

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI
EXECUTION APPLICATION NO. 39 OF 2023
IN
ORIGINAL APPLICATION NO. 400 OF 2019

Social Action for Forest & Environment (SAFE)

Applicant

Versus

Union of India & Ors.

Respondent(s)

Sr. No.	Particulars	Page No.
1.	Reply Affidavit on behalf of Respondent No.2 i.e, Central Pollution Control Board (CPCB) in compliance to Hon'ble NGT order dated 07.11.2023 in EA No. 39/2023 in OA No. 400/2019, Social Action for Forest & Environment (SAFE) Vs. Union of India & Ors.	
2.	Annexure- I The copy of Letter of CPCB dated 30-11-2023 to all SPCBs/PCCs w.r t Classification of TPO Units.	
3.	Annexure- II The copy of letter dated 21-12-2022.	
4.	Annexure- III The copy of revised SOPs.	
5.	Annexure- IV The copy of letter dated 30-11-2023 sent to SPCBs/PCCs.	
6.	Annexure- V The copy of compliance reports of 36 SPCBs/PCCs is received by CPCB and the same has been compiled.	
7.	Annexure- VI The copy of the letters dated 13-12-2023 written to BIS and MoPNG.	
8.	Annexure- VII The copy of Hazardous and Other Wastes (Management & Transboundary Movement) Amendment Rules, 2022.	
9.	Annexure- VIII The copy of direction dated 04-12-2019 issued by CPCB.	
10.	Annexure- IX The copy of direction dated 30-12-2019 issued by CPCB.	
11.	Annexure- X A copy Hon'ble NGT order dated 07.11.2023.	

Anand Kumar
(Anand Kumar)

Scientist F

Central Pollution Control Board

Delhi-110032

Dated: 18.01.2024

Place: Delhi

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL PRINCIPAL
BENCH AT NEW DELHI

EXECUTION APPLICATION NO. 39 OF 2023
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**REPLY AFFIDAVIT ON BEHALF OF RESPONDENT NO. 2 i.e.
CENTRAL POLLUTION CONTROL BOARD (CPCB).**

MOST RESPECTFULLY SHOWETH:-

PRELIMINARY SUBMISSIONS: -

A. That the Respondent No.2 herein is Central Pollution Control Board (referred as "CPCB") which is statutory organization constituted under the Water (Prevention and Control of Pollution) Act, 1974 and also having entrusted with the powers and functions under The Environment(Protection) Act, 1986.

B. That the present reply is being filed through Anand Kumar S/o Late Dr. Chandreshwar Prasad aged about 59 years working as Scientist F, Central Pollution Control Board, Delhi. He is competent and empowered to represent and file the present reply to the Execution application as per law. The Principal Functions of the CPCB are spelt out in The Water (Prevention and Control of Pollution) Act 1974 and The Air (Prevention & Control of Pollution) Act, 1981.



C. That in the matter of OA.400/2019 (Social Action for Forest and Environment (SAFE) vs. Union of India and Others.) filed before Hon'ble NGT, Principal Bench (PB), New Delhi and the issue under consideration was the mismanagement of waste tyres/end of life tyres (ELTs) by tyre pyrolysis industries. The Hon'ble NGT while disposing the matter on 07.11.2022 issued following directions:

"We have heard learned Counsel for the parties and given further consideration to the issue in the light of above material.

It is seen that action has been taken against number of non-complaint units but there still remains gap in the units which are non-compliant and units against whom action has been taken to close them till compliance. Such gaps need to be bridged at the earliest in the interest of rule of law and environmental good governance. Tyre Pyrolysis Oil Units (TPOs) need to follow 'Zero Liquid' and 'Zero Emission' norms. Further, carbon produced during the process needs to be utilized in cement industries. Carbon material should not be simply transported to landfills.

Accordingly, we direct that non-compliant units be closed till compliance expeditiously. CPCB may finalize the classification of the units so that application norms can be enforced. Revised SOP may be finalized by the CPCB and MoEF&CC in light of discussion in today's hearing and above observations within one month. SOP may also provide for certifying the fuel quality standards of pyro-oil as per norms of the Petroleum Ministry."

D. That now the petitioner has filed an Execution Application alleging Ministry of Environment Forest & Climate Change (MoEF&CC)



& Central Pollution Control Board (CPCB) for non-compliance of the directions of the Hon'ble NGT. The matter was listed on 11.07.2023 where the Hon'ble NGT has directed for serving notice to MoEF&CC & CPCB and for filing their reply in the said context.



- E. That in compliance of the notice received by the Respondent No. 2, the Respondent No. 2 herein crave leave to the Hon'ble Tribunal to file the present reply with additional prayer to file further reply if needed in future.

REPLY ON MERIT:-

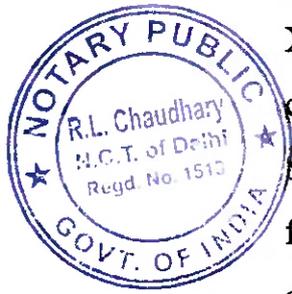
1. That the contents of para nos.1 & 2 of the application need no reply being matter of record. However, it is humbly submitted that in compliance of the order of the Hon'ble Tribunal, the CPCB has taken following actions:

- A. That in pursuance to the directions issued by the Hon'ble NGT on 07-11-2022 in OA no.400/2019, for classification of Tyre Pyrolysis Units (TPO), the issue of classification of TPO units was placed before CPCB's Committee on "Classification of Industrial Sectors into Red, Orange, Green & White Categories". That after detailed deliberation, the committee has classified TPO units into Orange Category. CPCB has conveyed to all the SPCBs/PCCs regarding adoption and implementation of uniform categorization for TPO units vide its letter dated 30.11.2023. The copy of letter of CPCB dated 30-11-2023 to all SPCBs/PCCs is annexed as **ANNEXURE-I**.
- B. That CPCB vide its letter dated 21.12.2022 has written to all SPCBs/PCCs seeking Action Taken Report (ATR) in compliance of the

Hon'ble NGT order dated 07-11-2022. The copy of letter dated 21-12-2022 is annexed as **ANNEXURE-II**.

C. That CPCB revised existing Standard Operating Procedures (SOPs) for Tyre Pyrolysis Oil (TPO) Units after conducting extensive study of seven (07) Tyre Pyrolysis Oil Units (TPO) Units comprising of three (03) advance batch automated tyre pyrolysis units, three (03) existing batch TPO units and one (01) continuous tyre pyrolysis unit under the guidance of expert committee comprising of experts from NEERI and IIT Delhi. Findings of study carried out by SPCBs in 70 TPO units were also incorporated. That the suggestions made by the petitioner & directions issued by the Hon'ble NGT vide its order dated 07-11-2022, were included. The Standard Operating Procedures (SOPs) were placed in public domain on the website of the CPCB chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://cpcb.nic.in/openpdffile.php?id=TGF0ZXN0RmlsZS8zNTZfMTY2Njg1NzQ1Ml9tZWRpYXBob3RvNzY3NS5wZGY= vide dated 27-10-2022 for seeking comments and the relevant comments have been incorporated in the SOPs. The SOP after incorporating comments of the stakeholder was further sent to expert for their comments. After incorporating their comments the SOP has been approved by the competent authority CPCB. The approved revised SOP is placed in public domain on the web site of CPCB at the following URL: <https://cpcb.nic.in/openpdffile.php?id=TGF0ZXN0RmlsZS80MDVfMTcwNTQwNDg0Ml9tZWRpYXBob3RvMTI4MjIucGRm> and also sent to SPCBs/PCCs for implementation. The revised SOP has been forwarded to MoEF & CC and seen by them. The copy of revised SOPs is annexed as **ANNEXURE-III**.

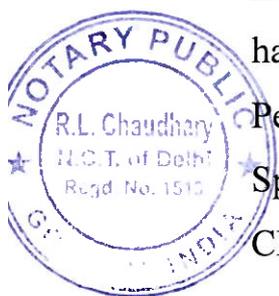
D. That the CPCB vide its letter dated 30-11-2023 has once again written to all SPCBs/PCCs for seeking status of compliance of the directions dated



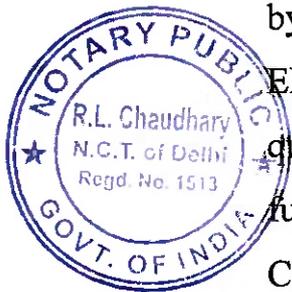
07-11-2022 of the Hon'ble NGT. The CPCB also provided format for the compliance report to the SPCBs/PCCs. That the CPCB has received the compliance reports from 36 SPCBs/PCCs. The copy of letter dated 30-11-2023 sent to SPCBs/PCCs is annexed as **ANNEXURE-IV**. The copy of compliance reports of 36 SPCBs/PCCs has been compiled by CPCB. SPCBs/PCCs in their report has reported that there are presently 736 tyre pyrolysis oil (TPO) unit, out of which 513 units are complying, 134 are non-complying and 89 Units are self-closed. Out of 134 non-complying units, 91 has been closed by the respective SPCB/PCC, and actions have been initiated/under process against remaining 43 non-complying units. The compliance in the TPO units have improved as compared to previous report dated 05-11-2022 where only 349 units were found complying and 216 unit was found non complying out of 757 TPO units. The compliance reports have been compiled and annexed as **ANNEXURE-V**.

E. That in pursuance to the directions issued by the Hon'ble NGT on 07.11.2022 for certifying the fuel quality standards of pyro-oil as per norms of the Petroleum Ministry, CPCB vide its letter dated 13-12-2023 has written to both Bureau of Indian Standards (BIS) & Ministry of Petroleum & Natural Gas (MoPNG) for providing Fuel Quality Specifications of Tyre Pyrolysis Oil. As per information available with CPCB, BIS has initiated a project on development of fuel quality specification for TPO and study will take approximate one year. CPCB in its SOPs has submitted that the Tyre Pyrolysis Oil to fulfil fuel quality as specified by Ministry of Petroleum and Natural Gas / Bureau of Indian Standards as and when the same gets notified. The copy of the letters dated 13-12-2023 written to BIS and MoPNG are annexed as **ANNEXURE-VI**.

F. That Ministry of Environment, Forest and Climate Change (MoEF&CC), vide its notification No. G.S.R 593(E) dated July 21, 2022 has notified

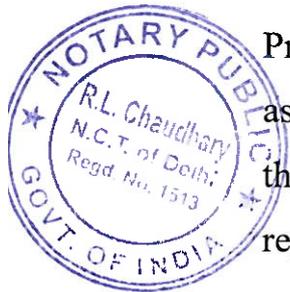


amendments in Hazardous waste rules known as “The Hazardous and Other Wastes (Management and Transboundary Movement) Amendment Rules, 2022”, to include provisions for utilization & management of waste tyre under the Extended Producer Responsibility (EPR) regime as per Schedule-IX inserted through amendments. Under EPR Regime of waste tyre entities such as Producers, Recyclers & Retreaders have been defined and given responsibilities. Provision of an online EPR Portal has been made. As per Para 2 & 3 of the Schedule IX, Producers, Recyclers & Retreaders are required to register themselves on the EPR Portal. As per para 3 (2) no entity can carry out any business without registration on the online EPR Portal. Under the EPR regime, Producers have been given EPR obligations on the basis of new tyre manufactured/ sold or imported by it. Recyclers and Retreaders under the rules are mandated to generate EPR Certificates/Retreading Certificate on the EPR portal based on quantity of waste tyre recycled or retreaded by them. Further for fulfillment of EPR obligation, Producers are required to purchase EPR Certificate from registered Recyclers through the portal. The quantity of EPR certificates purchased will be adjusted against EPR obligation. A Producer may also buy Retreading certificate for deferment of its EPR obligations, however the obligations will only be considered fulfilled once the Recycling certificates are purchased. Provision for environmental compensation and prosecution for violation of provisions of schedule has been made.



The EPR regime has addressed the environmental concerns such as mismanagement of end of life (ELT)/ waste tyre through disposal on landfills or in open as raised by the petitioner in its OA 400/2019. The copy of Hazardous and Other Wastes (Management & Transboundary Movement) Amendment Rules, 2022 is annexed as **ANNEXURE-VII**.

- G.** That an online Waste Tyre EPR portal has been developed for the management of Waste Tyre under Extended Producer Responsibility (EPR) regime. The portal is available at <https://www.eprtyrespcb.in/>. That as on date the registration of 123 Producers and 114 Recyclers have been granted on the portal.
- H.** That as per the provisions of the rules, only registered producers, recyclers & retreaders are allowed to carry out their business. The management of Waste Tyre is based on the principle of Extended Producer Responsibility (EPR), where EPR obligations have been assigned to the producers of Tyres. The fulfillment of EPR obligation is through purchase of EPR credits from recyclers of Waste Tyres who are registered at Portal and are carrying out recycling of Waste Tyres in an environmentally sound & scientific manner.
- I.** That the provisions stipulated in the Schedule-IX under Hazardous and Other Wastes (Management & Transboundary Movement) Amendment Rules, 2022 w.r.t Utilization & Management of Waste Tyres advocated recycling of waste tyre in an environmentally sound manner. The weightage in credit generation has been given to the recyclers on the basis of End Products produced by them. Least weightage has been given to TPO Oil & char for the purpose of credit generation. The rules have prohibited import of Waste Tyres for the purpose of production of Tyre Pyrolysis Oil.
- J.** CPCB has been carrying out regular interaction meetings with producers and recyclers and also with their association for guidance and for expediting completion of their applications for registration on the Waste Tyre EPR Portal .
- K.** CPCB has carried out 04 regional interaction meetings with the stakeholders in the month of October 19, 20, 30 & November 20 2023 directing stakeholders to register at Portal and also comply with the



provisions as stipulated in the rules. SPCBs were directed for closure of non-complying units.

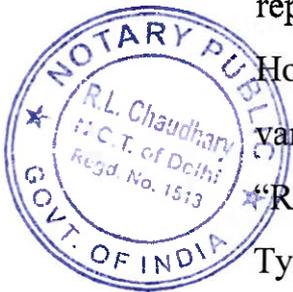
L. CPCB has done 03 review meetings in the month of November 08, November 22, 2023 & January 12, 2024 and correspondence with SPCBs/PCCs for sensitizing stakeholders to get on-board at the EPR Portal as well as enforcement of the provisions stipulated in the rules including closure of all the non-complying units.

