED HAZARDOUS WASTES AND OTHER WASTES

(Prime Minister's Office, Ministry of Health and Welfare, and Ministry of International Trade and Industry Joint Ordinance No. 1, October 7, 1993)

Latest revision: Ministry of the Environment Ordinance No. 10, March 29, 2002

The Ordinance for Enforcement of the Law for the Control of Export, Import and Others of Specified Hazardous Wastes and Other Wastes is enacted hereunder pursuant to the provisions of Article 6, paragraph (2); Article 7; Article 10, paragraph (2); Article 12 and Article 13 of the Law for the Control of Export, Import and Others of Specified Hazardous Wastes and Other Wastes (Law No. 108 of 1992):

(Matters to Be Entered on an Export Movement Document)

Article 1

The matters specified by the Ministry of Economy, Trade and Industry and Ministry of the Environment joint ordinance set forth in Article 6, paragraph (2) of the Law for the Control of Export, Import and Others of Specified Hazardous Wastes and Other Wastes (hereinafter referred to as "the Law") shall be as follows:

- (i) The name and address of the person who implements transportation (including storage in association with the transportation; hereinafter the same shall apply) of exported specified hazardous wastes, etc., and in the case of a legal person, the name and the telephone, telex or facsimile number of the representative person
- (ii) The name, address and the telephone, telex or facsimile number of the person to be contacted in case of emergency
- (iii) The date of receiving said exported specified hazardous wastes, etc. and transportation measures thereof

(Notification Pertaining to an Export Movement Document)

Article 2

(1) Any person to whom an export movement document has been issued pursuant to the provision of Article 5, paragraph (1) of the Law shall notify the Minister of Economy,

Trade and Industry and the Minister of the Environment of the following matters in the cases that fall under Article 7, item (i) or (ii) of the Law.

(i) The name and address of the person to whom an export movement document has been issued, and in the case of a legal person, the name and the telephone, telex or facsimile number of the representative person

(ii) The date of issuance and the number of the export movement document in question

(iii) Reasons why the export or transportation of exported specified hazardous wastes, etc. pertaining to such export movement document is suspended, or reasons why exported specified hazardous wastes, etc. pertaining to such export movement document are lost

(iv) Future plan concerning such exported specified hazardous wastes, etc.

(2) The notification set forth in the preceding paragraph shall be filed using the Form 1 written notification.

(Matters to Be Entered on an Import Movement Document)

Article 3

(1) Matters specified by the Ministry of Economy, Trade and Industry and Ministry of the Environment joint ordinance set forth in Article 10, paragraph (2) of the Law shall be as follows in regard to a person who transports imported specified hazardous wastes, etc.:

(i) The name and address of the person who transports imported specified hazardous wastes, etc., and in the case of a legal person, the name and the telephone, telex or facsimile number of the representative person

(ii) The name, address and the telephone, telex or facsimile number of the person to be contacted in case of emergency

(iii) The date of receiving said imported specified hazardous wastes, etc. and transportation measures thereof

(2) Matters specified by the Ministry of Economy, Trade and Industry and Ministry of the Environment joint ordinance set forth in Article, 10 paragraph (2) of the Law shall

be as follows in regard to a person who disposes of imported specified hazardous wastes etc.:

(i) The name and address of the person who disposes of imported specified hazardous wastes, etc., and in the case of a legal person, the name and the telephone, telex or facsimile number of the representative person

(ii) The name, address and the telephone, telex or facsimile number of the person to be contacted in case of emergency

(iii) The date of receiving such imported specified hazardous wastes, etc. and the date for which disposal thereof is planned

(iv) Disposal site and method of said imported specified hazardous wastes, etc.

(Notification Pertaining to an Import Movement Document)

#### Article 4

(1) Any person to whom an import movement document (excluding the cases where imported specified hazardous wastes, etc. pertaining to said import movement document fall under the wastes set forth in Article 2, paragraph (1) of the Waste Disposal and Public Cleansing Law (Law No. 137 of 1970); hereinafter the same shall apply in this paragraph and paragraph (1) of the following Article) has been issued shall notify the Minister of Economy, Trade and Industry and the Minister of the Environment of the following matters in the cases that fall under Article 12, item (i) of the Law.

