

B-29016/04/06/PCI-1/

To

The Chairman
(All SPCBs/PCCs)

32/6.
31/76
SPEED POST

March 02, 2015

SUB: DIRECTIONS UNDER SECTION 18(1)(b) OF THE WATER (PREVENTION & CONTROL OF POLLUTION) ACT, 1974 and THE AIR (PREVENTION & CONTROL OF POLLUTION) ACT, 1981 IN THE MATTER OF POLLUTION CONTROL IN 17 CATEGORY OF HIGHLY POLLUTING INDUSTRIES, CETPs AND COMMON HAZRDOUS WASTE & BIOMEDICAL WASTE INCINERATORS- REGARDING SELF MONITORING OF COMPLIANCE

WHEREAS, under Section 17 of the Water (Prevention & Control of Pollution) Act, 1974, and under Section 17 of the Air (Prevention & Control of Pollution) Act, 1981, one of the function of the State Pollution Control Boards(SPCBs)/Pollution Control Committees(PCCs) is to plan a comprehensive programme for the prevention, control or abatement of pollution of streams, wells and air pollution in the State/Union territory and to secure the execution thereof; and

WHEREAS, under section 16 of the Water (Prevention and Control of Pollution) Act, 1974 and under Section 16 of the Air (Prevention & Control of Pollution) Act, 1981, one of the functions of the Central Pollution Control Board (CPCB), constituted under Water (Prevention and Control of Pollution) Act, 1974 is to coordinate activities of the State Pollution Control Boards and Pollution Control Committees and to provide technical assistance and guidance to SPCBs / PCCs; and

WHEREAS, the SPCBs and PCCs are empowered to stipulate standards for discharge of environmental pollutants for various categories of industries and common effluent treatment plants (CETPs) , Common Hazardous waste and Biomedical waste incinerators even more stringent than those notified by the Central Government, under the Environmental (Protection) Act, 1986 and rules framed there under; and

WHEREAS, Pharmaceuticals, Chlor Alkali, Fertilizers, Oil Refinery, Dye and dye intermediate, Pesticides, Petrochemical, Large Power plants, Cement, Aluminium, Zinc, Copper, Iron & steel, Large Pulp & paper, Distillery, Sugar and Tannery industries located in States/UTs have been discharging environmental

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pollutants directly or indirectly into the ambient air and water, which pose constant threat to cause adverse effect on the water and air quality ; and

WHEREAS, Common Hazardous waste and Biomedical waste incinerators and Common Effluent Treatment Plants(CETPs) located in States/UTs have been discharging environmental pollutants directly or indirectly into the ambient air and water; and

WHEREAS, the SPCBs and PCCs are also required to ensure installation and regular operation of the requisite pollution control facilities in the polluting industries; and

WHEREAS, there is need to inculcate habit of self monitoring mechanism within the industries for complying the prescribed standards and this can be achieved by the methods like installing online effluent and emission monitoring devices; and

WHEREAS, number of industries under 17 category which are operating in the state/UT have been identified can be suitably directed for installation and commissioning of online monitoring systems (emission and or effluent); and

WHEREAS, number of Common Hazardous waste and Biomedical waste incinerators and CETPs operating in the state/UT can also be considered for installation and commissioning of online monitoring systems (emission and or effluent);and

WHEREAS, for strengthening the monitoring and compliance through self regulatory mechanism ,online source and effluent monitoring systems need to be installed and operated by the developers and the industries on 'polluter pays principle' ;and

WHEREAS, some of the SPCBs have already given specific conditions in consent to operate of 17 categories of highly polluting industries/ and Common

Hazardous waste and Biomedical waste incinerators to install continuous emission and effluent monitoring systems; and

WHEREAS, it is envisaged in "National Environment Policy- 2006" that to strengthen the testing infrastructure and network for monitoring ambient environmental quality and progressively ensure real-time, and online availability of the monitoring data; and

WHEREAS, CPCB had earlier issued letter dated January 12,2011 to SPCBs /PCCs to direct all the 17 categories of highly polluting industries to install automatic air and water quality stations to monitor the ambient quality; and