2. That the contents of para no.3 of the application need no reply being matter of record. However, it is humbly submitted that CPCB has complied with all the directions issued by the Hon'ble NGT and has submitted compliance report as well as study reports and also issued directions as directed by the Hon'ble NGT. The CPCB through SPCB has carried out detailed study of various (10% of the total) TPO Units for the revision of the SoPs on "Recycling of Waste Tyre Scrap for the Production of Tyre Pyrolysis Oil in Tyre Pyrolysis Oil (TPO) Units".

3. That the contents of para no.4 of the application are need no reply being matter of record.

4. That the contents of para no.5 of the application need no reply being matter of record. However, it is humbly submitted that in compliance of the orders issued by the Hon'ble NGT, CPCB has filed its compliance report on 31.07.2019 and submitted status of compliance of TPO units across the country and also submitted its recommendations for the improvement in performance of the TPO units from environmental perspective.

5 That the contents of para no.6 of the application need no reply being matter of record.



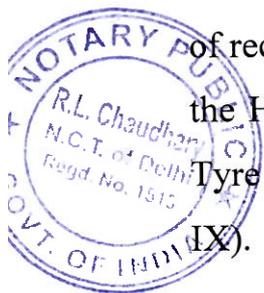
6. That the contents of para no.7 of the application need no reply being matter of record. However, it is humbly submitted that the suggestions made by the Petitioner have been considered by CPCB and those are relevant have been included in the revised SoPs, such as conversion of existing Batch tyre Pyrolysis Plants into Advance Batch Automated Process as the same are more environment friendly & scientifically safe. The MoEF&CC has also notified Hazardous and other Wastes (Management & Transboundary Movement) Amendment Rules, 2022 provision for proper utilization & management of the Waste Tyre, and the main concern of the petitioner was redressed.

7. That the contents of para no.8 of the application need no reply being matter of record. However, it is humbly submitted that in the existing schedule-IX of the Hazardous Waste Rules, MoEF&CC has prohibited import of the waste Tyre for the production of Tyre Pyrolysis Oil (Refer para 4 b (ii) of schedule-IX).

8. That the contents of para no.9 of the application need no reply being matter of record.

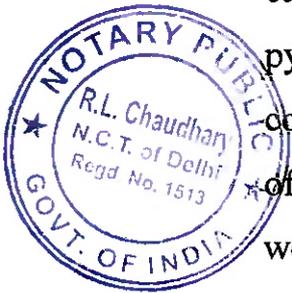
9. That the contents of para no.10 of the application need no reply being matter of record. However, it is humbly submitted that the report of CPCB dated 03.01.2020 filed before the Hon'ble NGT, wherein the compliance status of TPO units across the country has been filed and also informed the Hon'ble NGT on issuing of following two directions:

- That on 04-12-2019 the CPCB had issued direction under section 5 of the Environment (Protection) Act, 1986, directing all SPCBs/PPCs to close down all such pyrolysis units in their State/UT those are non-compliant with consent conditions as well as SoPs of MoEF&CC. The SPCBs/PCCs were also directed to carry out strict vigilance and monitoring of complying industries to ensure continuous compliance of consent conditions and SOPs of MOEF&CC. The SPCBs/PCCs were



further directed that the import of polluting hazardous waste material shall strictly regulated as per the Hazardous and Other waste (Management & Transboundary Movement) Rules, 2016 as amended up to date. The Copy of direction dated 04-12-2019 issued by CPCB is annexed as **ANNEXURE-VIII**.

- That on 30-12-2019 the CPCB had issued direction under section 5 of the environment (Protection) Act, 1986, thereby directing all SPCBs/PPCs to regulate location of Tyre pyrolysis Industries in the light of carrying capacity of the area. Henceforth, any new/expansion of existing tyre pyrolysis industry be granted consent to establish or amendment in consent to establish condition only after assessing the carrying capacity of the area. The SPCBs were also directed to ensure that health of workers involved in the TPO industries is to be properly safeguarded. The Copy of direction dated 30-12-2019 issued by CPCB is annexed as **ANNEXURE-IX**.



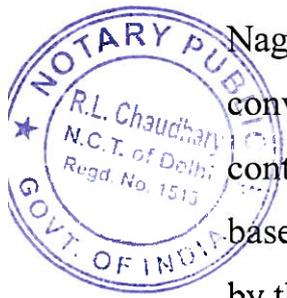
10. That the contents of para no.11 of the application need no reply being matter of record. However, the CPCB humbly submitted herein that in compliance of the order of the Hon'ble Tribunal, the CPCB has carried out a study of 07 TPO (03 existing Batch, 03 advanced batch & 01 continuous type) units with NEERI and IIT Delhi and submitted its report to the Hon'ble NGT.
11. That in reply to the para no.12 of the application the CPCB submitted that the concerns raised by the petitioner have been included in the revised SoPs and also in schedule-IX of the Hazardous waste (M&TM) Amendment Rules, 2022, wherein schedule-IX has been inserted for proper utilization & management of the Waste Tyres.

12. That the contents of para no.13 of the application need no reply being matter of record.

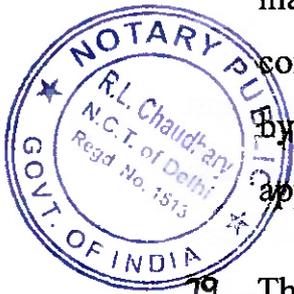
13. That the contents of para no.14 of the application need no reply being matter of record. However, it is humbly submitted that the term advance batch automated plant has been referred by one of the tyre associations which requested to CPCB to study those units to assess their performance to protect environment. The CPCB in association with IIT Delhi & NEERI Nagpur had carried out studies at 07 TPO plants comprising of 03 conventional batch process units, 03 advanced batch automated and 01 continuous process unit. The recommendations made in the said report are based on the environment & safety aspects of units those were inspected by the Joint inspection team.

14. That the contents of para no.15 of the application need no reply being matter of record. However, it is humbly submitted that the CPCB complied with the directions of the Hon'ble NGT in its letter and spirit and submitted its report on 05-11-2022. The report contained compliance status of TPO units across the country along with finding of studies carried out in 10% TPO units and made its recommendations based on the outcomes of the study.

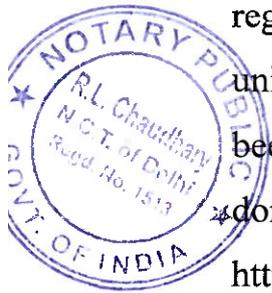
15. That the contents of para no.16 of the application need no reply being matter of record. However, it is humbly submitted that the aim of amendment in the rules to take all steps required to ensure the management of waste Tyre in a Scientific and Environmentally Sound Manner (ESM) and addresses the concerns raised by the petitioner in its OA 400/2019 regarding utilization & management of Waste Tyre in a scientific and environmentally sound manner.



16. That the contents of para no.17 of the application need no reply being matter of record.
17. That the contents of para no.18 of the application need no reply being matter of record. However, it is humbly submitted that the recommendations made are on the basis of outcomes of studies carried out at 07 TPO units and further 10% TPO units. That based on the outcomes CPCB has recommended for inclusion of advanced features/ technologies in the existing Batch Process TPO units to improve their environment performance as well as safety concerns.
18. That the contents of para no.19 of the application need no reply being matter of record. However, it is humbly submitted that the CPCB has complied with the directions dated 07.11.2022. The details of action taken by CPCB are already explained in reply of para no 1 of the present application.
19. That the contents of para no.20 of the application need no reply being matter of record. However, it is humbly submitted that the recommendations made by the petitioner in its representation have been incorporated in SoPs and Schedule –IX of the Hazardous & Other Waste (M&TM) Amendment Rules, 2022 with the objective to take all steps required to ensure the management of waste Tyre in a Scientific and Environmentally Sound Manner (ESM).
20. That the content of para no.21 of the application are not admitted and vehemently denied. It is specifically denied that CPCB has not complied the directions of Hon'ble NGT as directed in order dated 07-11-2022. The details of actions taken are duly explained in reply at Para 1 of the present application. It is humbly submitted that there was a delay in finalization of



the revised SOPs. It is further submitted that the delay was neither intentional or deliberate. The classification of TPO units was done by Committee of CPCB on classification of Industrial sectors into Red, Orange, Green & white Category. The finalization of classification of TPO units into "Orange" Category was done by the Committee in its meeting held in October 2023. CPCB has conveyed to all the SPCBs/PCCs regarding adoption and implementation of uniform categorization for TPO units vide its letter dated 30.11. 2023. The classification clause has now been included in the revised SOP and the revised SOP is placed in public domain and available at CPCB web site at the following URL: <https://cpcb.nic.in/openpdffile.php?id=TGF0ZXN0RmlsZS80MDVfMTcwNTQwNDg0MI9tZWRpYXBob3RvMTI4MjIucGRm>



21. That the contents of para no.22 of the application are not admitted and vehemently denied. It is humbly submitted that the authorization of the TPO units is under the ambit of the SPCBs/PCCs. That in view of the same CPCB has taken following steps for action against non-complying units:

- That the CPCB issued direction under section 5 of the Environment (Protection) Act, 1986 on 04.12.2019 thereby directing all SPCBs/PCCs to close down all such pyrolysis units in their state/UT which are not complying as on date with consent conditions and SOPs of MoEF&CC. The SPCBs/PCCs were also directed to carry out strict vigilance and monitoring in complying industries to ensure continued compliance of consent conditions and SOPs of MOEF&CC. The SPCBs/PCCs are also further directed that the import of polluting hazardous waste material shall strictly regulated as per the Hazardous and Other waste (Management & Transboundary Movement) Rules, 2016 and amendments thereof.

- That on 30-12-2019 the CPCB issued direction under section 5 of the environment (Protection) Act, 1986, thereby directing all SPCBs/PPCs to regulate location of Tyre pyrolysis Industries in the light of carrying capacity of the area. Henceforth, any new/expansion of existing tyre pyrolysis industry be granted consent to establish or amendment in consent to establish condition only after assessing the carrying capacity of the area. The SPCBs were also directed to ensure that health of workers involved in the TPO industries is to be properly safeguarded
- The CPCB has written a letter dated 21.11.2023 to all SPCBs/PCCs seeking Action Taken Report (ATR) in compliance of the Hon'ble NGT order dated 07.11.2022.
- The CPCB vide its letter dated 30.11.2023 has once again written to all SPCBs/PCCs seeking status of compliance of the directions of the Hon'ble NGT. CPCB. The compliance report received from 36 SPCBs/PCCs have been compiled and the summary of the status report have been submitted along with this reply.



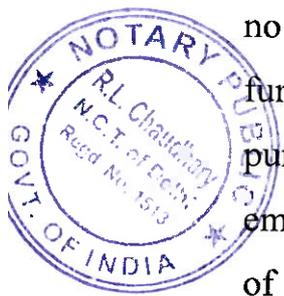
22. That the contents of para no.23 of the application are not admitted and vehemently denied in toto. It is humbly submitted that the revised SOPs have been finalized and are placed in public domain and available at CPCB's website at the following link: <https://cpcb.nic.in/openpdffile.php?id=TGF0ZXN0RmlsZS80MDVfMTcwNTQwNDg0MI9tZWRpYXBob3RvMTI4MjIucGR>. It is further submitted by the CPCB that the delay in finalization of the revised SOPs as directed by the Hon'ble NGT is neither deliberate nor intentional. It is further submitted that the classification of TPO units was done by CPCB's Committee on classification of Industrial sectors into Red, Orange, Green & white Category. The finalization of classification of TPO units into "Orange" Category was done by the Committee in its meeting held in

October 2023. CPCB has conveyed to all the SPCBs/PCCs regarding adoption and implementation of uniform categorization for TPO units vide its letter dated 30.11. 2023. The classification clause has now been included in the revised SOP.

23 That the contents of para no.24 of the application are not admitted and vehemently denied in toto. It is humbly submitted that revised SOP has recommended for “Zero liquid” discharge from TPO units. It is further submitted that as far as the issue of “ Zero emission is concerned, there are no organized continuous process emissions in tyre pyrolysis process. It is further submitted that the emissions are from burning of fuel for heating purpose and intermittent flaring of excess pyro gas or its emergency release. The revised SOP has recommended for installation of adequate Air Pollution Control Device (APCD) for controlling flue gas emissions. It further recommends that the flue gas has to be vented out to the environment through an alkaline scrubber with mist eliminator attached to a chimney of at least 30 meters height.

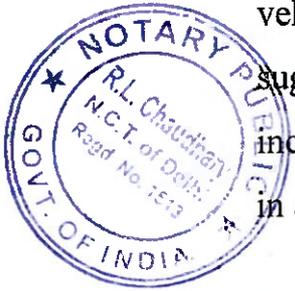
24. That in reply to the para no. 25 of application, it is humbly submitted that as per the revised SOP the black carbon (char) generated in the process shall be utilized either in co-processing in the cement industry or its quality be upgraded to Recovered Carbon Black (RCB). The RCB may be used as raw material for manufacture of new tyre and other processes. It is further submitted that under Hazardous and Other Wastes (Management & Transboundary Movement) Amendment Rules, 2022, RCB is considered as one of the end product and given higher weightage (1.25) in credit generation use as raw material for manufacture of new tyre.

25 That in reply to the para no. 26 of application, it is humbly submitted that the CPCB vide its letter dated 13.12.2023 has written to both Bureau of



Indian Standards (BIS) & Ministry of Petroleum & Natural Gas (MoPNG) for providing Fuel Quality Specifications of Tyre Pyrolysis Oil. As per information available with CPCB, BIS has initiated a project on development fuel quality specification for TPO and study will take approximate one year. It is further submitted that the CPCB in its SOP has submitted that the Tyre Pyrolysis Oil to fulfill fuel quality as specified by Ministry of Petroleum and Natural Gas/Bureau of Indian Standards as and when the same gets notified.

26. That the contents of para no.27-28 of the application are not admitted and vehemently denied and denied in toto. It is humbly submitted that the suggestions given by the petitioner in its representation have been incorporated in the revised SOPs to ensure the management of waste Tyre in a Scientific and Environmentally Sound Manner (ESM).



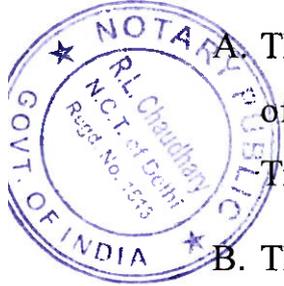
27. That in reply to the contents of para no.29 of the application, it is humbly submitted that the Hazardous and Other Wastes (Management & Transboundary Movement) Amendment Rules, 2022 have prohibited import of the waste Tyre for the production of Tyre Pyrolysis Oil (Refer para 4 b(ii) of schedule-IX).

