
Procedure for Processing the Proposals for Utilization of Hazardous Waste under Rule 9 of the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016



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**Central Pollution Control Board
(Ministry of Environment, Forest & Climate Change,
Government of India)
Parivesh Bhawan, East Arjun Nagar,
Shahdara, Delhi – 110032**

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Background:

The Rule 9 of the Hazardous and Other Wastes (Management and Transboundary Movement) (HOWM) Rules, 2016 and amendments thereof stipulates that;

- 1) *The utilization of hazardous waste as a resource or after pre-processing either for co-processing or for any other use, including within the premises of the generator (if it is not part of process), shall be carried out only after obtaining authorization from the State Pollution Control Board in respect of wastes on the basis of standard operating procedures or guidelines issued by the Central Pollution Control Board from time to time.*
- 2) *Where standard operating procedures are not available for specific utilization of hazardous waste, the approval has to be sought from the Central Pollution Control Board which shall be granting approval on the basis of trial runs and thereafter, standard operating procedures shall be prepared by the Central Pollution Control Board.*

Provided, if trial run has been conducted for particular waste with respect to particular utilization and compliance to the environmental standards has been demonstrated, authorization may be granted by the State Pollution Control Board with respect to the same waste and utilization, without need of separate trial run by Central Pollution Control Board and such cases of successful trial run, Central Pollution Control shall intimate all the State Pollution Control Board regarding the same.

- 3) *No trial runs shall be required for co-processing of waste in cement plants for which guidelines by the Central Pollution Control Board are already available; however, the actual users shall ensure compliance to the standards notified under the Environment (Protection) Act, 1986 (29 of 1986), for cement plant with respect to co-processing of waste, Provided that till the time the standards are notified, the procedure as applicable to other kind of utilization of hazardous and other waste, as enumerated above shall be followed"*

As per the aforesaid provisions of utilization of hazardous wastes as a resource or after-pre-processing either for co-processing or for any other use, including within the premises of the generator (if it is not part of process), shall be carried out only after taking approval from CPCB and/or obtaining authorization from the SPCB in respect of wastes on the basis of SoPs or guidelines provided by the CPCB, as the case may be.

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Procedure for processing applications received at online portal CPCB for grant of approval and development of SoPs or guidelines for various proposed utilization of hazardous waste is given below:

A. Application for Utilization of Hazardous Waste under Rule 9:

The applicant willing to utilize hazardous waste should submit an application through CPCB portal "Online application for utilization of hazardous wastes under Rule 9" available at - <https://egovernancecpcb.co.in/hazardous/> (Instructions for online application at **Annexure I**)

Hard copy of application shall not be accepted for processing at CPCB.

B. Processing of applications:

- B-I** In case the proposal is for utilization of hazardous wastes, for which CPCB has already prepared SoPs or guidelines, applicant after complying with such SoPs shall apply to concerned SPCB/PCC for authorization. If required, applicant will be informed accordingly with a copy to concerned SPCB/PCC (preferably by email).
- B-II** In case the proposal to utilize hazardous waste(s), for which SoPs or guidelines are not in existence, then the application shall be processed according to the following procedure:
1. Upon receipt of the online application, CPCB shall examine and evaluate it in 10 working days (02 weeks).
 2. If, application found incomplete w.r.t. necessary information required to process the application, the applicant shall be communicated to provide the desired information within 30 days.
 3. In case of no response within 30 days from the applicant, the application shall be treated as withdrawn.
 4. CPCB shall further examine the additional information provided by the applicant.
 5. The case along with protocol** for trial utilization study shall be put up before Technical Expert Committee (TEC) within 02 weeks upon receipt of complete information from the unit. The protocol shall include the duration, quantity of hazardous waste required for trial, the parameters for measurement in air/water/waste-streams/soil/work-zone etc., tentative standards for identified



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parameters, sampling duration, tentative number of samples, process conditions: load variation, waste mix proportions, duration, etc.

