

ENVIRONMENTAL COMPLIANCES- TO PROTECT AND IMPROVE ENVIRONMENT



Environmental compliance covers a broad range of regulations, laws and standards created to manage our environment. The legislation applicable from householders to multi-national companies and covers a wide range of areas such as carbon emissions and carbon management, water quality, site permits, waste handling and storage, and many more.

Regulations and Legislations in India

There is a long list of environmental legislation that you need to look at in order to ensure that you don't miss out any compliance. Here is a comprehensive list of legislation you need to abide by:

1. Water (Prevention and Control of Pollution) Act, 1974 (Water Act), amended in 1988
2. Air (Prevention and Control of Pollution) Act, 1981 (Air Act), amended in 1987
3. Environment (Protection) Act, 1986 (EP Act), amended in 2002 – This is the umbrella act which entails the following rules:
 - a) E-Waste (Management) Rules, 2016;
 - b) Bio-Medical Waste Management Rules, 2016;
 - c) Construction and Demolition Waste Management Rules, 2016;
 - d) Hazardous and Other Waste (Management and Trans-boundary Movement) Rules, 2016;
 - e) Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989;
 - f) Coastal Regulation Zone Notification, 2011;
 - g) Environment Impact Assessment Notification, 2006; and amendment thereafter;
 - h) Plastic Waste Management Rules, 2016).
4. Wild Life (Protection) Act, 1972, amended in 2003
5. Forest (Conservation) Act, 1980, amended in 1988
6. Public Liability Insurance Act, 1991, amended in 1993
7. Biological Diversity Act, 2002, amended in 2017
8. National Green Tribunal Act, 2010, amended in 2017

Jurisdiction of Environmental Legislation in India



The important five Environmental laws for the operational Common Bio-medical Waste Facilities as well as Common Effluent Treatment Facilities are enumerated below:

1. **Water (Prevention & Control of Pollution) Act, 1974, amended in 1988**
2. **Air (Prevention & Control of Pollution) Act, 1981, amended in 1987**
3. **Hazardous Waste (Management, Handling and Trans-boundary Movement) Rules, 2016**
4. **Environmental (Protection) Rules, 1986, amended in 2002**
5. **Bio-Medical Waste (Management) Rule, 2016, amended in 2019**

Let us take a short view on necessary Environmental Compliances:

1) Environmental Monitoring:- According to the *Water (Prevention & Control of Pollution) Act, 1974*, *Air (Prevention & Control of Pollution) Act, 1981* each polluting facility must have to conduct quarterly Environmental monitoring from the NABL Certified Lab as Third Party.

Environmental Monitoring shall be done at CETP and CBMWT facilities are as follows:

ENVIRONMENTAL MONITORING		
Sr. No.	CETP Facilities	CBMWT Facilities
1	Incoming Effluent Analysis	Incoming Effluent Analysis
2	Treated Effluent analysis as prescribed by concerned board	Treated Effluent analysis as prescribed by concerned board
3	Stack Analysis (DG sets)	Stack Analysis (incinerator & DG sets)
4	DG noise analysis (DG sets)	DG noise analysis (DG sets)
5	Boiler stack analysis, if installed	Boiler stack analysis, if installed (Once in a Month)
6	Ambient Air Quality Monitoring	Ambient Air Quality Monitoring
7	Ground Water analysis from Bore Well, if any	Ground Water analysis from Bore Well, if any
8	Soil analysis	Soil analysis
9	HRTS ground water sampling, if applicable	Autoclave Validation Test
10	Sludge analysis	Spore Test (Weekly)
11	Blower noise analysis	Dioxins and Furans (Once in a year)
12	-	Ash Testing

- 2) Environmental Statement:-** According to the *national Environmental (Protection) Rules of 1986*, each polluting facility must submit an Environmental Statement (Form V) at the end of financial year (April through March), on or before 30th September of every year.
- 3) Prior Permit from the Board to operate the plant before its expiry:-** Under *Water Act, 1974, Air Act, 1981, and HWMR Rules 2016*, all polluting facilities are legally required to obtain from a respective SPCB a consent (permits) to establish (CTE). After establishing the plant representative from the pollution control board visits site to check whether construction is as per plan. Once approved we can apply for consent to operate (CTO) and thereafter can be renewed (60 days before expiry) for every 1 to 5 years depending on the category whereas consent to establish is a one-time activity.
- 4) Submission of Hazardous waste relevant information to the concerned board:-** Under *Hazardous Waste (Management And Trans-boundary Movement) Rules, 2016*, all the polluting facilities must submit the information of Hazardous waste via in the Annual Return (Form IV) every year before 30th June; Maintaining Records of Hazardous Wastes By The Occupier Or Operator of a Facility (Form III) in continuous manner as well as regular interval submission of the Manifest to SPCB.

- 5) Submission of Hazardous waste relevant information to the concerned board:-** Under *Hazardous Waste (Management And Trans-boundary Movement) Rules, 2016*, all the BMW facilities must submit the information of Hazardous waste via in the Annual Return (Form IV) every year before 30th June as well as in regular interval submission of the Manifest to SPCB.
- 6) Installation of Online Continuous Emission Monitoring System (OCEMS):-** In order to track release of pollutants through air emissions and effluent discharge from industries with high pollution potential, Central Pollution Control Board issued directions dated 05.02.2014 under *section 18(1) b of the Water and Air Acts* to the State Pollution Control Boards and Pollution Control Committees and its connectivity must be directly connect to CPCB and SPCB server.
- 7) Bar Coding and GP system for handling Bio-Medical Waste:-** Under *BMW Management Rule, 2016* all the occupier of Bio-Medical Waste Facilities, transports the Waste of Bio-medical through the vehicles must labelled Bags Bar coding as well as GPS (Global Positioning System) to track the vehicles.
- 8) Other major legislations:-** As per *Factory Act, 1948* all the factory owner needs Factory License. It acts as a document of approval given by authorities to carry out manufacturing activities. Factory License is issues by the Department of Factories and Boilers. A factory occupier may get the licence renewed either for one, five or ten years at a time.

Under *Maharashtra Factories Rules, 1963* all the industry must file the Factory Annual Return (Form 27) every year of January in the prescribed form before expiry.

Reference:

1. indiacode.nic.in/bitstream/123456789/4316/1/ep_act_1986
2. indiaenvironmentportal.org.in/files/file/BMW%20Rules,%202016
3. chocmms.nic.in/SPCB_DOCUMENTS/Water%20Act
4. indiacode.nic.in/bitstream/123456789/1389/1/a1981-14
5. labour.gov.in/sites/default/files/Factories_Act_1948