

I/108459/2022

HARYANA STATE POLLUTION CONTROL BOARD
C-11 Sector-6, Panchkula
Ph - 0172- 577870-73, Fax No. 2581201
E-mail- hspcbho@gmail.com

Order

Whereas, as per provision of section 27 of Water (Prevention & Control of Pollution) Act, 1974 the State Board may from time to time review any condition imposed under section 25 or section 26 and may serve on the person to whom a consent under section 25 or section 26 is granted a notice making any reasonable variation of or revoking any such condition.

Whereas, as per provision of section 21 of Air (Prevention & Control of Pollution) Act, 1981, the State Board shall, after giving the person to whom consent has been granted an opportunity of being heard, vary all or any of such conditions and thereupon such person shall be bound to comply with the conditions as so varied.

Whereas, the Board vide order endst. No. 4023-4076 dated 12.12.2018 issued list of approved fuels in the State of Haryana with adequate pollution control devices for the purpose under provisions of Air (Prevention & Control of Pollution) Act, 1981.

Whereas, the Board vide order endst. No. HSPCB/SSC/2019/6916-6939 dated 28.01.2019 has issued inlet quality standards for common effluent treatment plants (CETPs) in Haryana for achieving the same by the constituent units discharging their effluents to CETPs.

Whereas, the Board vide order endst. No. HSPCB/WC-2/2162-2169 dated 02.07.2020 has issued standard for discharge of treated sewage/ effluent from the sewage treatment plants (STPs). The above standards are applicable to all STPs, including all the existing / under construction STPs/ under up-gradation and modification.

Whereas, the Board has yet not specified procedure for issuing varied consent already issued under the provisions of Water Act, 1974 and Air Act, 1981 to the industrial sector/units.

Whereas, the consent to operate has already been issued and is also being issued from time to time under the provisions of above said Acts by the Board in respect of the fuel and discharge standards along with other specifications / terms and conditions mentioned therein. After issuance of above said orders regarding approved fuels and discharge standards of STPs and CETPs necessary corresponding changes were required to be made in some of CTOs already issued for longer period. Presently, there is no such procedure to deal with such type of cases.

Whereas, the matter was discussed in the meeting of TAC of the Board held on 15.12.2021 and after detailed discussion and deliberations on the issue, procedure for issuing varied consent under the provisions of Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 has been recommended by TAC and the recommendations of TAC have been accepted and approved and circulated vide letter No.I/93940/2022 dated 3.2.2022:-

In view of above, it is hereby ordered that the procedure prescribed as per Annexure 'A' for issuing varied consent under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 shall be adopted for issuing varied consent.

Dated Panchkula, the
06th April, 2022

P. Raghavendra Rao
Chairman

Endst. No. HSPCB/PLG/2022/

Dated:

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A copy of the above is forwarded to the following for information and further necessary action:-

1. All Branch Incharges dealing with consent management in Head Office of the Board.
2. All Regional Officers of the Board in the field.
3. Environmental Engineer -cum- Nodal Officer of the HSPCB, Haryana Enterprises Promotion Centre (HEPC) Bay No. 63-64-65-66, Sector 2, Panchkula.
4. Branch incharge (IT) for uploading the orders on the website of the Board and making necessary changes in the OCMMS and online inspection module.

Sr. Env. Engineer (PLG)
For Chairman

Endst. No. HSPCB/PLG/2022/

Dated:

A copy of the above is forwarded to the following for information of the officers:-

1. PS to Chairman
2. PA to Member Secretary

Sr. Env. Engineer (PLG)
For Chairman

Annexure-I

As per provision of section 27 of Water (Prevention & Control of Pollution) Act, 1974 State Board may from time to time review any condition imposed under section 25 or section 26 and may serve on the person to whom a consent under section 25 or section 26 is granted a notice making any reasonable variation of or revoking any such condition.