WHEREAS ,it is becoming a need and necessity to regulate and minimize inspection of industries on routine basis and instead efforts need to be made to bring self discipline in the industries to exercise self monitoring & compliance and transmit data of effluent and emission compliance to SPCBs/PCCs and to CPCB on continuous basis; and

WHEREAS, there could be some time needed for getting such devices standardised and requiring confidence on data generated but needless to emphasize that efforts towards setting up to continuous monitoring devices is essential; and

WHEREAS, the ground truthing of the values indicated by the online devices need to be done before bringing them in public domain for proper interpretation and such measures need to be taken at the level of SPCBs/PCCs .And whereas for regulatory purposes and for purposes of actions to be taken against non complying industries /facilities, the existing methods of sampling, analysis and related procedures under the existing statutes need to be continued; and

WHEREAS, SPCBs and PCCS have prescribed standards for various parameters as per the notified standards under Environment(Protection) Act,1986

and the State Boards may refer to the parameters which should be monitored by installing continuous effluent and emission monitoring devices(Annexure -4);and

WHEREAS, continuous effluent and emission monitoring devices can be installed in those industries which are continuously letting out effluents and emissions out of their premises: and

WHEREAS following direction under Section 18(1)(b) of the Water (Prevention & Control of Pollution) Act, 1974, and 18(1)(b) of the Air (Prevention & Control of Pollution) Act, 1981 have been issued to all SPCBs/PCCs on 05.2014;

- a) To Install online continuous Stack Emission Monitoring Systems (CSEMS) in 17 categories of highly polluting industries and in Common Hazardous waste and Biomedical waste incinerators for the parameters(industry/sector specific parameter) mentioned in the consent to operate/authorisation not later than by March 31,2015;
- b) To install online effluent quality monitoring system at the outlet of effluent treatment plants of the 17 category industries and in CETPs for the measurement of the parameters(industry/sector specific parameter) like flow, pH, COD, BOD, TSS and for other consented parameters as per the guidelines provided; not later than by March 31, 2015;
- c) To connect and upload the online emission and effluent monitoring data at SPCBs/PCCs and CPCB server in a time bound manner but not later than by March 31,2015;
- d) To ensure regular maintenance and operation of the online system with temper proof mechanism having facilities for online calibration;
- e) To submit bank guarantee of 25 % of the cost of online monitoring systems (emission and effluent whichever applicable) for ensuring timely installation of online monitoring systems within 90 days from the date of receipt of directions issued by SPCBs/PCCs to the industries;

WHEREAS In order to sensitize the issues among SPCBs/PCCs ,CPCB also highlighted the status of compliance of setting up online monitoring system in the conference of Chairman and Member Secretaries(February 21-22,2014 at

Bangalore and January 09,2015 at Chandigarh) at the National as well as Regional level on online monitoring system; and

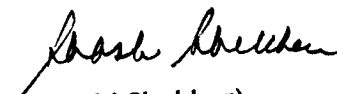
WHEREAS CPCB has organized five interaction meets on 06/8/2014,19/09/2014,29/09/2014,8/10/2014 and 16/10/2014 respectively to have an interaction with SPCBs, representative of industries, industrial associations and instrument suppliers on online monitoring system; and

WHEREAS CPCB has already published a guidelines for online continuous monitoring system for effluents on 07.11.2014; and

WHEREAS a letter has been issued to all SPCBs/PCCs on October 31, 2014 and subsequent reminder sent on December 24,2014 to provide action taken report to CPCB in the format before January 10, 2015; and

Now, therefore, in exercise of the powers conferred under Section 18 (1) (b) of the Water (Prevention & Control of Pollution) Act, 1974, and 18 (1) (b) of the Air (Prevention & Control of Pollution) Act, 1981 and keeping in view strengthening of the monitoring mechanism for effective compliance through self regulatory mechanism, you are directed to

- (i) All the industries will submit bank guarantee of 100 % of the cost of online monitoring systems (emission and effluent whichever applicable) for ensuring timely installation of online monitoring systems by 30.06.2015 and such bank guarantee will be discharged if they install the system before June 30,2015.
- (ii) If the industries will not install the online monitoring system by June 30, 2015 their consent to operate of the industry shall be withdrawn and bank guarantee shall be forfeited.


(Shashi Shekhar)
Chairman



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(A.B. Akolkar)
Member Secretary

