

EHSS REGULATORY NEWSLETTER



Summary of Newsletter

1. The water (prevention and control of pollution) act, 1974 regarding annual inspection of grossly polluting industries (GPIs) under namami gange programme.
2. The air (prevention and control of pollution) act, 1981 for comprehensive management of paddy straw and other agro residues - reg.
3. Generation and trading of EPR credits/certificates by the registered recyclers.
4. Fulfilment of EPR obligations by the producers of battery through online EPR portal of central pollution control board under battery waste management rules, 2022.
5. The water (prevention and control of pollution) amendment bill, 2024.

The water (prevention and control of pollution) act, 1974 regarding annual inspection of grossly polluting industries (GPLs) under NAMAMI GANGE PROGRAMME

- The functions of the State Pollution Control Board (SPCB), constituted under the Water (Prevention & Control of Pollution) Act, 1974 is to plan a comprehensive programme for the prevention, control or abatement of pollution of streams and wells located in the State and to secure the execution.
- Grossly Polluting industries (GPLs) from sectors Chemical (Pharmaceuticals, Organic, inorganic, Fertilizers, Refinery and Pesticides), Distillery, Sugar, Pulp & Paper, Textile, Dying, Bleaching, Slaughter House, Tannery, Food & Dairy and Others categories of industry located in states of Uttarakhand, Haryana, NCT-Delhi, Uttar Pradesh, Bihar, Jharkhand and West Bengal discharging effluent directly indirectly into the river Ganga, Yamuna and their tributaries through drains, have potential to cause adverse effect on the river water quality.
- The inspection of GPLs should be made an annual exercise' and inspections of 3186 GPLs were carried out during February, 2023-July, 2023 by teams of officials comprising of experts from Technical institutions, concerned State Pollution Control Boards (SPCBs)/Pollution Control Committee (PCC), State Mission for Clean Ganga (SMCGs)/District Ganga Committees (DGCs) and inspection reports were made available to concerned SPCBs/PCC by technical institutes for necessary action.
- DPCC shall acknowledge the receipt of the directions immediately and forward the action taken report to CPCB within 15 days of receipt of this direction.

To read more:

https://drive.google.com/file/d/1jQg6F14T9Byo3PUvkndXBPInU975bShX/view?usp=drive_link

The Air (Prevention and Control of Pollution) Act, 1981 for comprehensive management of paddy straw and other agro residues - reg.

- The government of India launched the National Clean Air Programme (NCAP) in 2019 as a national-level strategy to reduce air pollution levels across the country.
- 131 nos. of million plus/non-attainment cities (cities exceeding National Ambient Air Quality Standards (NAAQS) consecutively for five years) have been identified in 24 States/UTs and City Specific Clean Air Action Plans have been prepared and rolled out for implementation in these 131 nos. of non-attainment/million plus cities under NCAP to improve the air quality
- Commission for Air Quality Management in National Capital Region and Adjoining Areas, Ordinance, 2020 has been promulgated and notified by Government of India, vide which Commission for Air Quality Management (CAQM) has been constituted for air quality management in National Capital Region and Adjoining Areas.
- The aforesaid CAQM has already issued directions mandating i) co-firing of biomass (5-10%) in coal based thermal power plants located within 300 km of Delhi, and, also in coal based captive power plants in Delhi-NCR, and, ii) use of either biomass or PNG as industrial fuel in Delhi-NCR including boilers, brick kilns etc.
- The State Pollution Control Boards/ Pollution Control Committees shall acknowledge receipt of these directions within a week and submit Action Taken Report within a month from issuance of these directions.

To read more:

https://drive.google.com/file/d/1s1zwrBKxrBjNZPFrJw8yRws40MTdD7uT/view?usp=drive_link

Generation and Trading of EPR credits/certificates by the Registered Recyclers

- Waste Battery Recyclers are required to Generate and Transfer EPR credits to the Producers for fulfilment of their EPR obligations through the Online EPR portal developed by CPCB for Battery Waste Management. CPCB has launched the Module for generation and trading of EPR credits and same is operational since 29.08.2023.
- As per information available on the Portal, so far 1,27,661.35 Tonnes of EPR obligations have been issued to the Producers of battery however, only 5,951.47 Tonnes of EPR certificate is available on the portal.
- All the Registered Recyclers are to generate and make EPR certificate available on the afore-said EPR Portal. Guidance Manual (Instruction Sheet) for Generation and Transfer of EPR credits is available on the EPR portal - <http://eprbatteryipc.in/>

To read more:

https://drive.google.com/file/d/1-VsLu84It3ybgNLQcSr0B-SLxYnD7GEH/view?usp=drive_link

Fulfilment of EPR obligations by the Producers of Battery through Online EPR Portal of Central Pollution Control Board under Battery Waste Management Rules, 2022