6. After recommendation of TEC & approval of Competent Authority in CPCB, trial run protocol shall be communicated to the unit. A formal letter with protocol shall be issued by CPCB to the unit for conducting trial run study with copy to concerned SPCB/PCC and CPCB (Regional Directorate/HO Team) within 5 working days (01 week) of approval from Competent Authority of CPCB.
7. The maximum duration to conduct the trial run in a stretch shall be restricted to 30 days. Trial run monitoring shall be conducted at peak load or to capture the possible maximum emission/discharges to the environment.
8. The validity of trial run study shall be for period of 03 months from the date of issue of trial run permission letter. In case, applicant is unable to conduct trial run in the specified period, the application shall be treated as withdrawn. CPCB may however extend the validity trial run period on case to case basis, upon request of the applicant, citing reasons and valid grounds.
9. It shall be responsibility of the applicant to obtain one-time authorization for trial run study based on the permission granted by CPCB.
10. The unit shall engage an environmental laboratory recognized under EPA 1986 or NABL accredited laboratory for carrying out the monitoring of trial utilization as per the protocol issued by CPCB. The laboratory shall have accreditation (EPA/NABL/ISO17025) for the parameters specified for the trial run protocol. In case the unit is unable to engage any laboratory having the said accreditation for any parameters, international labs accredited under ISO 17025 may be engaged for analysis of such parameters.
11. Based on trial run permission, the unit shall procure the required quantity of hazardous waste for trial run from the generating industry as declared by the unit.
12. The unit shall inform CPCB and the concerned SPCB/PCC about their preparedness of carrying out trial run at least 15 days in advance so as to enable CPCB and the SPCB/PCC to participate in the trial utilization study and monitoring.
13. Regional Directorate (RD), CPCB shall schedule trial run jointly with SPCB within 30 days from date of receipt of communication from applicant.

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14. It shall be responsibility of the industry to take all safeguards while handling, transportation, storage, utilization etc. of the hazardous waste so as to avoid accidents, environmental damages etc. In the event of such accidents/damages, the industry shall have sole responsibility and liability of the same.
15. NOC for inter-state transport of hazardous waste meant for utilization is not required from SPCB/PCC. However, the sender of hazardous wastes shall intimate both the SPCBs before handing over the waste to the transporter in accordance with provisions laid down under the Rule 18(4) of HOWM Rules, 2016.
16. Trial run performance shall be monitored by laboratory in presence of the CPCB & SPCB/PCC officials. CPCB/SPCB shall collect few random samples for cross-verification during the trial run period.
17. The laboratory engaged shall submit data and analysis results within 15 days after completion of trial utilization monitoring and other information as prescribed in the monitoring protocol only to the concerned RD, CPCB with copy to Head Office CPCB, Delhi.
18. Inspecting team of CPCB (RD) shall submit inspection report along with analysis results and information within 30 days after completion of trial runs. The report shall be very specific with observations, shortcomings and recommendations. Deviations in analysis reports of CPCB and laboratory hired shall be indicated in the report with likely reasons.
19. In case of major deviation between the results of samples collected by CPCB and laboratory engaged and non-compliance, the monitoring shall be repeated. One time repeat trial run may be permitted. However, the said repeat trial run shall be permitted only after taking corrective measures by the unit. The permission for repeated trial run shall be obtained from Head Office, CPCB Delhi.
20. The monitored data of identified parameters shall be compared with notified standards under Environment (Protection) Act, 1986. CPCB may propose international practices/standards, in the absence of notified standards.
21. Based on the trial study report individual case shall be examined** for compliance to monitored parameters and requisite infrastructure as per trial run protocol. CPCB shall develop draft SoP and place before TEC for discussion

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within 10 working days (2 weeks) from date of receipt of the trial run report from RD, CPCB.

22. The recommendation of TEC, shall be placed before Competent Authority of CPCB for granting approval/conditional approval/refusal, as the case may be.
23. CPCB shall develop Final SoPs for utilization of similar hazardous waste adopting similar process which has been assessed through inspection and trial run and upload on CPCB website.
24. CPCB shall issue a letter to applicant with copy to concerned SPCB/PCC regarding granting approval/conditional approval/refusal of utilization proposal within 5 working days (01 week) of approval from Competent Authority of CPCB.

*** Complete applications are evaluated by CPCB considering environmental soundness of the utilization proposal; pollution potential for emissions/discharges; potential for ground/soil contamination; adequacy of the proposed facility for control of pollution; quantity of residue/waste generated; potential exposure to the workers and nearby community; etc. If utilization proposal found satisfactory, trial run monitoring protocol shall be recommended along with emission/discharge/work zone standards. Further, upon satisfactory verification during trial run, CPCB shall grant approval and prepare standard operating procedure thereof.*

C. Validity of Approvals:

- a. No validity period for the approvals issued under the Rule-9 shall be specified as long as there is no change in utilization process, raw material and product use, wherever applicable. The conditions specified as part of approval shall be enforced by the concerned SPCB/PCC.
- b. In cases where violations are observed by CPCB or the concerned SPCB/PCC, or in case the approved utilization process proves to be non-compliant in real time conditions over a period, the approval under Rule-9 as well as the SoPs shall be cancelled by CPCB or SPCB/PCC, as the case may be.

It shall be the endeavour of CPCB to continuously improve upon the utilization process based on the technology improvements, implementation and experience gained on larger scale. Therefore, the conditions specified in SoPs and Check-list is subjected to change from time to time.