28. That the contents of para no. 30 of the application not admitted and vehemently denied and denied in toto. It is humbly submitted that Ministry of Environment, Forest and Climate Change (MoEF&CC), vide notification No. G.S.R 593(E) dated July 21, 2022 has notified the Hazardous and other Wastes (Management & Transboundary Movement) Amendment Rules, 2022 for the utilization & management of waste tyres through EPR regime as per schedule-IX as incorporated in the amendments. The objective of amendment to take all steps required to ensure the management of waste Tyre in a Scientific and Environmentally

Sound Manner (ESM). The amendments have been notified after considering comments received from the stakeholders on the draft notification notified vide S.O. 5497 (E), dated the 31st December, 2021 in the Gazette of India.

29. That the contents of para no.31 of the application are not admitted and vehemently denied and denied in toto. It is humbly submitted that the issue of classification of TPO units was placed before CPCB's Committee on "Classification of Industrial Sectors into Red, Orange, Green & White Categories". That after detailed deliberation, the committee has classified TPO units into Orange Category. The CPCB has conveyed to all the SPCBs/PCCs regarding adoption and implementation of uniform categorization for TPO units vide its letter dated 30.11.2023. Letter is also available at CPCB's website.

REPLY ON MERIT TO THE GROUNDS:-



- A. That the contents of para No. a of the grounds need no reply being matter of record. However, the CPCB has complied the orders of the Hon'ble Tribunal in its letter and spirit and without any undue delay or excuse.
- B. That the contents of para No. b of the grounds need no reply being matter of record. However, the CPCB has complied the orders of the Hon'ble Tribunal in its letter and spirit and without any undue delay or excuse.
- C. That the contents of para No. c of the grounds need no reply being matter of record. However, the CPCB has complied the orders of the Hon'ble Tribunal in its letter and spirit and without any undue delay or excuse.
- D. That the contents of para No. d of the grounds need no reply being matter of record. However, the CPCB has complied the orders of the Hon'ble Tribunal in its letter and spirit and without any undue delay or excuse.

- E. That the contents of para No. e are not admitted and denied. However, the CPCB has complied the orders of the Hon'ble Tribunal in its letter and spirit and without any undue delay or excuse and directed to the SPCBs/PCCs to take action against the non-compliant units.
- F. That the contents of para No. f are not admitted and denied. However, the CPCB has complied the orders of the Hon'ble Tribunal in its letter and spirit and without any undue delay or excuse and directed to the SPCBs/PCCs to take action against the non-compliant units.
- G. That the contents of para No.g are repetition of the facts as mentioned in the previous paras and the same has already been replied herein above paras and are not repeated herein for the sake of brevity. However, the CPCB has complied the orders of the Hon'ble Tribunal in its letter and spirit and without any undue delay or excuse.
- H. That the contents of para no. h are repetition of the facts as mentioned in the previous paras and the same has already been replied properly herein above paras and are not repeated herein for the sake of brevity. However, the CPCB has complied the orders of the Hon'ble Tribunal in its letter and spirit and without any undue delay or excuse.
- I. That the contents of para No. i are repetition of the facts as mentioned in the previous paras and the same has already been replied properly herein above paras and are not repeated herein for the sake of brevity. However, the CPCB has complied the orders of the Hon'ble Tribunal in its letter and spirit and without any undue delay or excuse.
- J. That the contents of para No.j of the grounds need no reply being matter of record. However, the CPCB has complied the orders of the Hon'ble Tribunal in its letter and spirit and without any undue delay or excuse.



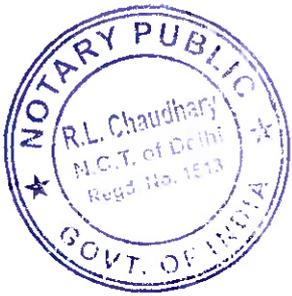
K. That the contents of para No. k of the grounds need no reply being matter of record. However, the CPCB has complied the orders of the Hon'ble Tribunal in its letter and spirit and without any undue delay or excuse.

L. That the contents of para No. l of the grounds need no reply being matter of record. However, the CPCB has complied the orders of the Hon'ble Tribunal in its letter and spirit and without any undue delay or excuse.

That Limitation clause needs no reply being matter of record.

That the last para is the prayer clause and contents of the same are properly replied in the preceding paras herein above. However, it is humbly submitted that the CPCB has complied the orders of the Hon'ble Tribunal in its letter and spirit and without any undue delay or excuse.

In view of the above submissions the CPCB is bound with the orders and directions of the Hon'ble Tribunal, in the interest of justice.



VERIFICATION: -

18 JAN 2024

Verified at Delhi on this 18th day of January, 2024 that the contents of above affidavit are true and correct to my knowledge. No part of it is false and nothing material has been concealed there from.

ATTESTED

NOTARY PUBLIC
GOVT. OF INDIA

18 JAN 2024

Anand Kumar

DEPONENT

आनंद कुमार / Anand Kumar
निदेशक/ Director
केंद्रीय प्रदूषण नियंत्रण बोर्ड
Central Pollution Control Board
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार
(Mo Environment, Forest & Climate Change, Govt. of India)
परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032
Parvesh Bhawan, East Arjun Nagar, Delhi-110032

Anand Kumar

आनंद कुमार / Anand Kumar
निदेशक/ Director
केंद्रीय प्रदूषण नियंत्रण बोर्ड
Central Pollution Control Board
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार
(Mo Environment, Forest & Climate Change, Govt. of India)
परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032
Parvesh Bhawan, East Arjun Nagar, Delhi-110032



केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार
MINISTRY OF ENVIRONMENT FOREST & CLIMATE CHANGE GOVT OF INDIA

CPCB/IPC-VI/ROGW/ 6519-6564

Date: 30.11.2023

To,

The Member Secretary
SPCBs/PCCs
(as per the list)

Sub: Harmonization of Classification of Industrial Sectors into Red, Orange, Green and White Categories, regarding Tyre Pyrolysis Oil (TPO) industries.

Sir,

This is with reference to the CPCB Directions issued u/s 18(1)(b) of the Air and Water Act on 07.03.2016, regarding 'Harmonization of classification of industrial sectors under Red/Orange/Green/White categories', wherein CPCB has categorized 242 industrial sectors into red, orange, green & white categories and directed all SPCBs/PCCs for its adoption and implementation.

Subsequently, CPCB has categorized the additional eleven industrial sectors, namely, (i) Scrapping Centre (ii) Used Cooking Oil Collection Centre (iii) Compressed/Refined Biogas (iv) Railway Stations, (v) Dairy Farms & (vi) Gaushalas, (vii) Building and Construction Projects, having built-up area up to 20,000 m² and waste water generation \geq 50 KLD, (viii) Construction and Demolition (C&D) Waste Processing Plants, and (ix) Gold Assaying & Hallmarking Centres, (x) Semiconductor Manufacturing Industries, (xi) Sand/riverbed material mining from riverbed and its floodplains.

Now, CPCB Committee on categorization of industrial sectors, in its meeting held on 23.10.2023, categorized 'Tyre Pyrolysis Oil (TPO) industries, the details of which are given at **Annexure-I**.

All SPCBs/PCCs are directed to adopt and implement the categorization of Tyre Pyrolysis Oil (TPO) industries.

o/c

Yours faithfully,

(Bharat Kumar Sharma)
Member Secretary

Encl.: as above.

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
निर्दिष्ट: N. Singh
दिनांक: 01/12/2023

'परिवेश भवन' पर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

Copy to:

- 1 The Additional Secretary (CP Division)
Ministry of Environment, Forests
& Climate Change,
Indira Paryavaran Bhawan,
Jor Bagh Road,
New Delhi -110 003
 - 2 All Regional Directors,
CPCB
(as per list)
 - 3 Div. Head, WM-III,
CPCB, Delhi
 - 4 Div. Head-IT,
CPCB, Delhi
- with a request to upload this letter on
CPCB website

(Bharat Kumar Sharma)

Annexure-I

Categorization of Tyre Pyrolysis Oil (TPO) Industries

Sl. No.	Industrial Sector	W1	W2	W	A1	A2	A	H	PI	Category	Remarks
91	Tyre Pyrolysis Oil (TPO) industries- applicable for advance batch automated process/ continuous TPO units.	-	-	-	15	5	20	10	50	Orange	<ul style="list-style-type: none"> i. Air pollution potential is due to (i) combustion of fuels (wood, pyro-gas, pyro-oil, etc.) to heat pyrolysis chamber, (ii) fugitive emission of pyro-gases, (iii) release of excess pyro gases, (iv) fugitive emission from handling of carbon residue, and (v) odour nuisance. ii. As the sector is mainly air polluting and generates hazardous waste, scores are normalized to 100. iii. Units are required to follow Standard Operating Procedure (SOP) issued by CPCB/MoEF&CC for production of pyrolysis oil from waste tyres.

To:

Address List of Member Secretaries, SPCBs/PCCs			
1.	The Member Secretary Andhra Pradesh Pollution Control Board D.No. 33-26-14 D/2, Near Sunrise Hospital, Pushpa Hotel Centre, Chalamvari Street, Kasturibaipet, Vijayawada- 520007 (Andhra Pradesh)	2.	The Member Secretary Arunachal Pradesh State Pollution Control Board Paryavaran Bhawan, Yupia Road, Papu Nalah, Naharlagun – 791110 (Arunachal Pradesh)
3.	The Member Secretary Assam Pollution Control Board Bamunimaidan, Guwahati – 781021 (Assam)	4.	The Member Secretary Bihar State Pollution Control Board Parivesh Bhawan, Plot No.N-B/2, Patliputra Industrial Area Patna-800010 (Bihar)
5.	The Member Secretary Chhattisgarh Environment Conservation Board Paryavas Bhawan, North Block, Sector-19 Atal Nagar, Raipur-- 492 002 (Chhattisgarh)	6.	The Member Secretary Goa State Pollution Control Board Nr. Pilerne Industrial Estate, Opp. Saligao Seminary, Saligao ,Bardez,- 403511(Goa)
7.	The Member Secretary Gujarat Pollution Control Board Paryavaran Bhawan, Sector-10A, Gandhinagar– 382043 (Gujarat)	8.	The Member Secretary Haryana State Pollution Control Board C-11, Sector 6, Panchkula- 134109 (Haryana)
9.	The Member Secretary Himachal Pradesh State Pollution Control Board Paryavaran Bhawan, Phase III, New Shimla – 171009	10.	The Member Secretary J&K State Pollution Control Board, Parivesh Bhawan, Forest Complex, Gladni, Narwal, Transport Nagar, Jammu- 180004 Jammu & Kashmir (J&K)
11.	The Member Secretary Jharkhand State Pollution Control Board T.A Building, HEC Campus, P.O. Dhurwa Ranchi -- 834004 (Jharkhand)	12.	The Member Secretary Karnataka State Pollution Control Board Parisara Bhawan, #49, Church Street, Bengaluru –560 001 (Karnataka)
13.	The Member Secretary Kerala State Pollution Control Board Plamoodu, Pattom P.O Thiruvananthapuram-695004 (Kerala)	14.	The Member Secretary Maharashtra Pollution Control Board Kalpataru Point, 3rd& 4th floor, Opp. PVR Cinema, Sion Circle (E), Mumbai- 400022 (Maharashtra)
15.	The Member Secretary Manipur Pollution Control Board Lamphepat, Imphal West D.C. Office Complex – 795004 (Manipur)	16.	The Member Secretary Mizoram State Pollution Control Board New Secretariat Complex, Khatla, Thlanmual Peng, Aizwal Mizoram- 796001
17.	The Member Secretary Meghalaya State Pollution Control Board Arden, Lumpynggad, Shillong – 793014	18.	The Member Secretary Madhya Pradesh State Pollution Control Board Paryavaran Parisar, E-5 Arera Colony Bhopal – 462016

19.	The Member Secretary Nagaland State Pollution Control Board Signal Point, Dimapur, Nagaland – 797112	20	The Member Secretary Odisha State Pollution Control Board Paribesh Bhawan A-118, Nilakanta Nagar, Unit –VIII, Bhubaneswar – 751012.
21	The Member Secretary Punjab State Pollution Control Board Nabha Road, ITI Rd, Adarsh Nagar, Prem Nagar, Patiala - 147001.	22	The Member Secretary Sikkim State Pollution Control Board Department of Forest, Environment & Wildlife Management Government of Sikkim, Deorali, Gangtok, -737102 (Sikkim)
23.	The Member Secretary Rajasthan State Pollution Control Board A-4 Institutional Area, Jhalane Dungri Jaipur – 302004. (Rajasthan)	24.	The Member Secretary Telangana State Pollution Control Board Paryavaran Bhawan A-3, Industrial Estate, Sanath Nagar, Hyderabad – 500 018 (Telangana)
25	The Member Secretary Tripura State Pollution Control Board Parivesh Bhawan Pt. Nehru Complex, Gorkhabasti P.O., Kunjaban, Agartala, Tripura - 799 006	26	The Member Secretary Tamil Nadu Pollution Control Board No. 76, Mount Salai, Guindy, Chennai – 600032 (Tamil Nadu)
27.	The Member Secretary Uttarakhand Pollution Control Board Gaura Devi Bhawan, 46 B IT Park Sahastradhara, Dehradun- 248001 Uttarakhand	28.	The Member Secretary Uttar Pradesh Pollution Control Board Building No. TC-12V Vibhuti Khand, Gomti Nagar, Lucknow– 226010. (Uttar Pradesh)
29.	The Member Secretary Andaman & Nicobar Islands Pollution Control Committee Department of Science & Technology Dollyganj Van Sadan, Haddo P.O., Port Blair-744102 (Andaman & Nicobar)	30	The Member Secretary Chandigarh Pollution Control Committee. Paryavaran Bhawan Madhya Marg, Sector - 19 B, Chandigarh – 160019. Chandigarh
31.	The Member Secretary Delhi Pollution Control Committee 4 th & 5 th Floor, ISBT Building, Kashmere Gate, Delhi - 110006.	32.	The Member Secretary Daman, Diu & Dadra Nagar Haveli Pollution Control Committee 1 st Floor, Udyog Bhawan Bhenslore, Dunetha Nani Daman, Daman – 396210
33.	The Member Secretary Lakshadweep Pollution Control Committee Lakshadweep Administration Department of Science, Technology & Environment Kavarati – 682555. (Lakshadweep)	34.	The Member Secretary Puducherry Pollution Control Committee Department of Science, Technology & Environment 3rd Floor, Housing Board Complex, Anna Nagar, Nellithope, Puducherry – 605 005
35.	The Member Secretary West Bengal Pollution Control Board Paribesh Bhawan Canteen, 10A, Sector III, Bidhannagar, Kolkata- 700106 West Bengal		

