

SPEED POST

B-29016/04/06/IPCI-VI/ PS 661-864

January 03, 2018

To

The Member Secretary
Delhi, UP, Rajasthan, Haryana SPCB/PCC

SUB: Enforcement of directions under section 18(1)(b) of the Air (prevention & control of pollution) Act, 1981 in the matter of pollution control in red category - air polluting industries - regarding self monitoring of compliance

Sir,

In continuation to the above referred directions dated 29.12.2017 (copy enclosed), it is to inform that the said directions also include for captive incinerators in the NCR of your State/UT for installation of online continuous emission monitoring system and connectivity with SPCB/PCC and CPCB server. Thus, the above referred directions shall also be enforced in all Captive incinerators alongwith red category - air polluting industries located in 23 districts of National Capital Region and Delhi.

Yours faithfully

(A. Sudhakar)
Member Secretary

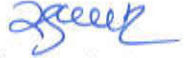
Encl.: As above

Copy to:

1. The Advisor(CP Division)
Ministry of Environment, Forests
And Climate Change
Indira Paryavaran Bhawan
Aliganj, Jor Bagh Road,
New Delhi - 110 003
2. The Regional Director
Central Pollution Control Board
PICUP Bhawan, Vibhuti Khand
Gomti Nagar, Lucknow
Uttar Pradesh
3. The Regional Director
Central Pollution Control Board
3 rd Floor, Sahkar Bhawan,
North TT Nagar, Bhopal-462003
Madhya Pradesh

4. The Incharge AQM, CPCB : With the request to make further follow up

✓ 5. The Incharge IT, CPCB : With the request to upload the direction on
CPCB web site



(A. Sudhakar)
Member Secretary

SPEED POST

B-29016/04/06/IPCI-VI/

December 29, 2017

To

The Chairman
Delhi, UP, Rajasthan, Haryana SPCB/PCC

SUB: DIRECTIONS UNDER SECTION 18(1)(b) OF THE AIR (PREVENTION & CONTROL OF POLLUTION) ACT, 1981 IN THE MATTER OF POLLUTION CONTROL IN RED CATEGORY - AIR POLLUTING INDUSTRIES - REGARDING SELF MONITORING OF COMPLIANCE

WHEREAS, 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 air pollution in the State/Union territory and to secure the execution thereof; and

WHEREAS, 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 even more stringent than those notified by the Central Government, under the Environmental (Protection) Act, 1986 and rules framed there under; and

WHEREAS, Red Category - Air Polluting Industrial Sectors are those industrial sectors covered under Red Category and also have air pollution score in the list circulated to all SPCBs/PCCs as Annexure of CPCB direction dated 7.3.2016. CPCB list of Red Category - Air Polluting Industrial Sectors is enclosed as Annexure-I for reference; and

WHEREAS, as per direction dated 7.3.2016 and letter dated 19.7.2017, SPCBs/PCCs were asked to constitute a Committee headed by the Member Secretary, SPCB/PCC and comprising of two senior Engineers / Scientists of SPCB/PCC to categories any new or left-over industrial sector which doesn't fall under any four categories of Red, Orange, Green and White and also to resolve the issues related to categorisation, following the pollution index assessment; and

WHEREAS, Red category - Air Polluting industries located in 23 Districts of UP, Haryana, Rajasthan and Delhi have been discharging environmental pollutants directly or indirectly into the ambient air, which pose constant threat to cause adverse effect on the air quality in Delhi and National Capital Region; and

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

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

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

WHEREAS, Hon'ble National Green Tribunal vide its order dated December 18, 2017 in the matter of O.A.No.21/2014, Vardhaman Kaushik Vs. Union of India, noted that "This statistics clearly shows that all the time, the ambient air quality of NCT of Delhi is polluted and for most of the period of the month it is severe and above. This is the quality of air that we are providing to the people living in NCR-Delhi and NCT of Delhi. It is clear violation of their fundamental rights". The Hon'ble Court also noted that Industrial and Thermal Power House

emissions including fly ash is one of the seven major contributors of air pollution; and

WHEREAS, a Task Force has been constituted at PMO to review air quality of NCR-Delhi and to suggest Action Points. The objectives of the Task Force can be achieved by taking various measures including control of air emissions from industries and their regular monitoring; 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 emission compliance to SPCBs/PCCs and to CPCB on continuous basis; and

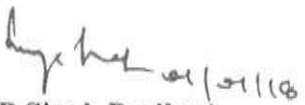

WHEREAS, CPCB has explored installation of online monitoring device in the other countries and has come to conclusion that the online monitoring devices are essential for improving compliance as the conventional monitoring systems not able to capture violations on regular basis; and

Now, therefore, in exercise of the powers conferred under Section 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 issue the following directions to all the red category - air polluting industries located in 23 districts of National Capital Region and Delhi:

- a. To Install online continuous Stack Emission Monitoring Systems (CSEMS) in red category - air polluting industries for the consented parameters mentioned in the consent to operate/authorisation not later than March 31,2018;
- b. To connect and upload the online emission monitoring data at SPCBs/PCCs and CPCB server in a time bound manner but not later than March 31,2018;

