

B-29016/04/06/IPC-VI/

SPEED POST

April 23, 2018

To

The Chairman  
All SPCBs/PCCs (as per list enclosed)

**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 functions 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 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, for strengthening the monitoring and compliance through self regulatory mechanism ,online source and effluent monitoring systems need to be installed and operated by the industries on 'polluter pays principle' ;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, online monitoring devices are essential for improving compliance as the conventional monitoring systems not able to capture violations on regular basis; and

WHEREAS, directions u/s 18(1)(b) of the Water (Prevention & Control of Pollution) Act, 1974, and u/s 18(1)(b) of the Air (Prevention & Control of Pollution) Act, 1981 have been issued to all the SPCBs/PCCs on March 2, 2015 for further directing 17 categories of industries and common treatment facilities for installation of on line continuous effluent / emission monitoring system by 30.6.2015; and

WHEREAS, it was observed that despite of efforts made by the SPCBs/PCCs in their States for installation of online monitoring system, it had not yielded desired results and till June 30, 2015, most of the industries were not transmitting online data to the CPCB server; and

WHEREAS, a notice u/s 5 of the E(P) Act, 1986 was issued to all the 17 category of highly polluting industries during July - August, 2015 by the CPCB for installation of online monitoring system and provide connectivity with CPCB server; and

WHEREAS, CPCB website <http://cpcb.nic.in/Online-Monitoring-Industrial-Emission-Effluent/> contains all the details related to on line monitoring system like parameters to be monitored, data submission procedure, guidelines, FAQ etc. which may be referred; and

WHEREAS, CPCB persuaded the matter of installation of OCEMS with those industries whose details were available with CPCB; and

WHEREAS, new industries (under 17 category of industries) and common treatment facilities are also being established in States/UTs and likely to discharge environmental pollutants directly or indirectly into the ambient air and water, which may pose threat to cause adverse effect on the water and air quality ; 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 ensure the following:

- a. SPCBs/PCCs shall issue the closure direction u/s 33A of the Water (Prevention & Control of Pollution) Act, 1974, and 31A of the Air (Prevention & Control of Pollution) Act, 1981 to existing industries falling under 17 category of industries and common treatment facilities, commissioned on or before 28.2.2017 (with whom CPCB has not made any prior communication regarding installation of OCEMS), if found operating without installation and connectivity of online continuous effluent / emission monitoring system (OCEMS).
- b. SPCBs/PCCs shall incorporate a specific condition in the Consent Order (CTO) of a newly established industry falling under 17 category of industries and common treatment facilities, commissioned after 28.2.2017 that they shall install online continuous effluent / emission

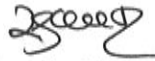
monitoring system (OCEMS) and connect with CPCB server before start of operation;

The SPCB shall establish its own monitoring mechanism and ensure timely corrective actions. The action taken report shall be submitted to the Central Pollution Control Board within 15 days from the date of receipt of these directions.

(S. P. Singh Parihar)  
Chairman

**Copy to:**

1. The Advisor(CP Division)  
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2. I/C IPCI-I,II,III, IV, VII and WM-I, II, CPCB
3. All Regional Directors, CPCB
- ✓ 4. I/c IT Division, CPCB

  
(A. Sudhakar)  
Member Secretary