Copy to:

Address list of Regional Directors, CPCB			
1.	The Regional Director (Kolkata) Central Pollution Control Board 502, Southend Conclave 1582, Rajdanga Main Road Kolkata-700107	2.	The Regional Director (Vadodara) Central Pollution Control Board Parivesh Bhawan, Opp. Ward No. 10 VMC Office Subhanpura, Vadodara – 390 023 Gujarat
3.	The Regional Director (Shillong) Central Pollution Control Board BSNL NE- 1, Telecom Circle CTO Building Ground Floor Shillong-793001	4.	The Regional Director (Bhopal) Central Pollution Control Board 3rd Floor, Sahkar Bhawan North T.T Nagar Bhopal- 462003
5.	The Regional Director (Lucknow) Central Pollution Control Board Ground Floor, PICUP Bhawan Vibhuti Khand, Gomti Nagar Lucknow- 226020	6.	The Regional Director (Bengaluru) Central Pollution Control Board 1st & 2nd Floors, Nisarga Bhawan A-Block, Thimmaiah Main Road 7th D Cross, Shivanagar Opposite Pushpanjali Theatre Bengaluru-560010
7.	The Regional Director (Chandigarh) Central Pollution Control Board BSNL Exchange, 2nd Floor Sector 49-C, Chandigarh-160047	8.	The Regional Director (Chennai) Central Pollution Control Board 77-A, Second Floor South Avenue Road, Ambattur Industrial Estate, Ambattur Taluk, Thiruvallur District, Chennai - 600 058
9.	The Regional Director (Pune) Central Pollution Control Board Row House No. 1, Nisarg Vihar, Near Mitcon International Public School, Balewadi, Pune-411045		



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Annexure-II

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B- 29016/1(NGT)/21-22/WM-III Division

December 21, 2022

To
The Member Secretary
Telangana Pollution Control Board
Paryavaran Bhawan, A-III
Institutional Estate, Sanathnagar
Hyderabad – 500018

7391.

Subject: Compliance of the Hon'ble NGT orders dated 07.11.2022 in the matter of (i) OA 400 of 2019, SAFE Vs Uoi & Ors & (ii) OA 08 of 2022, Sh Varun Sheokand Vs CPCB & Ors

Refer:

- Para 9 of the order dated 07.11.2022 in the matter of OA 400 of 2019.
- Para 9 of the order dated 07.11.2022 in the matter of OA 08/ of 2022

Sir,

This has reference to the NGT orders as referred above. You are requested to submit action taken reports(ATR) in the matter of OA No. 400/2019 and OA No. 08/2022 respectively. Copies of both the orders are enclosed for your ready reference

Enclosures: As above

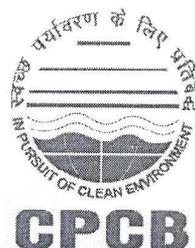
Yours faithfully,

Anand Kumar
21/12/2022

(Anand Kumar)
Director & DH
WM-III Division

504
CP-22/139/2021-WM-III-HO-CPCB-HO

**Standard Operating Procedure(SOP)
for
Recycling of Waste Tyre Scrap for the recovery
of
Tyre Pyrolysis Oil, Pyro Gas and Char
in Tyre Pyrolysis Oil (TPO) Units**



January 16, 2024

Central Pollution Control Board

(Ministry of Environment, Forest & Climate Change, Government of India)

Parivesh Bhawan, East Arjun Nagar, Shahdara, Delhi – 110032

Daubani

Anand Kumar



STANDARD OPERATING PROCEDURE
for
Recycling of Waste Tyre Scrap for the recovery of
Tyre Pyrolysis Oil, Pyro Gas and Char
in Tyre Pyrolysis Oil (TPO) Units

1.0 Background

In the matter of OA No. 400 of 2019 and in compliance of the Hon'ble NGT order dated 06-01-2020, seven (07) Tyre Pyrolysis Oil (TPO) Units comprising of three (03) advance batch automated tyre pyrolysis plants, three (03) existing batch units and one (01) continuous tyre pyrolysis plants were studied under the guidance of experts from NEERI and IIT Delhi. Further study of 70 TPO units were carried out with the help of SPCBs. As per the study advanced batch automated process (ABAP) and continuous tyre pyrolysis process had demonstrated compliance with regard to work zone limits and no significant impact on ambient air quality.

The study further observed that existing batch TPO Units need additional features such as PLC based control arrangement, bypass arrangement for pyro gas from reactor door to primary condenser, installation of gas sensors, pressure, temperature gauges at reactor & storage tank, gas /fire alarm system, flaring of entire pyro gas during emergency, arrangement for re-circulation of pyro gas for reactor's heating, provision for flaring of pyro gas, suction hoods over the gate of reactor and char bagging area, water sprinkler system and mechanized arrangement for removal of char and steel scrap and arrangement of Nitrogen gas (N₂) purging to address environmental and safety concerns.

In the same matter, the Hon'ble NGT vide its order dated 25.10.2021 directed to issue appropriate SoP covering siting criteria, threshold limit of a plant, carrying capacity, standards for effluents, emissions and hazardous or other waste, safety aspects to prevent accidents and for protection of public health. Accordingly, in consultation with expert members from NEERI & IIT-Delhi, the existing SoP was revised w.r.t Recycling of Waste Tyre Scrap for the recovery of Tyre Pyrolysis Oil, Pyro Gas and Char in Tyre Pyrolysis Oil (TPO) Unit.

1.1 Pyrolysis process

Pyrolysis is a thermal degradation process carried out in the absence of oxygen /air in a vessel or a chamber, so that the combustion of material does not take place. It is a process in which organic materials are thermally decomposed into simpler compounds in the temperature range of 400 – 500 °C in an oxygen-free environment. **Fig. 1** shows the

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Anand Kumar

schematic diagram of waste scrap tyre pyrolysis process. Since the products of thermal decomposition are released at different temperature having varying molecular structure, the products are in all phases i.e. solid, liquid and gas. Pyrolysis of tyres and rubber products produce pyrolysis oils, pyrolysis gas (pyro-gas), char and steel. The products generated in tyre pyrolysis are as follows:

- A) **Pyro Gas:** 20 to 35 percent of a tyre's energy content is typically converted into a combustible gas (Pyro Gas) that is used to fuel the pyrolysis process or is combusted in a flare before it is released. Typically, the components of pyro gas are H_2 , H_2S , CO , CO_2 , CH_4 , C_2H_4 , C_3H_6 and other light hydrocarbons.
- B) **Pyro Oil:** 35 to 50 percent of the output from the process is transformed into a liquid product that varies in quality from saleable fuel oil to lower-value oil blend stock.
- C) **Char:** The residual solid product (referred as char constitutes 25 to 40 percent of the output and contains a mixture of carbon, silica, titanium dioxide, zinc, steel etc.
- D) **Steel:** The thin wire, which is used for reinforcement of tyre is extracted out during pyrolysis and is collected at the end, sold in the market as scrap steel.

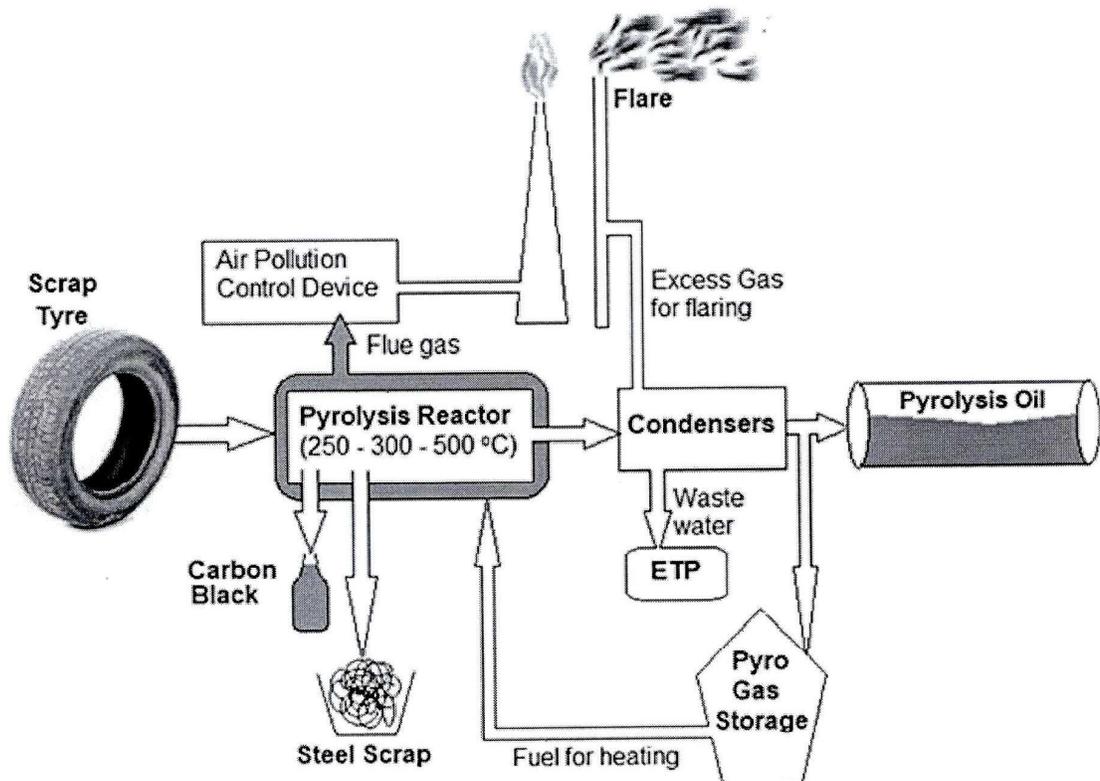


Fig. 1: Schematic diagram of waste tyre pyrolysis process

The quantity and quality of each product depends on many process variables, including temperature, pressure, and residence time. A preferred quality tyre pyrolysis oil would have molecular weight little above its boiling temperature under normal temperature and pressure. This would help in efficient combustion, and less of soot formation. Waste tyre pyrolysis plant operators are expected to have a control on rate of heating and condensation so as to produce high-quality oils with high calorific values comparable with diesel and gasoline type fuels.

Two types of Pyrolysis process are in operation in India. Batch Type and Continuous Pyrolysis process. In both type of pyrolysis processes, the final product remains the same. Most of the tyre pyrolysis units in the country are based on batch processes technology having different types of process control, safety mechanism, raw material, finish product and waste handling facilities. There is a need to standardize the operations and facilities at Tyre Pyrolysis Oil (TPO) Units to achieve environmentally sound and safe operation of these units.

From the study carried out, it was observed that Advanced Batch Automated Process (ABAP) and continuous tyre pyrolysis process had no significant impact on ambient air quality. Therefore, for standardizing the batch type pyrolysis operations, Advanced Batch Automated Process (ABAP) type TPO Unit shall only be allowed.

2.0 Siting Criteria, Carrying Capacity and Standard Operating Procedures (SoP) for Advanced Batch Automated Process (ABAP) type TPO units:

2.1 Siting Criteria for ABAP type TPO Units

The siting criteria is applicable only to new /proposed units. New ABAP type TPO unit shall be allowed only in the industrial areas/land.

(I) Siting criteria for ABAP type TPO Units:

The criteria for siting of ABAP type TPO units depends on the following facts:

- i) There are no organized continuous process emissions in tyre pyrolysis process.
- ii) The air pollutant emission in ABAP type TPO unit is from burning of fuel for heating purpose and intermittent flaring of excess pyro gas or its emergency release;
- iii) The plot area of the TPO Unit carries more weightage as the emission from TPO unit does not affect far away community, instead it is the immediate neighbourhood that is affected. Char, being large size particle if spilled in the plant premises during its handling cannot travel to larger distance under the influence of wind;
- iv) The environmental concern from TPO Unit is spillage of Char in the work zone while removing it from the reactor and its subsequent packing into the

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Anurag Kumar

- bags. The influence zone due to this spillage is limited within the premise of the unit;
- v) The odour from TPO Unit are localized and confined to premises and adjacent areas.

Followings are the criteria for site consideration for new units:

- i) New ABAP type TPO Unit having individual reactor capacity of 10 tonnes to 20 tonnes should only be allowed;
- ii) Considering the possible impacts in neighbourhood, TPO Unit having cumulative maximum batch capacity up to 60 tonnes per day (TPD) only be allowed within a premises and this is applicable for new ABAP type Units /expansion in existing batch type TPO Unit.
- iii) Beyond cumulative batch capacity of 60 TPD, only continuous process type TPO unit be allowed in case of setting up of new ABAP type units or expansion in existing TPO Unit in a single premises.
- iv) For new ABAP type TPO Unit the minimum plot area shall be 3000 square meters for a single reactor of 10 to 12 tonnes capacity and the area will increase by 750 square meters for every additional reactor of capacity 10 to 12 tonnes and will increase up to 6000 square meters.
- v) For new proposed ABAP type TPO unit the minimum plot area shall be 4000 square meters for a single batch reactor of 20 tonnes capacity and the area will increase by 1000 square meter for every additional reactor and will increase up to 6000 square meters.
- vi) For new proposed continuous TPO unit the minimum plot area should be 7000 square meters irrespective of number of reactors.

(II) Green Belt Requirement

The green belt should be as per consent conditions or as per the guidelines of Central and State Government and in no case less than 5% of the total area of the plot.

(III) Movement of Fire-Tenders

Paved road to be provided for movement of the fire-tenders. No material is allowed to be stored (no obstruction) on this paved road. SPCBs /PCCs to ensure this requirement, while issuing new CTE/CTO.

2.2 Carrying Capacity of the area for siting of ABAP type Tyre Pyrolysis Oil (TPO) Units

The committee constituted by the Hon'ble NGT in the is of the view that carrying capacity may not be required in case of individual Tyre Pyrolysis Units of capacity 10 - 60 TPD, since these are small pyrolytic operations with no process emissions and there are only flue gas emissions due to combustion of fuels for reactors or in flare stacks.