As per provision of section 21 of Air (Prevention & Control of Pollution) Act, 1981. State Board shall after giving the person to whom consent has been granted an opportunity of being heard, vary all or any of such conditions and thereupon such person shall be bound to comply with the conditions as so varied.

The Board vide order Endst. No. 4023-4076 dated 12.12.2018 issued list of approved fuels in the State of Haryana with adequate pollution control devices for the purpose under provision of Air (Prevention & Control of Pollution) Act, 1981.

The Board vide order Endst. No. HSPCB/SSC/2019/6916-6939 dated 28.01.2019 has issued inlet quality standards for common effluent treatment plants (CETPs) in Haryana for achieving the same by the constituent units discharging their effluent to CETPs.

The Board vide order endst. No. HSPCB/WC-2/2162-2169 dated 02.07.2020 has issued standard for discharge of treated sewage/ effluent from the sewage treatment plants (STPs) The above standards are applicable to all STPs including all the existing / under construction STPs/ under upgradation and modification.

The Board has yet not specified procedure for issuing varied consent already issued under the provisions of Water Act, 1974 and Air Act, 1981 to the industrial sector/units.

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The consent to operate has already been issued and is also being issued from time to time under the provisions of above said acts by the Board in respect of the fuel and discharge standards with other specifications/terms and conditions mentioned therein. After issuance of above said orders' regarding approved fuels and discharge standards of STPs and CETPs necessary corresponding changes were required to be made in some of CTOs already issued for longer period. Presently there is no such procedure to deal with such type of cases.

After detailed discussion and deliberation on the issue, the following procedure for issuing varied consent under the provisions of Water (Prevention & Control of Pollution) Act 1974 and Air (Prevention & Control of Pollution) Act, 1981 to the industrial sector/units has been recommended by TAC:-

1. Regional office shall examine the specifications/terms and conditions of CTO already granted by their office in respect of type of fuel and discharge standards mentioned therein with respect to orders of approved fuel and orders of discharge standards of STP and CETP issued by board or any other requirement.
2. In case CTO already granted by their office is not in consonance with the above said orders of approved fuel and discharge standards of STP and CETP issued by board "Concerned RO's shall issue the show cause notice to owner(s) of concerned units specifically indicating for varying specifications/terms and conditions of CTO already granted by their office.
3. Regional Officers shall serve show cause notices upon the unit through registered post with AD and through email, at the email address registered in the general details on the HROCMMS online portal of HSPCB. In case of failure to serve the Show Cause Notice through E-mail and registered post upon the unit, Regional Officer shall serve Show Cause Notice through special messenger and by pasting on gate/premises of unit RO shall maintain record of proof of delivery of show cause notice to concerned unit.
4. On receipt of reply of SCN, the concerned RO shall put up proposal for issuing varied consent and revocation of already granted consent. The proposal shall be put up through their respective branch incharge in Head office dealing with consent management. In case reply of unit not received within stipulated period of SCN, the case may be processed giving full justification and reasons of issuing the varied CTO
5. The concerned branch incharge shall examine the proposal of RO and put the case to Competent authority for grant of varied CTO.
6. In case any existing industrial sector/unit increases its production capacity by modernizing its industrial plant/make any technological changes/expansion/any other specific means, the industrial sector/unit is required to obtain consent to establish under the provision of the Water Act, 1974 and Air Act, 1981 as per provisions of consent procedure already issued by the Board.
7. In case, any industrial sector/unit obtained consent to establish or consent to operate for a specified capacity in their CTE/CTO and found that such industrial sector/unit has increased its capacity without obtaining consent of increased capacity from the Board Such type of cases be dealt as per procedure defined in the consent procedure already issued by the Board.
8. IT cell make provisions of issuing varied CTO in OCMMS. The procedure of dealing the applications of varied CTO shall be remained same as per existing procedure of OCMMS. The specifications/terms and conditions of varied CTO shall remain same as per existing format with the addition of "reference number and date of CTO to be varied and insert "Varied consent to operate to M/s_____ " at the

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starting of subject of CTO format.