- c. To submit the industry and OCEMS details to the Central Pollution Control Board, through CPCB registration portal available at http://cpcb.nic.in/Online_main.php and submit the system generated report at
- Email id - cems.cpcb@nic.in and
 - Through Speed post;
- d. To link and upload continuous data generated from OCEMS to CPCB central portal available at <http://182.75.69.206>

Industries may also be informed that in case of non-compliance of direction, Consent to Operate shall be withdrawn and closure direction shall be issued without any further notice. The SPCB shall install the necessary software and hardware in their headquarter for centralized data collection, analysis and corrective action .The action taken report along with the district wise list of red category - air polluting industries requiring installation of online emission monitoring systems 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 

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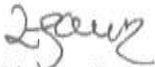

(A. Sudhakar)
Member Secretary

Table : List of Red Category- Air polluting Industrial Sectors

| S. No. | Industry Sector |
|--------|--|
| 1. | Automobile Manufacturing (integrated facilities) |
| 2. | Industries engaged in recycling / reprocessing/ recovery/reuse of Hazardous Waste under schedule iv of HW(M, H& TBM) rules, 2008 - Items namely - Spent cleared metal catalyst containing copper,, Spent cleared metal catalyst containing zinc,, |
| 3. | Manufacturing of lubricating oils ,grease and petroleum based products |
| 4. | DG Set of capacity > 5 MVA |
| 5. | Industrial carbon including electrodes and graphite blocks, activated carbon, carbon black |
| 6. | Lead acid battery manufacturing(excluding assembling and charging of lead-acid battery in micro scale) |
| 7. | Phosphate rock processing plant |
| 8. | Power generation plant [except Wind and Solar renewable power plants of all capacities and Mini Hydel power plant of capacity <25MW] |
| 9. | Industries engaged in recycling / reprocessing/ recovery/reuse of Hazardous Waste under schedule iv of HW(M, H& TBM) rules, 2008 - Items namely - Spent catalyst containing nickel, cadmium, Zinc, copper, arsenic, vanadium and cobalt, |
| 10. | Processes involving chlorinated hydrocarbons |
| 11. | Fibre glass production and processing (excluding moulding) |
| 12. | Fire crackers manufacturing and bulk storage facilities |
| 13. | Industries engaged in recycling / reprocessing/ recovery/reuse of Hazardous Waste under schedule iv of HW(M, H& TBM) rules, 2008 - Items namely -Dismantlers Recycling Plants --Components of waste electrical and electronic assembles comprising accumulators and other batteries included on list A, mercury-switches, activated glass cullets from cathode-ray tubes and other activated glass and PCB-capacitors, or any other component contaminated with Schedule 2 constituents (e.g. cadmium, mercury, lead, polychlorinated biphenyl) to an extent that they exhibit hazard characteristics indicated in part C of this Schedule. |
| 14. | Milk processes and dairy products(integrated project) |
| 15. | Phosphorous and its compounds |
| 16. | Coke making , liquefaction, coal tar distillation or fuel gas making |
| 17. | Manufacturing of explosives, detonators, fuses including management and handling activities |
| 18. | Manufacturing of paints varnishes, pigments and intermediate (excluding blending/mixing) |
| 19. | Organic Chemicals manufacturing |
| 20. | Asbestos and asbestos based industries |
| 21. | Health-care Establishment (as defined in BMW Rules) with incinerator |
| 22. | Hotels having overall waste-water generation @ 100 KLD and more. |
| 23. | Industries engaged in recycling / reprocessing/ recovery/reuse of Hazardous Waste under schedule iv of HW(M, H& TBM) rules, 2008 - Items namely - Lead acid battery plates and other lead scrap/ashes/residues not covered under Batteries (Management and Handling) Rules, 2001. [* Battery scrap, namely: Lead battery plates covered by ISRI, Code word "Rails" Battery lugs covered by ISRI, Code word "Rakes". Scrap drained/dry while intact, lead batteries covered by ISRI, Code word "rains". |
| 24. | Industries engaged in recycling / reprocessing/ recovery/reuse of Hazardous Waste under schedule iv of HW(M, H& TBM) rules, 2008 - Items namely - Integrated Recycling Plants --Components of waste electrical and electronic assembles comprising accumulators and other batteries included on list A, mercury-switches, activated glass cullets from cathode-ray tubes and other activated glass and PCB-capacitors, or any other component contaminated with Schedule 2 constituents (e.g. cadmium, mercury, lead, polychlorinated biphenyl) to an extent that they exhibit hazard characteristics indicated in part C of this Schedule. |

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|-----|---|
| 25. | Manufacturing of glue and gelatin |
| 26. | Mining and ore beneficiation |
| 27. | Nuclear power plant |
| 28. | Yarn / Textile processing involving any effluent/emission generating processes including bleaching, dyeing, printing and colouring |
| 29. | Ship Breaking Industries |
| 30. | Ports and harbour, jetties and dredging operations |
| 31. | Synthetic fibers including rayon, tyre cord, polyester filament yarn |
| 32. | Common treatment and disposal facilities (TSDF, CBMWTF, Incinerator, solvent/acid recovery plant, MSW sanitary land fill site (special category being part of pollution control facilities) |
| 33. | Any other sector categorized by SPCB/PCC |