In order to minimize impact on adjacent areas, the minimum plot area as stipulated in section 2.1 is required by the unit.

2.3 Threshold Limits for Tyre Pyrolysis Oil (TPO) Units (New TPO Units and expansions in Existing TPO units)

The threshold limit is applicable to new /proposed units or expansion in the existing units. Followings are the threshold limits for the TPO units:

- i) New ABAP type TPO units or expansion in existing units having cumulative batch capacity up to 60 TPD only shall be allowed.
- ii) Beyond cumulative batch capacity of 60 TPD for new units or expansion in existing units, only continuous type TPO unit shall be allowed.

2.4 Standard Operating Procedure (SoP) of ABAP type TPO Units

A) Minimum Requirement for Environmentally Sound Operation:

2.4.1	Unit should have a valid Consent to Establish (CTE), Consent to Operate (CTO) under Water and Air Act and Authorization under the Hazardous and Other Waste (M & TM) Rules, 2016 issued by SPCB / PCC & Fire Safety Certificate issued by the concerned department.
2.4.2	Unit to comply with emission & effluents standards as prescribed by the concerned SPCBs/ PCCs in consent to operate (CTO) under Air and Water Act. Further the management of Hazardous waste generated has to be done as per the conditions prescribed in the authorization issued by the SPCBs / PCCs under the Hazardous and Other Waste (M & TM) Rules, 2016.
2.4.3	The feed to ABAP type reactor has to be in the form of used tyre scrap – whole tyres /cut tyres / chips / shred /mulch /granules etc.
2.4.4	Initial heating of the reactor has to be done either by using pyro gas stored during previous cycle or by use of pyro water / purge water (oil mix water) / oil water emulsion, or by tyre pyrolysis oil or any other fuel approved by concerned SPCBs /PCCs. After generation of pyro gas, the same is to be used for the purpose of heating reactor. The flue gas should be vented out to the environment through an alkaline scrubber with mist eliminator attached to a chimney of at least 30 meters height. Plants to install adequate air pollution control devices (APCDs) for controlling flue gas emissions.

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2.4.5	A compressor / air blower has to be installed for mixing of air with pyro water for ensuring proper burning while using pyro water/purge water during initial heating.
2.4.6	In order to control fugitive emissions from the reactor shell during operation, its proper sealing should be ensured.
2.4.7	ABAP type TPO units to construct or install a sufficient capacity suction hood / industrial dust collector attached to a bag filter at feeding door and same should must be operational at the time of removal of steel scrap wire and char from the reactor.
2.4.8	Suction hoods also to be installed at all the transfer points across the work zone such as at char bagging area etc. to control fugitive emissions. All suction hood to be connected to a common manifold leading to alkaline scrubber with mist eliminator attached with stack of 30 m height (installed for venting out flue gas emissions).
2.4.9	Unit to ensure no spillage of char during removal/ unloading of steel scrap from the reactor. The flooring should be paved/ concretized along with proper slope and drains for movement of steel scrap. This operation to be made cleaner by use of vacuum cleaner after each batch operation.
2.4.10	Unit to install water sprinkling system for prevention of fugitive emission at the all transfer points for arresting fugitives.
2.4.11	The removal of char should be through a mechanized system. The unloading of char from the reactor is to be done under controlled conditions in such a manner that the material inside the reactor is not open to the atmosphere at any point of time. The char shall be bagged in the HDPE bags with proper sealing. It should be ensured that no spillage take place during the collection of the char in the bags. The removal of char should be started only after Nitrogen purging.
2.4.12	A permanent arrangement should be made for Nitrogen purging. Pre-filled nitrogen gas cylinders will not be allowed to use for purging. All units to have PLC based Nitrogen generator as per the following requirement:

Number of Reactors	Nitrogen Generator capacity (Nm ³ /h)	Storage Tank Capacity (Liters)
1	3	1000
2	5	1500
3	7	2000
4	10	3000
> 4	12	4000

2.4.13	Excess pyro gas if any should be flared through properly designed flaring system of adequate capacity considering the emergency situation
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	in which the entire gas may have to be flared. The flaring should be done at a minimum height of 30 meter.
2.4.14	Unit to install Programme Logic Controller (PLC) based system for control of temperature and pressure inside the reactor.
2.4.15	Unit to install Programme Logic Controller (PLC) based auto activation for stopping of gas supply to the burner and for switching off the burners in case of increase of pressure and temperature inside the reactor.
2.4.16	Unit to install PLC based auto activation of bypass arrangements for bypassing the pyro gas from reactor to first separator tank in case of blocking /choking of outlet vent inside the reactor or direct bypass for flaring
2.4.17	Unit to install PLC based carbon monoxide (CO) gas sensors connected with sirens (hooters) in case of release of CO.
2.4.18	The collection of the oil from the condensers should be in closed vessel and storage also should be in closed metallic tanks. (Oil / Liquid is stored at atmospheric pressure in metallic tank. Since this is not pressurized tank, there is no need of vent. The presence of vent releases low molecular weight HC into the air and creates odour, which is objected by the neighbourhood.) There should be no manual handling of oil. Transfer of oil should be carried out through pumps.
2.4.19	Unit to connect first separator tank with the oil storage tank for storing heavy oil fraction. There should not be any release valve at the first separator tank.
2.4.20	At the end of the pyrolysis process the reactor has to be cooled before the removal of char. During cooling process, the reactor should be purged with Nitrogen gas.
2.4.21	The removal of char should be started after the reactor temperature comes down to below 50 °C or first separator tank temperature comes down to 40 °C.
2.4.22	The inside temperature of the reactor should not exceed 500 °C and the first separator tank temperature should not exceed 450 °C during the entire batch operation.
2.4.23	Waste water (Pyro water/Purge water/Oil mixed water/oil water emulsion) generated during the process should not be discharged anywhere and:

i)	Should be treated in suitable ETP of sufficient capacity. Oily sludge should be disposed through TSDF or can be used to make char briquettes, for subsequent transfer /sale to the cement manufacturing plants or other such industries having authorization for co – processing or;
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- a. ETP discharge may be used for briquettes manufacturing. The briquettes so manufactured shall be disposed through processing in cement kiln

- b. ETP sludge may be used for briquettes manufacturing. The briquettes so manufactured shall be disposed through processing in cement kiln.

ii)	Pyro water/Purge water /Oil mixed water/oil water emulsion may be used for briquettes manufacturing in a briquetting plant by mixing it with sawdust and char in suitable proportions. These briquettes so manufactured using the pyro water/purge water/oil mixed water/oil water emulsion and char are to be utilized only in processes where temperature is 1000 °C or more to avoid emissions of obnoxious gases; or
iii)	Pyro water/Purge water/ oil mix water/oil water emulsion should be used for Initial heating of the reactor.

2.4.24	Unit to ensure that treated water be re-used in unit itself & there is zero effluent discharge.
2.4.25	Unit to have a covered /closed separate storage tank for storage of pyro water /purge water /oil mix water/ oil water emulsion. The pyro water be transferred from final storage tank to pyro water / purge water / oil mix water / oil water emulsion storage tank in closed loop through pumps.
2.4.26	Unit should carry out stack and ambient air quality monitoring for SO ₂ , PM and CO at least once in six months from a recognized laboratory at identified monitoring location. The unit shall maintain a log book for recording the plant, operation, monitoring of the stack emissions and ambient air quality, generation & utilization of wastewater & sale of various products and by-products.
2.4.27	The transportation of Char should be done in bags (small or jumbo) in closed vehicles to ensure that there is no spillage of char during their transportation.
2.4.28	The transportation of Tyre Pyrolysis Oil (TPO) should strictly be done in closed tankers to ensure that there is no spillage of TPO during their transportation.
2.4.29	The char generated in the process shall be utilized either in co-processing in the cement industry or its quality be upgraded to Recovered Carbon Black (RCB). RCB may be used as raw material for manufacture of new tyre and other processes.
2.4.30	The Tyre Pyrolysis Oil and char shall be stored in areas separate / distinct from the processing area (shed where the reactors are installed). Tyres shall be stored in earmarked area / open area on a paved platform.

B. Safety Measure to be adopted

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2.4.31	Automatic control systems such as Programmed Logic Control (PLC) shall be adopted for measurement and control of temperature and pressure along with safety inter-locks in case of increase of temperature or pressure to cut off heating of the reactor should be provided. It should be ensured that the reactor is under positive pressure at all the time.
2.4.32	A sensor for CO gas to be installed in the working area to ensure that concentration of CO in the working area does not exceed the prescribed limits for occupational safety and health as per Factory Act 1948. It will also be coupled with a warning /alarm system so that the plant operator can take adequate steps to rectify the situation.
2.4.33	Sensors along with alarm system should be provided at all the transfer points throughout the plant to detect any leakage of flammable vapours from the system.
2.4.34	Fire detectors, sprinklers and fire hydrant with necessary pumping system and water storage should be provided in the process area, product and raw material storage area.
2.4.35	Unit to install fire hydrant system connected directly to the water tank and DG set for direct electric supply. Unit should also have ABC type fire extinguisher cylinders & fire buckets filled with sand and water.
2.4.36	The safety instruction for safe operation of plant will be displayed at the gate, plant working area and other critical places. Further, training will be imparted to the workers for safe operation of these plants.
2.4.37	On site emergency plan, as per the requirements under the Factories Act, 1948, will be made and implemented to handle any accident, fire/ leakage or any other emergency situation. All such measures shall include raw material storage, product storage and handling thereof.
2.4.38	The plant will be operated under the continuous supervision of a qualified person having experience of running such units.
2.4.39	All the persons /workers in the premises should wear an air filter mask to avoid inhaling of the fine char particles.
2.4.40	Unit will maintain good house-keeping and will ensure that no raw material products and wastes get spilled inside or outside the plant.
2.4.41	Unit to carry out annual health check-up of all the employees working in the unit & submit its report to concerned SPCBs/PCCs on annual basis.
2.4.42	Workers should be trained to handle fire. Workers should be given mock drill exercise for fire hazard incident. Assuming fire at the hatch door due to leakage of pyro-gas, what action, the workers should do? Training to use CO ₂ type fire extinguishers. Regular visit and inspection to check the training to workers.

2.5 Continuous Process (New & Existing):

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A. Minimum Requirement for Environmentally Sound Operation:

2.5.1	Unit should have a valid Consent to Establish (CTE) and Consent to Operate (CTO) under Water and Air Act and Authorization under the Hazardous & Other Waste (M&TM) Rules, 2016 issued by SPCB /PCC & Fire Safety Certificate issued by the concerned department.
2.5.2	Unit to comply with emission & effluents standards as prescribed by the concerned SPCB/PCC in consent to operate (CTO) under Water and Air Act. Further the management of Hazardous Waste generated to be done as per the conditions prescribed in the authorization issued by the SPCB/PCC under the Hazardous Waste (M&TM) Rules, 2016.
2.5.3	The feeding system should be provided with an air-lock arrangement so that no air enters the reactor during feeding.
2.5.4	Initial heating of the reactor to be done either by using pyro gas stored during previous cycle itself or by use of purge water (oil mix water)/oil water emulsion, or by tyre pyrolysis oil or any other fuel approved by concerned SPCBs/PCCs. After generation of pyro gas, the same is to be used for the purpose of heating reactor. The flue gas should be vented out into the environment through alkaline scrubber with mist eliminator attached with a chimney of at least 30 meters height. Plants to install adequate air pollution control devices (APCDs) for controlling flue gas emissions.
2.5.5	A compressor or any other suitable arrangement has to be made /installed for mixing of air with pyro water for ensuring proper burning while using pyro water/purge water during initial heating.
2.5.6	In order to control fugitive emissions from the reactor during operation, proper sealing should be ensured.
2.5.7	Excess pyro gas if any should be flared through properly designed flaring system of adequate capacity considering the emergency situation in which the entire gas may have to be flared. The flaring should be done at a minimum height of 30 m.
2.5.8	The collection of the oil from the condensers should be in a closed vessel and storage also should be in closed tanks with suitable vents. There should be no manual handling of oil. Transfer of oil should be through pumps.
2.5.9	The removal of char should be through a mechanized system. The unloading of char from the reactor is to be done under controlled conditions through a pneumatic /screw conveyor system in such a manner that the contents of the reactor are not open to the atmosphere at any point of time. The end of the conveyor system shall be attached to a bagging plant where all the char will be bagged in the HDPE bags with proper sealing. It should be ensured that no spillage taken place during the collection of the char in the bags. Moreover, an air-lock should be provided to ensure no entry of air into the reactor.

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2.5.10	Water sprinklers to be installed at the transfer points for arresting fugitives.
2.5.11	The char generated in the process shall be utilized either in co-processing in the cement industry or its quality be upgraded to Recovered Carbon Black (RCB). RCB may be used as raw material for manufacture of new tyre and other processes.
2.5.12	Waste water (Pyro water/Purge water/Oil mixed water/oil water emulsion) generated during the process should not be discharged anywhere and:

i)	Should be treated in suitable ETP of sufficient capacity. Oily sludge should be disposed through TSDF or can used to make char briquettes, for subsequent transfer /sale to the cement manufacturing plants or other such industries having authorization for co – processing or;
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- a. ETP discharge may be used for briquettes manufacturing. The briquettes so manufactured shall be disposed through processing in cement kiln
- b. ETP sludge may be used for briquettes manufacturing. The briquettes so manufactured shall be disposed through processing in cement kiln.

ii)	Pyro water/Purge water /Oil mixed water/oil water emulsion may be used for briquettes manufacturing in a briquetting plant by mixing it with sawdust and char in suitable proportions. These briquettes so manufactured using the pyro water/purge water/oil mixed water/oil water emulsion and char are to be utilized only in processes where temperature is 1000 °C or more to avoid emissions of obnoxious gases; or
iii)	Pyro water/Purge water/ oil mix water/oil water emulsion should be used for Initial heating of the reactor.

2.5.13	TPO Units to ensure that treated water be re-used in the unit itself & there is zero effluent discharge.
2.5.14	The transportation of Char and Tyre Pyrolysis Oil (TPO) should strictly be done in closed vehicles to ensure that there is no spillage of char or oil during their transportation.
2.5.15	The generation, transportation and disposal of char to the cement manufacturing plants shall be recorded
2.5.16	The Tyre Pyrolysis Oil (Product) and char shall be stored in areas separate / distinct from the processing area (shed where the reactors are installed). Tyres shall be stored in earmarked sheds/open area on a raised cement concrete platform.

