



October 2022

Paryaavarar Times is a monthly newsletter edited by Paryaavararner Engineers & Consultants Pvt Ltd.

The newsletter aims at providing the updates in the field of environment in the previous month including environmental legal updates, guidelines, standards and other updates.

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Applicability:
industrial shed, school, college, hostel
for educational institutions

MOEF&CC: Clarification
regarding Gazette notification on
applicability of EC.



Link to notification

Intent / Background

MOEF&CC Gazette notification No. S.O.3252 (E) dated 22.12.2014 amended the item 8(a) of EIA notification 2006 state that industrial shed, school, college, hostel for educational institutions exempted from EC.

Summary:

- The ministry clarified about the exemption granted for construction of what type of educational structures in the notification issued on 22 December 2014. "It is clarified that the Notification dated 22.12.2014 provides exemption to buildings of educational institutions including universities from obtaining prior environment clearance under the provisions of the EIA Notification, 2006 subject to sustainable environmental Management".
- In addition to above ,vide letter dated 06/09/2016, if an industry is not covered under the EIA Notification 2006 for obtaining prior EC, it shall not required to obtain EC if the size of the Industrial shed proposed to be housed is more than 20,000 Sq mtr of built up area.
- Thereafter, the ministry issued an OM on 19/05/2022 stating that exemption provided for educational institutions vide Ministry's Notification No.S.o3252 (E) dated 22/12/2014.
- If any of the activities/processes covered in the schedule to the EIA Notification 2006 are housed in the said Industrial Shed, then same shall be required to obtain prior EC.
- It is further mentioned that the size of the industrial shed is $\geq 1,50,000$ sq mtrs of builtup area shall be required to obtain prior EC under item 8(b) od schedule to the EIA Notification 2006, irrespective of the type of industry /utility it houses.

Implications:

The OM dated 04/10/2022 clarification issued in supersession of OM no.19-2/2014-IA.III dated 05/03/2015 and with the approved of the Competent Authority.

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KSPCB: Online receipt of applications under BMW Rules using XGN Software

Applicability:
Health Care Establishments (HSE)



Link to notification

Intent / Background

Online receipt of application, processing and issuing of authorization for generation, collection, reception, treatment, storage, transport and disposal of Biomedical wastes under Bio-medical waste Management Rules, 2016 using XGN software.

Summary:

- The a) Non-bedded HCE's (clinics, dispensaries, clinical establishments, Health camps, vaccination centres, medical or surgical camps, blood donation camps, forensic laboratories) b) HCEs less than 30 beds falls under white category and should take one time consent/NOC from the Board.
- The Health care establishment falls under Red and Orange category should file applications to obtain consent under Air and Water acts and authorization under Bio-medical waste Management Rules, 2016 using XGN software.
- The manuals on processing of BMW applications through XGN Software is sent to concerned Regional offices for Red, Orange and white category authorization applications.
- The manuals also available on the KSPCB website.

Implications:

This OM informed to receive and process the applications and issue authorization under Bio-medical waste Management Rules, 2016 using XGN Software without fail. This order come into effect from 10-10-2022.



[Link to notification](#)

KSPCB: Consitution of Research & Development Committee

Intent / Background

Constitution of Research and Development committee by including experts from Environmental and its related fields.

Summary:

- One of the functions of KSPCB under Water and Air Acts is to plan for prevention, control of abatement of Air and Water pollution in the State. In this regard the Board has established Central Environmental Lab at Bengaluru.
- The Board to encourage R&D activities on pollution, prevention and control, Central Environmental Lab of the Board is recognized as R & D Centre by Visvesaraya Technical University.
- The Board propose to constitute an R & D committee consisting of members from various institutions.
- The Terms of Reference (TOR) for the committee are as follows..
 - To define the scope of Work, Vision, Mission and SOPs considering present and futuristic Research, Technology and Development.
 - Suggest development of infrastructure at the location based on experience and exposure/ need based survey.
 - To advice the Board on recent trends in process technologies and suggest the pollution control /abatement options with pilot study modules.
 - Evaluation of proposals on R & D on pollution prevention control.
 - To identify key environmental issues that may require further R & D inputs.
 - The tenure of the Committee is one year from the from the date of issue of this office Memorandum.
 - The Members and invitees of the Committee other than the Officers of the Board are entitled for sitting fee, travel and other all allowances as per the Board Norms.

Implications:

The Board propose to constitute an R & D committee consisting of members from various institutions to facilitate research, for testing and calibration of Laboratories.

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Applicability:

Red, Orange, Green category industries

KSPCB: Power of Delegation to issue Consent under Air and Water Acts.



