

By Registered Post

F. No CP-21/26/2021-WM-II-HO-CPCB-HO

2567-2601

July 06, 2022

To

The Chairman

(as per list enclosed)

DIRECTION ISSUED UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986, IN CASE OF VIOLATION OF PROVISIONS OF HAZARDOUS AND OTHER WASTES (MANAGEMENT AND TRANS BOUNDARY MOVEMENT) RULES, 2016

WHEREAS, the Central Government has notified the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016, and amendments thereof (herein after referred to as HOWM Rules) under the Environment (Protection) Act, 1986, for safe and environmentally sound management of hazardous and other wastes; and

WHEREAS, as per Rule 6 (1) of the HOWM Rules, the occupier engaged in handling, generation, collection, storage, packaging, transportation, use, treatment, processing, recycling, recovery, pre-processing, co-processing, utilization, offering for sale, transfer or disposal of hazardous and other wastes shall obtain authorization from State Pollution Control Board/Pollution Control Committee (herein after referred to as SPCB/PCC) in Form 2; and

WHEREAS, as per Rule 6 (5) and 16 (6) of the HOWM Rules, the occupier and operator of the disposal facility shall submit an annual inventory in Form 4 to the SPCB/PCC on or before the 30th day of June following the financial year to Which that return relates; and

WHEREAS, Rule 20(3) of the HOWM Rules stipulates that SPCB/PCC based on the annual returns received from the occupiers and the operators of the facilities for disposal of hazardous and other wastes shall prepare an annual inventory of the waste generated; waste recycled, recovered, utilized including co-processed; waste re-exported and waste disposed and submit to Central Pollution Control Board (herein after referred to as CPCB) by 30th day of September every year; and

WHEREAS, Rule 20(4) of the HOWM Rules stipulates that CPCB shall prepare the consolidated review report on management of hazardous and other wastes and forward it to the Ministry of Environment, Forest and Climate Change along with its recommendations before the 30th day of December once in every year; and

WHEREAS, CPCB has prepared "Guidelines for Preparation of Inventories on Hazardous and Other Waste Generation and their Management" in June 2019 and the same was circulated to all SPCBs/PCCs vide letter dated 25/06/2019 for preparation of annual inventory as outlined in the said guidelines; and

WHEREAS, CPCB after examination of annual inventory submitted by SPCBs/PCCs is preparing national inventory report on yearly basis since 2016 and the same are available on CPCB website; and

WHEREAS, the following repetitive gaps/ shortcomings have been observed in the annual inventory (2020-21) submitted by SPCBs/PCCs:

- a. Submission of annual inventory after lapse of stipulated timeline (i.e. 30th September every year)

Contd/2-

- b. Annual inventory does not include information on all hazardous waste generating/handling units (only% units submitted annual returns).
- c. Regional-Office wise information provided on generation and management of hazardous waste, whereas district-wise information is sought.
- d. Status on HW generating units versus units authorised/ exempted from authorization is not properly reported.
- e. Hazardous Waste managed more than its generation and vice-versa (state-specific).
- f. Quantities reported for inter-state movement with respect to recycling/ utilization/ disposal are not matching with those reported by sender/ receiver States/UTs.
- g. Inconsistency in the details provided in two consecutive formats with regard to number of recyclers/ utilisers/ TSDFs, authorized capacity, quantity of HW recycled/ utilised/ disposed, cumulative quantity disposed in TSDFs.
- h. Improper reporting with regard to import and export of HW, missing details on type, category of HW and importing/exporting country.
- i. About % (of HW to be managed) has been reportedly stored at occupiers' premises at the end of financial year 2020-21.
- j. Improper Management of other waste (i.e. quantity of other waste imported, quantity recycled/utilized and quantity stored at the beginning) and waste generated from other regulations like domestic HW and fluorescent lamp etc.