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2.5.17	The unit should carry out stack and ambient air quality monitoring for SO ₂ , PM, and CO at least once in six months from a recognized laboratory at identified monitoring location. The unit will maintain a log book for recording the plant operation, monitoring of the stack emissions and ambient air quality, generation & utilization of wastewater & sale of products and wastes.
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B. Safety Measure to be adopted

2.5.18	Automatic control systems such as Programmed Logic Control (PLC) shall be adopted for measurement and control of temperature and pressure along with safety interlocks in case of increase of temperature or pressure to cut off heating of the reactor should be provide.
2.5.19	A sensor for CO gas to be installed in the working area to ensure that concentration of CO in the working area does not exceed the prescribed limits for occupational safety and health as per Factory Act 1948. It will also be coupled with a warning/alarm system so that the plant operator can take adequate steps to rectify the situation.
2.5.20	Sensors along with alarm system should be provided at all the transfer points throughout the plant to detect any leakage of flammable vapors from the system.
2.5.21	Excess pyro gas if any should be flared through properly designed flaring system of adequate capacity considering the emergency situation in which the entire gas may have to be flared. The flaring should be done at a minimum height of 30 meters.
2.5.22	Fire detectors, sprinklers and fire hydrant with necessary pumping system and water storage should be provided in the process area, product and raw material storage area.
2.5.23	The TPO unit shall possess fire clearance certificates issued by concerned departments.
2.5.24	The safety instruction for safe operation of plant will be displayed at the gate, plant working area and other critical places. Further, training will be imparted to the workers for safe operation of these plants. On site emergency plan, as per the requirements under the Factories Act, 1948, will be made and implemented to handle any accident, fire/leakage or any other emergency situation. All such measures shall include raw material storage, product storage and handling thereof.
2.5.25	The plant will be operated under the continuous supervision of a qualified person having experience of running such units. All the persons/workers in the premises should wear an air filter mask to avoid inhaling of the fine char particles.
2.5.26	Units will maintain good house-keeping and will ensure that no raw material products and wastes get spilled inside or outside the plant.

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2.5.27	Units to carry out annual health check-up of all the employees working in the unit & submit its report to concerned SPCBs /PCCs on annual basis.
2.5.28	Units operators shall have insurance cover for workers, plant & machinery and materials.
2.5.29	Workers should be given mock drill exercise for fire hazard incident.

C. General conditions applicable to all plants (Batch & Continuous):

2.5.30	The Tyre Pyrolysis Units (Continuous and Advanced Batch Automated Pyrolysis) are categorized into Orange category. Unit to register on the Waste Tyre EPR Portal of CPCB.
2.5.31	The Tyre Pyrolysis Oil unit to fulfill fuel quality as specified by Ministry of Petroleum and Natural Gas / Bureau of Indian Standards as and when the same gets notified.
2.5.32	In line with the policy adopted by MoEF&CC, Unit shall not to import waste tyres for the purpose of TPO production. Unit to use only indigenous generated waste tyre (i.e. Waste tyre generated in India only). Also unit to sell its products to Actual Users only.
2.5.33	Unit to maintain record on consumption of waste tyre along with details of its procurement source, Details & quantity of products, details of actual users to whom products have been sold.
2.5.34	Unit to submit its annual report on the EPR Portal and also to the concerned SPCB providing details on annual production of TPO, Char, Steel & other products including details of sources of purchasing waste tyre and also details of actual users to whom products have been sold within the time frame as prescribed on the Portal. The annual report to be supported with electricity bills of the financial year for which annual return has been submitted.
2.5.35	Units have to report daily waste generation, disposal data on National Hazardous Waste Tracking system as and when such system gets implemented by CPCB.

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Anand Kumar

F. No. B-29016/1(NGT)/400(19)/23-24/WM-III Div.

November 30, 2023

To
The Member Secretary
(All SPCBs/PCCs as per the list)

Subject: In the NGT matter of OA No.400/2019(SAFE Vs. UOI & Others) – regarding compliance of Hon'ble NGT orders dated 07.11.2022

Sir/Madam,

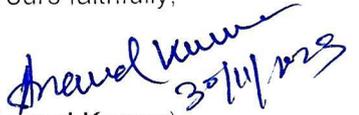
This has reference to Hon'ble NGT order dated 07.11.2022 in the matter of OA No. 400/2019 (SAFE Vs Union of India) where Hon'ble NGT has observed that actions have been taken against number of non-complaint units but there still remains gap in the units which are non-compliant and units against whom actions have to be taken to close them till compliance. The Hon'ble NGT vide its above order directed that all the non-compliant Tyre Pyrolysis Units (TPO) to be closed till their compliance. A copy of the order is enclosed for ready reference.

It is requested to kindly comply with the above referred directions of the Hon'ble NGT and ensure closure of all the non-compliant TPO units in your state/UT. Action Taken Report (ATR) in this regard may please be provided to CPCB as per the enclosed format by December 15, 2023 at wm3.cpcb@gov.in.

It is also requested to ensure that all the TPO Units in your State/UT are registered at CPCB's Waste Tyre EPR Portal at <https://www.eprtyrescpcb.in/>

Encl: As above

Yours faithfully,


(Anand Kumar)
Director &
Divisional Head-WM-III Div.

Copy to:

- The Regional Directorate (All RDs of CPCB)- for following up with the SPCBs/PCCs


(Anand Kumar)

o/c

FORMAT
STATUS OF COMPLIANCE OF TYRE PYROLYSIS Oil (TPO) PLANTS

S. No	Heading	Details
1.	Name of the SPCB/PCC:	
2.	Total number of TPO units in State/UT (Kindly provide list in the annexure)	
	Total number of complying TPO Units: (Kindly provide list in the annexure)	
3.	Total number of non-complying TPO Units: (Kindly provide list in the annexure)	
4.	Number of TPO Units closed by the SPCB/PCC on the basis of non- compliance since November 2022 and status of their revocation: (Kindly provide list in the annexure)	
5.	Number of TPO Units self-closed since November 2022: (Kindly provide list in the annexure)	

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, Bhubaneswar – 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	36.	The Member Secretary Ladakh Pollution Control Committee, Wildlife Office Building, Near Council Secretariat, Opposite Police Station Housing Colony, UT Leh Ladakh – 194101, Ladakh

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, Anera 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

States/UTs wise number of Tyre Pyrolysis Units (TPO)

S. No.	Name of State/ UT	Total no. of TPO units in the State/UT
1.	Andhra Pradesh	28
2.	Assam	05
3.	Chhattisgarh	32
4.	Haryana	112
5.	Gujarat	02
6.	Jammu & Kashmir	08
7.	Jharkhand	15
8.	Karnataka	37
9.	Kerala	01
10.	Madhya Pradesh	57
11.	Maharashtra	103
12.	Odisha	15
13.	Punjab	19
14.	Rajasthan	39
15.	Tamil Nadu	23
16.	Telangana	60
17.	Uttar Pradesh	161
18.	Uttarakhand	19
	Total	736

The state wise compliance status of TPO units is given below:**1. Andaman & Nicobar Islands**

As per the report submitted by the Andaman & Nicobar Island Pollution Control Committee, there are no Tyre Pyrolysis Oil (TPO) units in the UT of Andaman and Nicobar Island.

2. Andhra Pradesh

As per the report submitted by the Andhra Pradesh Pollution Control Board, there are total 28 numbers of Tyre Pyrolysis Oil (TPO) units in the state of Andhra Pradesh. All the 28 units are complying and in the stipulated time, no unit has been closed by the Board on the basis of non-compliance, neither any unit was self-closed.

3. Arunachal Pradesh

As per the report submitted by the Arunachal Pradesh State Pollution Control Board, currently there are no Tyre Pyrolysis Oil (TPO) units in the state of Arunachal Pradesh.

4. Assam

As per the report submitted by the Assam Pollution Control Board, there are total 05 numbers of Tyre Pyrolysis Oil (TPO) units in the state of Assam. Out of these total 05 units, only 01 is complying. 03 units are reported under non-complying section with mention of being partially complying. The actions have been initiated against them by the Board to ensure compliance. In the stipulated time, the Board has not closed any TPO units, however, 01 TPO unit was self-closed.

5. Bihar

As per the report submitted by the Bihar State Pollution Control Board, a complete ban on the operation of Tyre Pyrolysis Oil (TPO) units has been imposed in the state of Bihar by Bihar State Pollution Control Board.

6. Chandigarh

As per the report submitted by the Chandigarh Pollution Control Committee, there are no Tyre Pyrolysis Oil (TPO) units in the UT of Chandigarh.

7. Chhattisgarh

As per the report submitted by the Chhattisgarh Environmental Conservation Board, there are total of 32 numbers of Tyre Pyrolysis Oil (TPO) units in the state of Chhattisgarh. Out of these total 32 units, 25 units are complying. The Board has closed 01 TPO units due to non-compliance, and 06 TPO unit were self-closed.

8. Dadra and Nagar Haveli and Daman and Diu

As per the report submitted by the Dadra and Nagar Haveli and Daman and Diu Pollution Control Committee, there are no Tyre Pyrolysis Oil (TPO) units in the UT of Dadra and Nagar Haveli and Daman and Diu.

9. Delhi

As per the report submitted by the Delhi Pollution Control Committee, there are no Tyre Pyrolysis Oil (TPO) units in the UT of Delhi.

10. Goa

As per the report submitted by the Goa State Pollution Control Board, currently there are no Tyre Pyrolysis Oil (TPO) units in the state of Goa.

11. Gujarat

As per the report submitted by the Gujarat Pollution Control Board, currently there are two Tyre Pyrolysis Oil (TPO) units in the state of Gujarat. The Board has closed 02 numbers of TPO units due to non-compliance and none of the closure order has been revoked, and no TPO unit has self-closed.

12. Haryana

As per the report submitted by the Haryana State Pollution Control Board, there are total 112 number of Tyre Pyrolysis Oil (TPO) units in the state of Haryana. Out of these total 112 units, 63 units are complying and 36 units are non-complying. The Board has closed 35 TPO units due to non-compliance and issued Show Cause Notice to one (01) unit. Thirteen (13) TPO unit were self-closed.

13. Himachal Pradesh

As per the report submitted by the Himachal Pradesh State Pollution Control Board, there are no Tyre Pyrolysis Oil (TPO) units in the state of Himachal Pradesh.

14. Jammu & Kashmir

As per the report submitted by the J&K Pollution Control Board, there are total of 08 numbers of Tyre Pyrolysis Oil (TPO) units in the UT of Jammu and Kashmir. Out of these total 08 units, 04 units are complying and 04 units are non-complying. Notices have been issued to non-complying unit and closure is under process.

15. Jharkhand

As per the report submitted by the Jharkhand State Pollution Control Board, there are total 15 number of Tyre Pyrolysis Oil (TPO) units in the state of Jharkhand. Out of these total 15 units, 12 units are complying and 03 units are non-complying.

16. Karnataka

As per the report submitted by the Karnataka State Pollution Control Board, there are total 37 number of Tyre Pyrolysis Oil (TPO) units in the state of Karnataka. Out of these total 37 units, 19 units are complying and 12 units are non-complying. The Board has closed 12 TPO units due to non-compliance, and 06 units were self-closed.

17. Kerala

As per the report submitted by the Kerala State Pollution Control Board, there is total 01 number of Tyre Pyrolysis Oil (TPO) units in the state of Kerala. The unit is complying.

18. Ladakh

As per the report submitted by the Ladakh Pollution Control Board, there are no Tyre Pyrolysis Oil (TPO) units in the UT of Ladakh.

19. Lakshadweep

As per the report submitted by the Lakshadweep Pollution Control Board, there are no Tyre Pyrolysis Oil (TPO) units in the UT of Lakshadweep.

20. Madhya Pradesh

As per the report submitted by the Madhya Pradesh Pollution Control Board, there are total of 57 numbers of Tyre Pyrolysis Oil (TPO) units in the state of Madhya Pradesh. Out of these total 57 units, 52 units are complying and 04 units are non-complying. The Board has closed 07 TPO units due to non-compliance however closure order has been revoked for three (03) units, and one (01) TPO unit was self-closed.

21. Maharashtra

As per the report submitted by the Maharashtra Pollution Control Board, there are total of 103 numbers of Tyre Pyrolysis Oil (TPO) units in the state of Maharashtra. Out of these total 103 units, 67 units are complying and 26 units are non-complying. The Board has closed 09 TPO units due to non-compliance, and ten (10) TPO units were self-closed.

22. Manipur

As per the report submitted by Manipur Pollution Control Board, there are no Tyre Pyrolysis Oil (TPO) units in the state of Manipur.

23. Meghalaya

As per the report submitted by Meghalaya State Pollution Control Board, there are no Tyre Pyrolysis Oil (TPO) units in the state of Meghalaya.

24. Mizoram

As per the report submitted by Mizoram Pollution Control Board, there are no Tyre Pyrolysis Oil (TPO) units in the state of Mizoram.

25. Nagaland

As per the report submitted by Nagaland Pollution Control Board, there are no Tyre Pyrolysis Oil (TPO) units in the state of Nagaland.

26. Odisha

As per the report submitted by the Odisha State Pollution Control Board, there are total of 15 numbers of Tyre Pyrolysis Oil (TPO) units in the state of Odisha. Out of these total 15 units, 09 units are complying and 03 units are non-complying. The Board has closed 03 TPO units due to non-compliance and none of the Closure Directions have been revoked. Three (03) TPO units were self-closed.

27. Puducherry

As per the report submitted by Puducherry Pollution Control Committee, there are no Tyre Pyrolysis Oil (TPO) units in the UT of Puducherry.

28. Punjab

As per the report submitted by the Punjab Pollution Control Board, there are total of 19 numbers of Tyre Pyrolysis Oil (TPO) units in the state of Rajasthan. Out of these total 19 units, 14 units are complying and 03 units are non-complying. The Board has not closed any TPO unit due to non-compliance, however 02 units were self-closed.

29. Rajasthan

As per the report submitted by the Rajasthan State Pollution Control, there are total of 39 numbers of Tyre Pyrolysis Oil (TPO) units in the state of Rajasthan. Out of these total 39 units, 35 units are complying and 04 units are non-complying. The Board has closed 04 TPO units due to non-compliance.