(i) The name and address of the person who has disposed of imported specified hazardous wastes, etc. pertaining to the import movement document, and in the case of a legal person, the name and the telephone, telex or facsimile number of the representative person

(ii) The date of issuance and the number of the import movement document in question

(iii) The date upon which imported specified hazardous wastes, etc. pertaining to such import movement document were disposed of and where and how they were disposed of

(2) The notification set forth in the preceding paragraph shall be filed using a Form 2 written notification with copies of the Form 4 and Form 5 written notifications specified in Article 6, paragraph (3) attached.

## Article 5

(1) Any person to whom an import movement document has been issued shall notify the Minister of Economy, Trade and Industry and the Minister of the Environment of the following matters in the cases that fall under Article 12, item (2) or (3) of the Law.

(i) The name and address of the person, etc. to whom the import movement document has been issued, and in the case of a legal person, the name and the telephone, telex or facsimile number of the representative person

(ii) The date of issuance and the number of the import movement document in question

(iii) Reasons why the transportation or disposal of imported specified hazardous wastes, etc. pertaining to said import movement document is suspended, or reasons why imported specified hazardous wastes, etc. pertaining to such import movement document are lost

(iv) Future plan concerning such imported specified hazardous wastes, etc.

(2) The notification set forth in the preceding paragraph shall be filed using a Form 3 written notification.

(Notice)

## Article 6

(1) Any person who implements disposal pertaining to an import movement document shall, unless there are any justifiable reasons, send the persons specified in Article 13, items (i) and (ii) of the Law a notice of the following matters within three days from the day upon which the delivery of imported specified hazardous wastes, etc. pertaining to such import movement document is received:

(i) The name and address of the person who implements disposal pertaining to an import movement document, and in the case of a legal person, the name and the telephone, telex or facsimile number of the representative person

(ii) The name and address of the person who has delivered said imported specified hazardous wastes, etc., and in the case of a legal person, the name and the telephone, telex or facsimile number of the representative person:

(iii) The date upon which the delivery of such imported specified hazardous wastes, etc. are received

(iv) Confirmation that the amount and form of such imported specified hazardous wastes, etc. are consistent with the matters described in the said import movement document.

(2) Any person who implements disposal pertaining to an import movement document shall, unless there are any justifiable reasons, send the persons specified in Article 13, items (i) and (ii) of the Law a notice of the following matters, in accordance with the contents of the said import movement document, within three days from the day upon which imported specified hazardous wastes, etc. are disposed of:

(i) The name and address of the person who has implemented disposal pertaining to an import movement document, and in the case of a legal person, the name and the telephone, telex or facsimile number of the representative person

(ii) The date upon which such imported specified hazardous wastes, etc. were disposed of and where and how they were disposed of

(3) The notices set forth in the preceding two paragraphs shall be sent using Form 4 and Form 5 written notices, respectively, with the copy of an import movement document that describes the matters specified in Article 3, paragraph (2) (excluding the matters specified in Article 3, paragraph (2), item (iv) in the case of the notice set forth in paragraph (1)) attached.

(4) A person who has sent a notice specified in paragraphs (1) or (2) shall retain the copy of the written notice (including the copy of the import movement document) for a period of five years.

(Personal Identification Card)

Article 7

The form of the personal identification card set forth in Article 16, paragraph (3) shall be in accordance with Form 6.

Supplementary Provisions (Excerpts)

(Effective Date)

Article 1

This ordinance shall enter into force as of the date upon which the Law enter into force.

Supplementary Provisions (Prime Minister's Office, Ministry of Health and Welfare, and Ministry of International Trade and Industry Joint Ordinance No. 1, November 6, 1998)

This ordinance shall enter into force as of the date of promulgation.

Supplementary Provisions (Prime Minister's Office, Ministry of Health and Welfare, and Ministry of International Trade and Industry Joint Ordinance No. 1, August 14, 2000)

This ordinance shall enter into force as of the date upon which the Law to Amend a Part of the Cabinet Law (Law No. 88 of 1999) enters into force (January 6, 2001).

Supplementary Provisions (Ministry of the Environment Ordinance No. 10, March 29, 2002)

This ordinance shall enter into force as of the date of promulgation.

Form 1 (Related to Article 2)

Form 2 (Related to Article 4)

Form 3 (Related to Article 5)

Form 4 (Related to Article 6, paragraph (1))

Form 5 (Related to Article 6, paragraph (2))

Form 6 (Related to Article 7)