AND WHEREAS, above shortcomings indicate that CPCB guidelines on "Inventories on Hazardous and Other Waste Generation and their Management" are not referred during preparation of annual inventory; and

WHEREAS, CPCB observed that most of gaps/issues identified and communicated were not fully clarified and resolved by respective SPCB/PCC and updated inventory has not been received from 21 SPCBs/PCCs; and

WHEREAS, CPCB also requested SPCBs/PCCs to take necessary actions on the recommendations made in the national inventory report (2019-20) and submit action taken report to CPCB vide letter dated 31/03/2021, however, except Mizoram and Chandigarh, said report has not been submitted by SPCBs/PCCs; and

WHEREAS, as per order of the Hon'ble NGT (in the matter of O.A. No. 804/2017) CPCB prepared and circulated Monitoring Mechanism to cross verify the status of hazardous waste generating/handling industries to all SPCBs/PCCs vide letter dated 15/10/2020 and submit half-yearly status report on verification of the industries to CPCB as per format prescribed therein from April, 2021 onwards. However, the said verification reports have not been received from SPCBs/PCCs; and

WHEREAS, the Hon'ble NGT vide order dated 07/07/2020 in the matter of O.A. 804/2017 directed SPCBs/PCCs not to permit any new industry having potential to generate hazardous waste till facilities for disposal of such waste are ensured (**state Specific**). However, it is observed that states not having TSDF have granted authorization during 2020-21 indicating violation of directions of the Hon'ble NGT; and

WHEREAS, the Central Government vide Notifications No. S.O. 157(E) of February 27, 1996 and S.O. 730 (E) dated July 10, 2002, has delegated the powers under Section 5 of the Environment (Protection) Act, 1986 (29 of 1986) to the Chairman, CPCB, to issue directions to any industry or any local or any other authority for the violation of the standards and rules, notified under the Environment (Protection) Act, 1986 and amendments thereof; and

NOW, THEREFORE, in exercise of the powers vested under the Section 5 of the Environment (Protection) Act, 1986, (name of SPCB/PCC) is directed to ensure the following:

1. All hazardous waste generating and handling units shall submit the annual returns by 30th June every year as per HOWM Rules, 2016.
2. Initiate action against the defaulting units (in case of late/non submission of annual return) in accordance with the HOWM Rules, 2016. The status on action taken against such units be provided to CPCB along with the annual inventory report of 2021-22.
3. Refer CPCB's "Guidelines for Preparation of Inventories on Hazardous and Other Waste Generation and their Management" and take necessary measures to resolve the gaps mentioned at (a-j) and ensure that these are addressed in annual inventory report of 2021-22.
4. Initiate action for verification and reconciliation of interstate movement of HW and ensure that only verified data be reported in annual inventory 2021-22.
5. Annual inventory shall also include details on quantity of HW generated and managed by Customs and Port Authorities based on the annual returns/details provided by them. Accounting of the same also be ensured by TSDF and submitted in the annual inventory report.
6. Submit the half-yearly status reports on verification of industries (as per the prescribed format provided in the monitoring mechanism circulated vide letter dated 15/10/2020) by 31/07/2022.
7. Submit annual inventory report to CPCB on or before 30th September, 2022. Report received after due date shall not be considered by CPCB for verification and further inclusion in National Inventory Report on Generation and Management of Hazardous and Other waste, which is being forwarded to MoEF&CC.
8. Initiate action against the units, which had stored hazardous waste beyond the stipulated period under Rule 8 of the HOWM Rules, 2016 and submit the action taken report to CPCB along with annual inventory report of 2021-22.
9. Since the State has not developed TSDF/made sharing arrangement with other states for disposal of HW, the authorization granted to the units after 07/07/2020 in compliance with the Hon'ble NGT directions in the matter of O. A. No. 804/2017 be suspended/ cancelled. The status on the same be submitted to CPCB by 31/08/2022. (state specific)
10. Carry out study to review the management practices on the types of HW generated and develop the strategic plan for effective management of HW and share the same with CPCB by 30/11/2022.

The receipt of these directions shall be acknowledged within 15 days of issuance of the directions.