30. Sikkim

As per the report submitted by the Sikkim State Pollution Control Board, there are no Tyre Pyrolysis Oil (TPO) units in the state of Sikkim.

31. Tamil Nadu

As per the report submitted by the Tamil Nadu Pollution Control, there are total of 23 numbers of Tyre Pyrolysis Oil (TPO) units in the state of Rajasthan. Out of these total 23 units, 20 units are complying and 01 units is non-complying. The Board has not closed any TPO unit due to non-compliance, however 02 units were self-closed.

32. Telangana

As per the report submitted by the Telangana State Pollution Control, there are total of 60 numbers of Tyre Pyrolysis Oil (TPO) units in the state of Odisha. Out of these total 60 units, 44 units are complying and 05 units are non-complying. The Board has closed 02 TPO units due to non-compliance. Closure is under process for remaining three (03) non-complying units and 11 TPO units were self-closed.

33. Tripura

As per the report submitted by the Tripura State Pollution Control Board, there are no Tyre Pyrolysis Oil (TPO) units in the state of Tripura.

34. Uttar Pradesh

As per the report submitted by the Uttar Pradesh Pollution Control, there are total of 161 numbers of Tyre Pyrolysis Oil (TPO) units in the state of Uttar Pradesh. Out of these total 161 units, 111 units are complying and 22 units are non-complying. The Board has closed 15 TPO units due to non-compliance and 28 TPO units were self-closed.

35. Uttarakhand

As per the report submitted by the Uttarakhand Pollution Control, there are total of 19 numbers of Tyre Pyrolysis Oil (TPO) units in the state of Uttarakhand. Out of these total 19 units, 08 units are complying and 05 units are non-complying. In the stipulated time, the Board has closed 04 TPO units due to non-compliance and Closure is under process for remaining one (01) non-complying unit. 06 TPO units were self-closed.

36. West Bengal

As per the report submitted by the West Bengal State Pollution Control Board, there are no Tyre Pyrolysis Oil (TPO) units in the state of West Bengal.

Compliance Status of Tyre Pyrolysis Units (TPO Units) in the country

- i. There are 736 Tyre Pyrolysis units (TPO Units) situated in 18 States of the country. Maximum number of units are in the state of UP (161) followed by Haryana (112), Maharashtra (103) and Telangana (60).
- ii. Out of 736 units, 513 units are complying with consent conditions and SOP of MoEF &CC, 134 units are non-complying and 89 Units are self-closed.
- iii. Out of 134 non-complying units, 91 has been closed by the respective SPCB/PCC, and actions have been initiated/under process against remaining 43 non-complying units

Summary of Compliance Status

S. No.	Name of State/UT	Number of total TPO Units	Compliance status		Closure Status		Remarks
			Complying	Non-Complying	Closed by Board/Committee	Self-Closed	
1.	Andhra Pradesh	28	28	Nil	Nil	Nil	-
2.	Assam	05	01	03	Closure under process	01	Actions have been initiated against the three (03) non-complying units by the SPCB to ensure necessary compliance.
3.	Chhattisgarh	32	25	01	01	06	-
4.	Gujarat	02	Nil	02	02	Nil	-
5.	Haryana	112	63	36	35	13	One (01) non-complying unit has been issued Show Cause Notice.
6.	Jammu & Kashmir	08	04	04	Closure under process	Nil	Notices has been issued and closure is under process for (04) non-complying units.
7.	Jharkhand	15	12	03	Nil	Nil	Show Cause Notice has been issued against (03) non-complying units.
8.	Karnataka	37	19	12	12	06	-
9.	Kerala	01	01	Nil	Nil	Nil	-

S. No.	Name of State/UT	Number of total TPO Units	Compliance status		Closure Status		Remarks
			Complying	Non-Complying	Closed by Board/Committee	Self-Closed	
10.	Madhya Pradesh	57	52	04	04	01	Out of total seven (07) units closed by the board, closure order has been revoked for three (03) units resulted in (04) final number of units closed by the board.
11.	Maharashtra	103	67	26	09	10	Actions have been initiated against the seventeen (17) non-complying units by the SPCB.
12.	Odisha	15	09	03	03	03	None of the Closure Directions have been revoked.
13.	Punjab	19	14	03	Nil	02	Notices has been issued with hearing scheduled before Chief Environmental Engineer for (03) non-complying units.
14.	Rajasthan	39	35	04	04	Nil	-
15.	Tamil Nadu	23	20	01	Nil	02	One (01) unit has been issued Show Cause Notice.
16.	Telangana	60	44	05	02	11	Directions issued for (03) non-complying units.
17.	Uttar Pradesh	161	111	22	15	28	Seven (07) non-complying units have either been issued the Show Cause Notice for closure or closure is under process.
18.	Uttarakhand	19	08	05	04	06	Closure Action for one (01) unit is under process.
	Total	736	513	134	91	89	



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Annexure-VI

केन्द्रीय प्रदूषण नियंत्रण बोर्ड

CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार
MINISTRY OF ENVIRONMENT FOREST & CLIMATE CHANGE GOVT OF INDIA

F. No. B-29016/1(NGT)/400(19)/22-23/WM-III Div.

December 13, 2023

To

The Head of Department
Petroleum, Coal & Related Products Department
Bureau of Indian Standards, Manak Bhawan
9, Bahadur Shah Zafar Marg, ITO
New Delhi 110002

Sub: In the NGT matter of OA 400/2019, SAFE Vs Uol & Ors- Regarding compliance of NGT order dated 07.11.2022 in the said matter.

Sir,

This is in context with the NGT matter of OA 400/2019 before PB-New Delhi regarding proper management of End-of Life/Waste Tyres(ELTs) in India. In the said matter, the Hon'ble NGT, while disposing the matter on 07.11.2022 has directed CPCB to revise its Standard Operating Procedure (SoP) on "Recycling of Waste Tyre Scrap for the production of Tyre Pyrolysis Oil in Tyre Pyrolysis Oil (TPO) Units" and include the provision for certifying fuel standards of Tyre Pyrolysis Oil as per the norms of Petroleum Ministry in the SoP. A copy of order dated 07.11.2022 is enclosed for your ready reference please

In view of above, it is requested to please convey if BIS has developed any Fuel Quality Standards for Tyre Pyrolysis Oil generated from Waste Tyres so that the same may be included in the SoP.

Yours faithfully,

Anand Kumar
13/12/2023

(Anand Kumar)

Director & Divisional Head
WM-III Division, CPCB

Enclosures: As above

‘परिवेश भवन’ पर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in



केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार
MINISTRY OF ENVIRONMENT FOREST & CLIMATE CHANGE GOVT OF INDIA

F. No. B-29016/1(NGT)/400(19)/22-23/WM-III Div. 7316

December 13, 2023

To

Shri Sunil Kumar
Joint Secretary (Refinery Division)
Ministry of Petroleum & Natural Gas(MoPNG),
Room No. 216-A
Shastri Bhawan, New Delhi - 110001

Sub: In the NGT matter of OA 400/2019, SAFE Vs UoI & Ors- Regarding compliance of NGT order dated 07.11.2022 in the said matter.

Sir,

This is in context with the NGT matter of OA 400/2019 before PB-New Delhi regarding proper management of End-of Life/Waste Tyres(ELTs) in India. In the said matter, the Hon'ble NGT, while disposing the matter on 07.11.2022 has directed CPCB to revise its Standard Operating Procedure (SoP) on "Recycling of Waste Tyre Scrap for the production of Tyre Pyrolysis Oil in Tyre Pyrolysis Oil (TPO) Units" and include the provision for certifying fuel standards of Tyre Pyrolysis Oil as per the norms of Petroleum Ministry in the SoP. A copy of order dated 07.11.2022 is enclosed for your ready reference please

In view of above, it is requested to please convey if MoPNG has developed any Fuel Quality Standards for Tyre Pyrolysis Oil generated from Waste Tyres so that the same may be included in the SoP.

Yours faithfully,

Anand Kumar
(Anand Kumar) 13/12/2023

Director & Divisional Head
WM-III Division, CPCB

Enclosures: As above

‘परिवेश भवन’ पर्वी अर्जुन नगर, दिल्ली-110032

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भारत का राजपत्र The Gazette of India

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असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)
PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

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नई दिल्ली, बृहस्पतिवार, जुलाई 21, 2022/आषाढ़ 30, 1944
NEW DELHI, THURSDAY, JULY 21, 2022/ASHADHA 30, 1944

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 21 जुलाई, 2022

सा.का.नि. 593(अ).—अपशिष्ट टायर के लिए विस्तारित उत्पादक उत्तरदायित्व संबंधी प्रारूप विनियम को अंतर्विष्ट करने वाली प्रारूप अधिसूचना, भारत के राजपत्र, असाधारण भाग-II, खण्ड 3, उप-खण्ड (ii) में भारत सरकार के पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय की अधिसूचना संख्यांक का.आ. 5497(अ), तारीख 31 दिसंबर, 2021 द्वारा प्रकाशित की गई थी, जिसमें उन सभी व्यक्तियों से जिसको उक्त अधिसूचना को अंतर्विष्ट करने वाली राजपत्र की प्रतियां जनता को उपलब्ध करा दी गई थी, साठ दिन की अवधि की समाप्ति के पहले आक्षेप और सुझाव आमंत्रित किए गए थे;

और उक्त अधिसूचना को अंतर्विष्ट करने वाली राजपत्र की प्रतियां जनता को 31 दिसंबर, 2021 को उपलब्ध करा दी गई थी;

और उक्त प्रारूप अधिसूचना की बाबत जनता से उक्त अवधि के भीतर प्राप्त किए गए आक्षेपों और सुझावों पर केन्द्रीय सरकार द्वारा सम्यक रूप से विचार किया गया है;

अंतः अब, केन्द्रीय सरकार, पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उप नियम (3) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 6, धारा 8 और धारा 25 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, परिसंकटमय और अन्य अपशिष्ट (प्रबंध और सीमापार संचलन) नियम, 2016 में और संशोधन करने के लिए निम्नलिखित नियम बनाती है अर्थात् :

1. **संक्षिप्त नाम और प्रारंभ** – (1) इन नियमों का संक्षिप्त नाम परिसंकटमय और अन्य अपशिष्ट (प्रबंध और सीमापार संचलन) संशोधन, नियम, 2022 है।
(2) ये राजपत्र में उनके प्रकाशन की तारीख से प्रवृत्त होंगे।
2. परिसंकटमय एवं अन्य अपशिष्ट (प्रबंध और सीमापार संचलन) नियम, 2016 (जिन्हें इसमें इसके पश्चात् उक्त नियम कहा गया है) में, नियम 9 में, उप नियम (3) के पश्चात्, निम्नलिखित उप नियम अंतःस्थापित किया जाएगा अर्थात्:
“(4) अपशिष्ट टायर का उपयोग और प्रबंधन अनुसूची IX में अंतर्विष्ट उपबंधों के अनुसार होगा।”
3. उक्त नियमों में, अनुसूची VIII के पश्चात्, निम्नलिखित अनुसूची अंतःस्थापित की जाएगी, अर्थात् :-

‘अनुसूची IX

[नियम 9(4) देखें]

अपशिष्ट टायर के लिए विस्तारित उत्पादक उत्तरदायित्व (ईपीआर)

1. **परिभाषाएं – इस अनुसूची के प्रयोजन के लिए -**
 - (क) ‘कारबार’ से नए टायरों के उत्पादन या विनिर्माण या विक्रय के कोई क्रियाकलाप, नए या अपशिष्ट आयात, नए टायरों के साथ फिट किए गए यानों का आयात, घरेलू स्तर पर विक्रीत यानों में उपयोग के लिए ऑटोमोबाइल विनिर्माताओं द्वारा नए टायरों का आयात या अपशिष्ट टायरों के पुनःचक्रीकरण अभिप्रेत है।
 - (ख) ‘संपरिवर्तन कारक’ से पुनर्चक्रण के प्रत्येक अंत्य उत्पाद की एक इकाई का उत्पादन करने के लिए आवश्यक अपशिष्ट टायर की इकाइयां अभिप्रेत हैं।
 - (ग) ‘अपशिष्ट टायर के पर्यावरणीय दृष्टि से अनुकूल प्रबंधन’ से यह सुनिश्चित करने के लिए सभी कदम उठाना अभिप्रेत है कि अपशिष्ट टायर को इस ढंग से प्रबंधित किया जाए कि ऐसे अपशिष्ट टायर से होने वाले किन्हीं प्रतिकूल प्रभावों से स्वास्थ्य और पर्यावरण की रक्षा हो सके।
 - (घ) ‘विस्तारित उत्पादक उत्तरदायित्व’ से टायर के उत्पादक का इस अनुसूची के उपबंधों के अनुसार अपशिष्ट टायर के पर्यावरणीय प्रबंधन को सुनिश्चित करने का उत्तरदायित्व अभिप्रेत है।
 - (ङ) ‘उत्पादक’ से कोई दृष्टि से व्यक्ति या निकाय अभिप्रेत है जो;
 - (i) घरेलू स्तर पर नए टायरों का विनिर्माण करता है और बेचता है; या
 - (ii) अन्य विनिर्माताओं या आपूर्तिकर्ताओं द्वारा विनिर्मित नए टायर अपने स्वयं के ब्राण्ड के अधीन घरेलू स्तर पर बेचता है; या
 - (iii) आयातित नए टायरों को बेचता है; या
 - (iv) नए टायरों सहित फिट किए गए यानों का आयात करता है; या
 - (v) घरेलू स्तर पर विक्रीत नए वाहनों में उपयोग के लिए नए टायरों का आयात वाला ऑटोमोबाइल विनिर्माता; या
 - (vi) अपशिष्ट टायर का आयात करता है;
 - (च) ‘पुनःचक्रीकरण’ से टायर अपशिष्ट को निम्नलिखित अंत्य उत्पादों में पर्यावरणीय दृष्टि से अनुकूल रीति से संपरिवर्तित करने की प्रक्रिया या कार्य और केंद्रीय प्रदूषण नियंत्रण बोर्ड द्वारा यथाविनिर्दिष्ट मानक प्रचालन प्रक्रियाओं या मार्गदर्शक सिद्धांत में यथोल्लिखित सुविधाएं रखना अभिप्रेत है, अर्थात् :
 - क) पुनः प्राप्त रबड़
 - ख) अवचूर्ण रबड़
 - ग) अवचूर्ण रबड़ से संशोधित बिटूमेन (सीआरएमबी)