[Link to notification](#)

Intent / Background

Amendment to Delegation of powers for disposal of Consent applications under Water and Air Acts, Authorization applications.

Summary:

- Amendment to Delegation of powers for disposal of Consent applications under Water and Air Acts, Authorization applications under HWM Rules, BMW Rules, SWM Rules, E- Waste Rules and Registration applications under PWM Rules.
- The process of consent management the subject was placed before 236th Board meeting with respect to Red category applications which are disposed at Head office.
- The consent applications pertaining to Red category will be disposed (Issue, Refuse/Withdraw/Cancel) at Head office with the approval of Chairman.
- The delegation of power issued in OM dated 24.06.2019 is modified as below.

Particulars	Nature of action	Officer of the Board designated to exercise the power				
		Green cat	Orange cat	Red category		
		S/M/L	S/M/L	Small	Medium	Large
Disposal of consent applications filed under Section 25/26 the Water and Air Act (CTE, CTEEx, CFO)	Issue/ref use/Withdrawn/Cancel	Regional officers	Regional Environmental Officer	Chairman	Chairman	Chairman on recommendation of the State level Enforcement Committee

Implications:

The consent applications pertaining to Red category will be disposed (Issue, Refuse/Withdraw/Cancel) at Head office with the approval of Chairman.

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[Link to notification](#)

Commission of Air Quality Management in National Capital Region

Intent / Background

The Commission for Air Quality Management (CAQM) issued revised guidelines on DG sets use at GRAP implementation during emergencies.

Summary:

- CAQM issued revised guidelines on DG sets, allowing their use at Stage I of GRAP implementation during emergencies like grid failure but going ahead with previously notified ban on their use as a substitute for grid power.
- From Stage II to IV of GRAP, DG sets will remain banned except for the exceptions the CAQM had allowed in its earlier order. The emergency services exempted from the ban include elevators in various installations, Hospitals, Railway services, Metro rail corporation services, Airports, Interstate bus terminals.
- In industrial areas with gas supply, DG sets upto 800 KW converted to the dual fuel (70% gas, 30% diesel) mode and fitted with retrofit emission control device (RECD) can be run for a maximum of two hours a day to meet requirements to arising due to power supply failure.
- In industrial areas without gas supply, DG sets upto 800KW fitted with RECD shall be permitted to run for an hour a day.
- In Commercial/ Residential entities: Use of DG sets will be permitted only for operation of elevators/escalators/travelators and water pumping
- Dual-fuel (Gas & Diesel) mode DG Sets have been successfully in operation in the NCR and other parts of the country and there are established products/technology for the same in the market. OEMs of DG Sets may also be contacted for such conversion.

Implications:

DG set banned as a substituent for grid chamber. DG sets can use only during emergencies like grid failure.

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Link to notification

MOEF&CC: Draft Notification of Environment (Protection) Act, 1986

Intent / Background

Draft notification of Environment (Protection) Act, 1986

Summary:

- in exercise of powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the said Environment (Protection) Act, 1986 (29 of 1986), read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following further amendment in the said notification: -

In item 1(c),

- A. in column (2):- The words “(i) River Valley projects” shall be substituted with the words “(i) River Valley projects with or without Pump Storage Projects / Pump Storage Projects (PSPs)”
- B. in column (5):- Under Note: after the existing paras, the following shall be inserted. “(iv) PSPs shall be appraised based on specific ToRs issued by the Ministry for PSPs. The PSPs which meet all the criteria given below shall be appraised as B2 category irrespective of power generation capacity: (a) Projects which do not attract FC and/or WL Clearance, (b) Projects wherein no new Reservoir is created (c) Projects wherein the existing reservoir is not expanded and/or structurally modified.”

Implications:

Any person interested in making any objections or suggestions on the proposal contained in this draft notification in writing or send e mail to MOEFCC mail id.

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Link to notification

KSPCB:Online receipt of applications under SWM Rules using XGN Software

Intent / Background

Online receipt of application, processing and issuing of authorization for processing recycling, treatment and disposal of Solid waste under Solid Waste Management Rules, 2016 using XGN software.

Summary:

- Online receipt of application, processing and issuing of authorization for processing recycling, treatment and disposal of Solid waste under Solid Waste Management Rules, 2016 using XGN software.
- The manuals on processing of SWM applications through XGN Software is sent to concerned section at Head Office/Zonal Office/Regional offices through the e-mail.
- Also for the use applicant, the manuals also available on the KSPCB website.

Implications:

This OM informed to receive and process the applications and issue authorization under Solid Waste Management Rules, 2016 using XGN Software without fail. This order come into effect from 27-10-2022

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