- Producer of the battery shall have the obligation of Extended Producer Responsibility for the Battery that they introduce in the market to ensure the attainment of the recycling or refurbishing obligation
- Further, as per Schedule II (v) of BWM Rules, 2022 Producer will meet their Extended Producer Responsibility (EPR) obligation through the Extended Producer Responsibility certificate made available by the recycler or refurbished.
- Producers of Batteries are required to engage with the registered Waste Battery Recyclers (information available on the National Dashboard) for procurement of EPR certificates.
- These EPR certificates are generated by registered battery recyclers through the Online EPR portal of the Central Pollution Control Board (CPCB).
- Producers may also report information related to Waste Battery Recyclers not generating/transferring EPR credits through the EPR portal to notify CPCB for further action.
- In case of non-availability of Extended Producer Responsibility certificates with recyclers or refurbishes, the Producer is required to ensure collection per the allocated target
- To develop a separate waste stream for the collection of Waste Battery for fulfilling EPR obligations, the Producer, may operate schemes such as a deposit refund system buy back or any other model.

To read more:

https://drive.google.com/file/d/1NQJpiivJqfSxOJeNKIDuWCrlAFQPyIwu/view?usp=drive_link

The water (prevention and control of pollution) amendment bill, 2024

- Provided that the Central Government may in consultation with the Central Board, by notification in the Official Gazette, exempt certain categories of industrial plants from the provisions of this sub-section.
- with a view to carrying out the purposes aforesaid, of Boards for the prevention and control of water pollution, for conferring on and assigning to such Boards powers and functions relating thereto and for matters connected therewith.
- As required by the provisions of article 252 of the Constitution, the Legislative Assemblies of States of Himachal Pradesh and Rajasthan have passed Resolution for amending the Water (Prevention and Control of Pollution) Act, 1974 as proposed in the present Bill.
- It has been the endeavour of the Government to achieve the principle of “Minimum Government Maximum Governance”. The said Act, inter alia, prescribes various penal provisions for non-compliance or contravention of the provisions thereof punishable with imprisonments.
- The Bill proposes for rationalising criminal provisions and ensuring that citizens, business and the companies operate without fear of imprisonment for minor, technical or procedural defaults.
- This Bill seeks to establish a balance between the severity of the offence and the gravity of the punishment provided in this regard.

To read more:

https://drive.google.com/file/d/1FG9l2WRbfQYDYwK0OTUi-kTzqqel1s7H/view?usp=drive_link

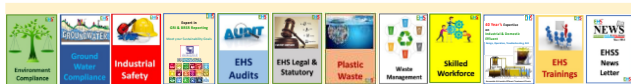
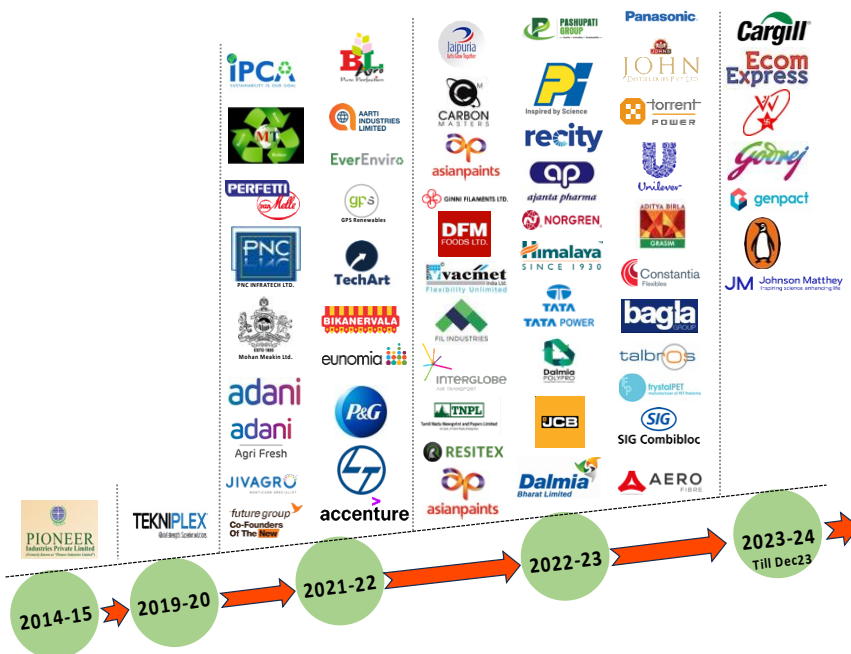
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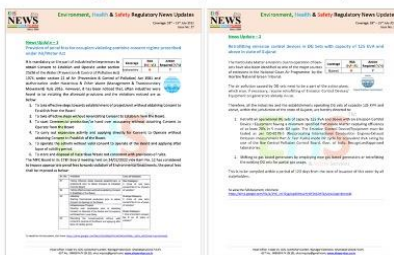
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