Format & Checklist for obtaining approval from the Central Pollution Control Board under the Rule 9 of the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016*

1	GENERAL INFORMATION	
1.1	Name & Address of the Unit:	
1.2	Contact Person and phone number with Email Id:	
1.3	Products to be manufactured and quantity (MT/Day):	
1.4	Please attach copy of air consent, water consent and authorization:	
2	DETAILS OF HAZARDOUS WASTE TO BE UTILIZED	
2.1	Name, category & address of hazardous waste generating industry:	
2.2	Name/Type of the hazardous wastes waste including category (as per the Schedule I or II or III) intended for utilization:	
2.3	Detailed characteristics of hazardous waste proposed for utilization <i>(including individual concentration of all raw materials/products and by-products/possible organic compounds utilized during hazardous waste generation process):</i>	
2.4	Complete Process details from which such hazardous waste is generated <i>(including chemical reactions and complete list of raw materials/chemicals utilized/by products of generation process):</i>	
3	DETAILS OF UTILIZATION OF HAZARDOUS WASTES IN PRODUCT MANUFACTURING	
3.1	Proposed quantity (in MTA) of hazardous waste to be utilized:	
3.2	Process details of hazardous waste utilization <i>(including working principle of each of the plant & machinery and flow diagram of the utilization process along with complete mass balance and write-up about the process):</i>	
3.3	Chemical reactions involved at various stages of the utilization process along with material balance:	
3.4	Detailed characteristics of product manufactured by using above hazardous waste <i>(including individual concentration of all raw materials/products and by-products/possible organic compounds utilized during hazardous waste generation process; TCLP/STLC//Total Concentration analysis, as applicable):</i>	
3.5	Base line data including characteristics pertaining to air emissions, waste water generation and other solid wastes including hazardous or other waste expected to be generated in the proposed utilization process:	
3.6	Material Balance with and without utilizing hazardous wastes, in case the waste is proposed for utilization/co-processing in an already existing process:	
3.7	Details of hazardous or other waste storage facility and process area	

	facility:	
3.8	Quantity of fuel and/or raw material that are expected to be conserved (in % of raw material replaced) from the proposed utilization:	
3.9	Details of findings of laboratory/ pilot scale study, international practice etc.:	
3.10	End use process details of the product (s) manufactured by using the above waste and its environmental impacts thereof:	
3.11	Specifications of product derived with and without utilization of the aforesaid hazardous waste (<i>Please also provide BIS or other specifications of the product, as applicable</i>):	
4	ADDITIONAL DETAILS OF UTILIZATION OF HAZARDOUS WASTE IN ETP/CETP	
4.1	Name of chemical being currently used as neutralizing/coagulating agent/others	
4.2	Consumption of quantity of chemical being currently used as neutralizer/coagulant/others in terms of per MLD	
4.3	Proposed dosing of hazardous waste in terms of per MLD	
4.4	Current intake of CETP/ETP (monthly average)	
4.5	Details of ETP/CETP along with various intermediates treatment units and expected impact by the said utilization on the treated waste water	
5	ADDITIONAL DETAILS OF UTILIZATION OF HAZARDOUS WASTES IN ENERGY RECOVERY	
5.1	Name of the material that is being currently used as fuel for energy source and its calorific value	
5.2	Consumption of quantity of fuel that is being currently used as fuel in terms of MTA	
5.3	Details of the hazardous waste proposed to be utilized with their calorific value, proximate analysis, ultimate analysis and expected impact by the said utilization as emissions	
5.4	Name and details of the furnace/boiler/kiln that is used in the utilization process with working principle and its operational conditions	

***To be filled by the unit, who desires to utilize hazardous wastes as a resource or after pre-processing either for co-processing or for any other use, including within the premises of the generator (if it is not part of process)*

Checklist for evaluation of applications under Rule 9 of HOWM Rules, 2016 (to be submitted along with application)

S. No.	Details of information required	Provided (Yes/No)	Remarks
1.	Name & complete address of the hazardous waste (HW) utilizing unit		
2.	Name & Designation of authorized person with contact number & email ID		
3.	Copy of CTE/CTO/Authorization		
4.	Name & Category of HW proposed to utilize		
5.	Name & Address of HW generating industries (attach list)		
6.	HW generation process details, attach Process Flow Diagram (PFD)		
7.	Proposed quantity of HW to be utilized		
8.	Analysis report of HW		
9.	Proximate and ultimate analysis of HW (if utilized for energy recovery)		
10.	Detail HW utilization process description		
11.	PFD of HW utilization process		
12.	Mass balance of utilization process with and without using HW		
13.	Chemical reaction involved in utilization process		
14.	Operation details of unit involved in HW utilization (like operational parameters, capacity, working principle of machinery)		
15.	HW Storage and process area facility details		
16.	Quantity and details of fuel and/or raw material that are expected to be conserved/replaced through HW utilization.		
17.	Details of any laboratory/ pilot scale study		
18.	End use details of the product (s) manufactured by using HW along with other standard specification (like BIS)		

Signature of Authorized Person
