

SPEED POST

F.No. B-29012/IPC-VI/2018-19/ 12484

November 12, 2018

To

~~The Chairman
Uttar Pradesh State Pollution Control Board
3rd floor, PICUP Bhavan,
Vibhuti Khand, Gomti Nagar,
Lucknow - 226010
Uttar Pradesh~~

SUB: DIRECTIONS UNDER SECTION 18(1)(b) OF THE AIR (PREVENTION & CONTROL OF POLLUTION) ACT, 1981 FOR IMPLEMENTATION OF SO₂ AND NO_x STANDARDS FOR INDUSTRIAL BOILERS AND FIVE INDUSTRIAL SECTORS (CERAMIC, FOUNDRY, GLASS, LIME KILN AND REHEATING FURNACE).

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 States/ Union Territory and to secure the execution thereof;

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;

WHEREAS, The Ministry of Environment, Forest and Climate Change, Government of India has notified emission standards for SO₂ and NO_x emissions for industrial boilers vide Gazette Notification No. G.S.R.96 (E) dated 29.01.2018 and five industrial sectors (ceramic, foundry, glass, lime kiln and reheating furnace) vide Gazette Notification No. G.S.R.263 (E) dated 22.03.2018, in compliance of the direction dated 02.05.2017 issued by Hon'ble Supreme Court in the matter of WP(C)-13029/1985 (M.C. Mehta v/s Union of India and Ors.). State Pollution Control Boards and Pollution Control Committees in their respective States and UTs are adhered for implementation of these Standards;

WHEREAS, CPCB through letter dated 13.06.2018 asked SPCBs/PCCs of NCR States and Delhi to submit the information regarding implementation status of SO₂ and NO_x Standards in the desired formats in their States and UT for National Capital Region. The data submitted by SPCBs/PCCs had some shortcomings which were communicated to concerned SPCBs/PCCs for rectification and appropriate action;

WHEREAS, a meeting was convened on 22.06.2018 with Haryana State Pollution Control Board, Uttar Pradesh Pollution Control Board, Rajasthan State Pollution Control Board and Delhi Pollution Control Committee under the

Chairmanship of Member Secretary, CPCB to review the progress of implementation of SO₂ and NO_x Standards in NCR;

WHEREAS, a letter was sent on 11.07.2018 to SPCBs of NCR States and Delhi Pollution Control Committee 2018, followed by a reminder dated 16.08.2018, 05.09.2018, 18.09.2018, 01.10.2018 and 15.10.2018 to undertake active surveillance of industrial boilers, ceramic, foundry, glass, lime kiln and reheating furnace for ensuring implementation of SO₂ and NO_x emission standards. It was also stated that verification of compliance of SO₂ and NO_x standards may be communicated to CPCB on fortnightly basis;

WHEREAS, Environment Pollution (Prevention and Control) Authority for NCR (EPCA), in its Special report on NCR Air Pollution: status of implementation of Hon'ble Supreme Court orders and further directions needed given the severity of the problem in winter, dated 25th October, 2018, mentioned that enforcement of SO₂ and NO_x norms is lacking and that this problem is fundamental and fatal. EPCA proposed following directions for consideration of the Hon'ble Supreme Court:

- *The MoEF&CC may be directed to provide status report on implementation of SO₂ and NO_x standards in NCR.*
- *Pollution Control Boards of Delhi, Haryana, UP and Rajasthan may be directed to inspect all factories in their NCR districts as per the Air Act and to report on compliance with standards for SO₂ and NO_x.*

WHEREAS, through letter dated 30.10.2018, UP SPCB has informed that compliance status is not available for 310 industries having boilers and 225 industries covered under five industrial sectors and SCN is being issued for submission of compliance report;

NOW THEREFORE, in exercise of the powers conferred to Central Pollution Control Board under Section 18(1)(b) of the Air (Prevention & Control of Pollution) Act, 1981, following directions are issued to UP SPCB for compliance:

- Take penal action against those industries (boiler and five industrial sector) whose compliance status w.r.t SO₂ and NO_x is not available.
- Undertake regular environmental surveillance of industries.
- Submit compliance status on fortnightly basis (1st and 16th of every month) in the attached format.

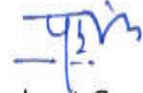
The SPCBs/PCCs shall acknowledge the receipt of the directions and submit the action taken report (ATR) in compliance of these directions to CPCB within 15 days from receipt of directions.