(Tanmay Kumar)
Chairman

Copy to:

1. **The Joint Secretary, HSM Division**
Hazardous Substance Management Division
Ministry of Environment, Forest and Climate Change
Indira Parvayaran Bhawan
Jor Bagh, New Delhi-110003
2. **The Regional Directorates**
(as per list enclosed)
3. **DH, IT Division**



(Prashant Gargava)
Member Secretary

List of all the State Pollution Control Boards (SPCBs) & Pollution Control Committees (PCCs)

1.	The Member Secretary Andhra Pradesh State Pollution Control Board, D.No. 33-26-14 D/2, Near Sunrise Hospital, Pushpa Hotel Centre, Chalamvari Street, Kasturibaipet, Vijayawada – 520 010, Andhra Pradesh	2.	The Member Secretary Arunachal Pradesh State Pollution Control Board, Paryavaran Bhawan, Papu Hill, Yupia Road, Naharlagun-791110, Arunachal Pradesh
3.	The Member Secretary Assam Pollution Control Board, Bamunimaidan, Guwahati- 781021, Assam	4.	The Member Secretary Andaman & Nicobar Islands Pollution Control Committee, Department of Science & Technology, Dollygunj Van Sadan, Haddo P.O., Port Blair-744102, Andaman & Nicobar
5.	The Member Secretary Bihar State Pollution Control Board, Parivesh Bhawan, Plot No. NS-B/2 Paliputra Industrial Area, Patliputra, Patna (Bihar) - 800 023, Bihar	6.	The Member Secretary Chandigarh Pollution Control Committee, Paryavaran Bhawan, Ground Floor, Sector-19 B Madhya Marg, Chandigarh
7.	The Member Secretary Chhattisgarh Environment Conservation Board, Paryavas Bhavan, North Block Sector-19, Naya Raipur- 492002, Chhattisgarh	8.	The Member Secretary Pollution Control Committee, Dadra and Nagar Haveli and Daman and Diu 1 st Floor, Udhog Bhavan Bhenslore, Dunetha Nani Daman, Daman - 396210, Daman
9.	The Member Secretary Delhi Pollution Control Committee, Government of N.C.T. Delhi 4 th Floor, ISBT Building, Kashmere Gate, Delhi-110006	10.	The Member Secretary Gujarat Pollution Control Board Paryavan Bhavan, Sector 10- A Gandhinagar – 382 043, Gujarat
11.	The Member Secretary Goa State Pollution Control Board, Nr. Pilerne Industrial Estate, Opp. Saligao Seminary, Saligao - Bardez – 403511, Goa	12.	The Member Secretary Haryana State Pollution Control Board, C-11, Sector-6. Panchkula-134109, Haryana
13.	The Member Secretary Himachal Pradesh Pollution Control Board, Him Parivesh, Phase-III, New Shimla- 171009, Himachal Pradesh	14.	The Member Secretary Jharkhand Pollution Control Board, T.A Building, HEC, P.O. Dhurwa, Ranchi – 834004, Jharkhand
15.	The Member Secretary Jammu & Kashmir State Pollution Control Board, Parivesh Bhawan, Forest Complex, Gladni, Narwal, transport Nagar, Jammu, Jammu and Kashmir 180004 (Nov – April) Shiekh-ul-Campus, behind Govt. Silk Factory, Raj Bagh, Srinagar(J&K). (May – Oct)	16.	The Member Secretary Karnataka State Pollution Control Board, Parisara Bhavan, 4 th & 5 th Floor, # 49, Church Street, Bangalore-560001, Karnataka