(S. P. Singh Parihar)
Chairman

Copy to:

1. The Joint Secretary (CP Division)
Ministry of Environment, Forests & Climate Change
Indira Paryavaran Bhawan
3rd Floor, Prithivi, Aliganj, Jor Bagh Road
New Delhi -110 003.
2. Regional Directorate (North), CPCB
3. ✓ DH IT Division, CPCB

*(with a request to upload the
copy of Directions on CPCB website)*



(Prashant Gargava)
Member Secretary

Compliance Status of SO₂ and NO_x Emission Standards for Industrial Boilers(MoEF&CC Notification G.S.R. 96(E) dated 29th January, 2018)

Name of the SPCB/PCC:

S. No.	Sector	Total No. of Industries	No. of Industries Operational	No. of Industries Self-closed	No. of Industries Complying		No. of Industries Non-Complying (Based on SO ₂ and NO _x emission monitoring by SPCB/PCC)	Action Taken Against Non-complying units				No. of industries for which compliance status is not available	Action Taken Against units for which compliance status is not available			
					Based on SO ₂ and NO _x emission monitoring by SPCB/PCC	Based on third party monitoring report for SO ₂ and NO _x submitted by the unit		No. of Closure Directions Issued	No. of Show cause notices issued	No. of Legal cases filed	No. of units for which action is under process		No. of Closure Directions Issued	No. of Show cause notices issued	No. of Legal cases filed	No. of units for which action is under process
I	II	III	IV	V	VI	VII	VIII	IX	X	XI	XII	XIII	XIV	XV	XVI	XVII
1	Industrial Boilers															

Total no. of industries(III) = No. of industries operational (IV)+ No. of industries self-closed (V)

No. of industries operational(IV) = No. of industries complying(VI+VII) + No. of industries non-complying(VIII) + No. of industries for which compliance status is not available(XIII)

No. of industries non-complying(VIII) = No. of closure directions issued(IX) + No. of show cause notices issued (X)+ No. of legal cases filed (XI) + No. of units for which action is under process(XII)

No. of industries for which compliance status is not available(XIII) = No. of closure directions issued(XIV) + No. of show cause notices issued(XV) + No. of legal cases filed(XVI) + No. of units for which action is under process(XVII)

Note: Number of self-closed industries should include those industries which are non-operational since long due to their own reasons but should not include those industries to whom closure directions have been issue by SPCB/PCC.

(For any clarification, pl. contact on tel: 011-43102432, 9968276538)

Compliance Status of SO₂ and NO_x Emission Standards for Five Industrial Sectors(MoEF&CC Notification G.S.R. 263(E) dated 22nd March, 2018)

Name of the SPCB/PCC:

S. No.	Sector	Total No. of Industries	No. of Industries Operational	No. of Industries Self-closed	No. of Industries Complying		No. of Industries Non-Complying (Based on SO ₂ and NO _x emission monitoring by SPCB/PCC)	Action Taken Against Non-complying units				No. of industries for which compliance status is not available	Action Taken Against units for which compliance status is not available			
					Based on SO ₂ and NO _x emission monitoring by SPCB/PCC	Based on third party monitoring report for SO ₂ and NO _x submitted by the unit		No. of Closure Directions Issued	No. of Show cause notices issued	No. of Legal cases filed	No. of units for which action is under process		No. of Closure Directions Issued	No. of Show cause notices issued	No. of Legal cases filed	No. of units for which action is under process
I	II	III	IV	V	VI	VII	VIII	IX	X	XI	XII	XIII	XIV	XV	XVI	XVII
1	Ceramic															
2	Foundry (Furnaces based on Fuel)															
3	Glass															
4	Lime Kiln															
5	Reheating Furnace															
TOTAL																

Total no. of industries(III) = No. of industries operational (IV)+ No. of industries self-closed (V)

No. of industries operational(IV) = No. of industries complying(VI+VII) + No. of industries non-complying(VIII) + No. of industries for which compliance status is not available(XIII)

No. of industries non-complying(VIII) = No. of closure directions issued(IX) + No. of show cause notices issued (X)+ No. of legal cases filed (XI) + No. of units for which action is under process(XII)

No. of industries for which compliance status is not available(XIII) = No. of closure directions issued(XIV) + No. of show cause notices issued(XV) + No. of legal cases filed(XVI) + No. of units for which action is under process(XVII)

Note: Number of self-closed industries should include those industries which are non-operational since long due to their own reasons but should not include those industries to whom closure directions have been issue by SPCB/PCC.

(For any clarification, pl. contact on tel: 011-43102432, 9968276538)