17.	The Member Secretary Kerala State Pollution Control Board, Plamoodu Jn., Pattom Palace P.O. Thiruvananthapuram-695 004, Kerala	18.	The Member Secretary Lakshadweep Pollution Control Committee, Department of Science, Technology & Environment, Kavarati- 682555, Lakshadweep
19.	The Member Secretary Maharashtra Pollution Control Board, Kalpataru Point, 2 nd – 4 th Floor Opp. Cine Planet Cinema, Nr. Sion Circle, Sion (E) Mumbai – 400 022, Maharashtra	20.	The Member Secretary Madhya Pradesh Pollution Control Board, E-5, Arera Colony, Paryavaran Parisar, Bhopal- 462 016, Madhya Pradesh
21.	The Member Secretary Manipur Pollution Control Board, Lamphelpat, Near Imphal West D.C. Office, Imphal, Manipur	22.	The Member Secretary Meghalaya Pollution Control Board Arden-Lumpyngngad Shillong- 793014, Meghalaya
23.	The Member Secretary Mizoram Pollution Control Board, New Secretariat Complex, Khatla Thlanmual Peng, Khatla, Aizawl- 796001, Mizoram	24.	The Member Secretary Nagaland Pollution Control Board, Signal Point, Dimapur- 797112, Nagaland
25.	The Member Secretary Odisha Pollution Control Board, A-118, Nilakanta Nagar, Unit –VIII, Bhubaneshwar – 751012, Odisha	26.	The Member Secretary Pondicherry Pollution Control Committee, Housing Board Complex, Anna Nagar-600 005, Pondicherry
27.	The Member Secretary Punjab Pollution Control Board, Vatavaran Bhawan, Nabha Road, Patiala, Punjab	28.	The Member Secretary Rajasthan Pollution Control Board, 4, Jhalana Institutional Area, Jhalana Doongri, Jaipur- 302 004, Rajasthan
29.	The Member Secretary Sikkim State Pollution Control Board, Department of Forest, Environment & Wildlife Management Government of Sikkim, Deorali, Gangtok, -737102, Sikkim	30.	The Member Secretary Tamil Nadu Pollution Control Board, 76, Mount Salai, Guindy, Chennai- 600032, Tamil Nadu
31.	The Member Secretary Telangana State Pollution Control Board, Paryavaran Bhawan, A-3, I.E. Sanath Nagar, Hyderabad-500 018, Telangana	32.	The Member Secretary Tripura Pollution Control Board, Vigyan Bhawan Pandit Nehru Complex, Gorkhabasti, PO: Kunjaban Agartala: 799006, Tripura
33.	The Member Secretary Uttar Pradesh Pollution Control Board, Building.No. TC-12V Vibhuti Khand, Gomti Nagar Lucknow-226 010, Uttar Pradesh	34.	The Member Secretary Uttarakhand Pollution Control Board, Gaura Devi Bhawan, 46 B IT Park Sahastradhara, Dehradun, Uttarakhand - 248001, Uttarakhand
35.	The Member Secretary West Bengal Pollution Control Board, Paribesh Bhavan, 10A, Block-L.A., Sector III, Bidhan Nagar, Kolkata - 700106, West Bengal		

LIST OF REGIONAL DIRECTORATE OFFICES, CPCB

Sl. No.	Regional Directorate Addresses
1.	The Regional Directorate Central Pollution Control Board Ground Floor, PICUP Bhawan Vibhuti Khand, Gomti Nagar Lucknow - 226 010
2.	The Regional Director Central Pollution Control Board A-Block Nisarga Bhavan 1 st & 2 nd Floors, 7 th D Cross Thimmaiah Road Shivanagar, Bangaluru -560 079
3.	The Regional Directorate Central Pollution Control Board 'South end Conclave', Block-502, 5 th & 6 th Floor 1582, Razidanga, Main Road Kolkata - 700 107
4.	The Regional Directorate Central Pollution Control Board Parivesh Bhawan Opp. Ward No. 10 VMC Office, Subhanpura, Vadodara - 390 023
5.	The Regional Directorate Central Pollution Control Board Parivesh Bhawan, Paryavaran Parisar, E-5, Arera Colony, Bhopal-462016
6.	The Regional Directorate Central Pollution Control Board "TUM-SIR". Lower Motinagar Near Fire Brigade H.Q., Shillong - 793 014
7.	The Regional Directorate Central Pollution Control Board Second Floor, 77-A, South Avenue Road, Ambattur Industrial Estate, Chennai, Tamilnadu-600058

8.	The Regional Directorate Central Pollution Control Board Survey No. 110, Dhankude Multi-Purpose Hall, Baner Road, Baner, Pune - 411045
9.	The Regional Directorate Central Pollution Control Board BSNL Telephone Exchange, 2 nd Floor, Sector 49 -C, Chandigarh-160 047