- घ) पुनः प्राप्त कार्बन ब्लैक, जो नए टायर के विनिर्माण के लिए कच्चे माल के रूप में उपयोग करने योग्य है
- ङ) पाइरोलिसिस तेल/चार, जो केवल ईंधन के रूप में उपयोग किया जाता है न कि नए टायर के विनिर्माण के लिए कच्चे माल के रूप में।
- (छ) 'पुनर्चक्रक' से पुनःचक्रीकरण की प्रक्रिया में संलग्न किसी व्यक्ति या निकाय से अभिप्रेत है।
- (ज) 'पुनःचक्रीकरण लक्ष्य' से इस अनुसूची के पैरा 6 के उपबंधों के अनुसार पुनर्चक्रित किए जाने वाले अपशिष्ट टायर की मात्रा अभिप्रेत है।
- (झ) 'मानक प्रचालन प्रक्रिया' से केन्द्रीय प्रदूषण नियंत्रण बोर्ड विनिर्दिष्ट दस्तावेज अभिप्रेत हैं जो उपकरणों और प्रक्रियाओं की न्यूनतम अपेक्षा को सुसंपादित करने के लिए है।
- (ञ) 'मार्गदर्शक सिद्धांत' से केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा विनिर्दिष्ट दस्तावेज अभिप्रेत हैं जो अपशिष्ट टायरों के पर्यावरणीय दृष्टि से सुदृढ़ ढंग से प्रबंधन, जिसमें अपशिष्ट टायर की संभलाई, एकत्रीकरण, परिवहन और भंडारण तथा पुनः चक्रीकरण सम्मिलित है, की न्यूनतम अपेक्षा को सुसंपादित करने के लिए किया गया है।
- (ट) 'पोर्टल' से पैरा 9 के अधीन केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा तैयार किया गया ऑनलाइन प्रणाली है।
- (ठ) 'रिट्रेडिंग' से एक अच्छी संरचनात्मक गुणवत्ता वाले खराब हो चुके टायर के ऊपरी हिस्से और साइड वॉल रबर के नवीनीकरण की प्रक्रिया अभिप्रेत है।
- (ड) 'अपशिष्ट टायर' से ट्यूब और फ्लैप सहित ऐसा टायर जिसे अब किसी यान में नहीं लगाया जाता है और जिसका उपयोग अब आशयित प्रयोजन के लिए नहीं किया जाता है।

2. लागू होना - इस अनुसूची के उपबंध निम्नलिखित इकाइयों पर लागू होंगे, अर्थात्

- (i) उत्पादक
- (ii) अपशिष्ट टायर का पुनर्चक्रक; और
- (iii) रीट्रेडर

3. रजिस्ट्रीकरण - (1) पैरा 2 में निर्दिष्ट इकाइयों को पोर्टल पर रजिस्टर करना होगा।

- (2) कोई इकाई रजिस्ट्रीकरण के बिना कोई भी कारोबार नहीं करेगी।
- (3) उप-पैरा (1) के अधीन रजिस्ट्रीकृत इकाई किसी अरजिस्ट्रीकृत उत्पादक/पुनर्चक्रक के साथ कारोबार नहीं करेगी।
- (4) यदि, कोई रजिस्ट्रीकृत इकाई, इस अनुसूची के अधीन उपबंधित या प्रस्तुत किए जाने के लिए अपेक्षित रजिस्ट्रीकरण या विवरणी या रिपोर्ट या सूचना प्राप्त करने के लिए मिथ्या जानकारी या जानकारी जानबूझकर छिपाता है या किसी अनियमितता के मामले में, केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा ऐसी इकाई के रजिस्ट्रीकरण को उसे सुनवाई का अवसर प्रदान करने के पश्चात् तीन वर्ष की अवधि के लिए प्रतिसंहत किया जा सकता है और इसके अतिरिक्त, पैरा 10 के अनुसार ऐसे मामलों में पर्यावरणीय क्षतिपूर्ति प्रभार भी लगाए जा सकते हैं।
- (5) यदि कोई इकाई पैरा 3 के अधीन एक से अधिक प्रवर्ग में सम्मिलित होने की स्थिति में है, तो वह इकाई उन प्रवर्गों के लिए पृथक रूप से रजिस्टर करायेगी।
- (6) केन्द्रीय प्रदूषण नियंत्रण बोर्ड, पैरा 13 के अधीन गठित विषय निर्वाचन समिति के अनुमोदन से समय-समय पर जो विनिर्दिष्ट किए जाए ऐसी रजिस्ट्रीकरण फीस आवेदकों पर प्रभारित कर सकेगा।

4. विस्तारित उत्पादक उत्तरदायित्व व्यवस्था की पद्धतियां – (1) सभी उत्पादकों पर निम्नानुसार विस्तारित उत्पादक उत्तरदायित्व बाध्यताएं होंगी, अर्थात्:

(क) नए टायरों के विनिर्माताओं या आयातकों के लिए:

क्र.सं.	वर्ष	वजन में अपशिष्ट टायर पुनःचक्रीकरण लक्ष्य (किलोग्राम या टन)
(1)	(2)	(3)
(i)	वर्ष 2022-23 की ईपीआर बाध्यता (वर्ष जिसमें यह अनुसूची प्रवृत्त है)	वर्ष 2020-21 में विनिर्मित या आयातित नए टायरों की मात्रा का 35%
(ii)	वर्ष 2023-24 की ईपीआर बाध्यता	वर्ष 2021-22 में विनिर्मित या आयातित नये टायरों की मात्रा का 70%
(iii)	वर्ष 2024-25 की ईपीआर बाध्यता	वर्ष 2022-23 में विनिर्मित या आयातित नये टायरों की मात्रा का 100%
(iv)	वर्ष 2024-25 (वर्ष वाई) के पश्चात, वर्ष (वाई-2) में विनिर्मित या आयातित नए टायरों की मात्रा का 100% विस्तारित उत्पादक उत्तरदायित्व संबंधी बाध्यता होगी।	
(v)	तारीख 1 अप्रैल, 2022 के पश्चात् स्थापित इकाइयों के लिए, विस्तारित उत्पादक उत्तरदायित्व संबंधी बाध्यता दो वर्ष (वाई) के पश्चात शुरू होंगे और वर्ष (वाई-2) में विनिर्मित या आयातित नए टायरों की मात्रा के 100% होगी।	

(ख) अपशिष्ट टायर आयातक के लिए:

- (i) वर्ष (वाई) में अपशिष्ट टायर के आयातक के लिए विस्तारित उत्पादक उत्तरदायित्व संबंधी बाध्यता वर्ष (वाई-1) में आयातित टायर का 100% होगी।
- (ii) पाइरोलिसिस तेल/चार के उत्पादन के प्रयोजन से अपशिष्ट टायर का आयात प्रतिषिद्ध है।

(2) रिट्रेडिंग:

- (i) अपशिष्ट टायर पर रिट्रेडिंग को अनुमति प्रदान की जाएगी और रिट्रेडर को रिट्रेडिंग प्रमाणपत्र के प्रचालन के लिए पोर्टल पर रजिस्ट्रीकृत होना होगा।
- (ii) रिट्रेडिंग प्रमाण पत्र प्रस्तुत करने पर, विस्तारित उत्पादक उत्तरदायित्व संबंधी बाध्यता को अपशिष्ट टायर की तत्स्थानी मात्रा के लिए एक वर्ष के लिए आस्थगित किया जाएगा;
परंतु बाध्यता रजिस्ट्रीकृत पुनर्चक्रणकर्ता के माध्यम से केवल इनके निपटान के पश्चात ही निर्वापित हो जाएगी।

(3) उत्पादक के विस्तारित उत्पादक उत्तरदायित्व संबंधी लक्ष्य टायर के टूट-फूट के कारण केंद्रीय प्रदूषण नियंत्रण बोर्ड द्वारा अधिकिथत कारक के आधार पर कम किया जाएगा।

- (4) (i) उत्पादक अपने विस्तारित उत्पादक उत्तरदायित्व संबंधी बाध्यता को केवल रजिस्ट्रीकृत पुनर्चक्रकों से ईपीआर प्रमाण-पत्र की ऑनलाइन खरीद के माध्यम से पूरा करेगा और तिमाही विवरणी फाइल करके पोर्टल पर इसे ऑनलाइन प्रस्तुत करेगा।
- (ii) तिमाही विवरणी उस तिमाही के समाप्त होने के बाद उत्तरवर्ती माह के अंत तक फाइल किया जाएगा।
- (iii) उत्पादकों और रजिस्ट्रीकृत पुनर्चक्रकों द्वारा प्रदत्त ब्यौरे की ऑनलाइन पोर्टल पर पुनः जांच की जाएगी।
- (iv) अंतर होने के मामले में उत्पादक के विस्तारित उत्पादक उत्तरदायित्व संबंधी बाध्यता की पूर्ति के लिए निम्नतर अंक पर विचार किया जाएगा।

- (v) इस पैरा में निर्दिष्ट प्रमाण पत्र इस संबंध में केन्द्रीय सरकार द्वारा प्राधिकृत अभिकरणों द्वारा पर्यावरण लेखा परीक्षा के अधीन होंगे।
- (5) केंद्रीय प्रदूषण नियंत्रण बोर्ड, इस अनुसूची के उपबंधों के कड़े अनुसरण में मानक प्रचालन प्रक्रिया तैयार करेगा।
5. विस्तारित उत्पादक उत्तरदायित्व प्रमाण-पत्र का सृजन - (1) केंद्रीय प्रदूषण नियंत्रण बोर्ड, रजिस्ट्रीकृत पुनर्चक्रणकर्ता के पक्ष में पोर्टल के माध्यम से विस्तारित उत्पादक उत्तरदायित्व संबंधी प्रमाण-पत्र सृजित करेगा और विस्तारित उत्पादक उत्तरदायित्व संबंधी प्रमाण-पत्र का सृजन करने के लिए पात्र मात्रा की निम्नानुसार सारणी की संगणना की जाएगी, अर्थात् :

सारणी

क्र.सं.	पुनर्चक्रण का अंत्य उत्पाद	अंत्य उत्पाद की मात्रा (Qp)	सीपीसीबी द्वारा अवधारित संपरिवर्तन कारक (CF)	अंत्य उत्पाद को आबंटित अधिमान (WP)	विस्तारित उत्पादक उत्तरदायित्व प्रमाण-पत्र के सृजन के लिए पात्र मात्रा (QEPR = QP x CF x WP)
(1)	(2)	(3)	(4)	(5)	(6)
1.	सुधारा हुआ रबर			1.30	
2.	पुनः प्राप्त कार्बन ब्लैक नए टायर के विनिर्माण के लिए कच्चे माल के रूप में उपयोग करने योग्य			1.25	
3.	क्रम्व रबर मोडिफाइड बिटुमन (सीआरएमबी)			1.10	
4.	क्रम्व रबर			1.00	
5.	प्रोलाइसिस ऑयल एंड चार (केवल ईंधन के रूप में उपयोग करने योग्य और नए टायर के विनिर्माण के लिए कच्चे माल के रूप में नहीं)				
	(i) निरंतर पायरोलिसिस पद्धति से निकाला गया			0.80	
	(ii) बैच पायरोलिसिस पद्धति से निकाला गया			0.50	

(2) निर्देश-निबंधन – उप-पैरा (1) में निर्दिष्ट सारणी के प्रयोजन के लिए -

- (i) विस्तारित उत्पादक उत्तरदायित्व प्रमाण पत्र का सृजन करने के लिए पात्र मात्रा की निम्नलिखित सूत्र के अनुसार संगणना की जाएगी, अर्थात् :

$$QEPR = QP \times CF \times WP$$

- (ii) केंद्रीय प्रदूषण नियंत्रण बोर्ड द्वारा प्रत्येक अंत्य उत्पाद का संपरिवर्तन कारक CF अवधारित किया जाएगा।

- (iii) प्रौद्योगिकीय उन्नतियों, सामग्री की उपलब्धता और अन्य कारकों को ध्यान में रखते हुए विषय निर्वाचन समिति द्वारा समय-समय पर अधिमान WP की पुनर्विलोकित की जाएगी।
- (iv) आयातित अपशिष्ट टायरों के लिए अधिभार WP सभी प्रवर्गों के लिए 1 रहेगा और अपशिष्ट टायरों के आयतकों द्वारा खरीदे गए विस्तारित उत्पादक उत्तरदायित्व प्रमाण पत्रों को उनकी ईपीआर बाध्यता के अनुसार समायोजित किए जाने की स्थिति में अपशिष्ट टायर प्रमाण-पत्र के मान को संबंधित प्रमाण-पत्रों के WP द्वारा विभाजित करके कम किया जाएगा।
- 3 (क) विस्तारित उत्पादक उत्तरदायित्व प्रमाण-पत्र की विधिमान्यता, वित्तीय वर्ष के अंत से दो वर्ष के लिए होगी जिसमें इसको सृजित किया गया था।
- (ख) अवसित प्रमाण-पत्र, उक्त अवधि के पश्चात स्वतः ही निर्वापित हो जाएगा जब तक कि पैरा 7 के उप पैरा (2) के अनुसार पहले ही निर्वापित न कर दिया हो।
- 4 (क) प्रत्येक विस्तारित उत्पादक उत्तरदायित्व प्रमाण-पत्र के लिए सृजन का वर्ष, अंत्य उत्पाद का कोड, पुनर्चक्रणकर्ता को कोड और एक विशिष्ट कोड से युक्त एक विशिष्ट संख्या दी जाएगी।
- (ख) विस्तारित उत्पादक उत्तरदायित्व प्रमाण-पत्र 100, 200, 500 और 1000 मीट्रिक टन के या पैरा 13 के अधीन गठित विषय निर्वाचन समिति के अनुमोदन से जो केंद्रीय प्रदूषण नियंत्रण बोर्ड द्वारा विनिश्चत की जाए मूल्य वर्ग के होंगे।
6. **विस्तारित उत्पादक उत्तरदायित्व प्रमाण-पत्रों का संव्यवहार - (1)** कोई उत्पादक विस्तारित उत्पादक उत्तरदायित्व प्रमाण-पत्रों को वर्तमान वर्ष (वर्ष बाई) की अपनी विस्तारित उत्पादक उत्तरदायित्व संबंधी बाध्यता के साथ ही पूर्ववर्ती वर्षों के शेष दायित्व और वर्तमान वर्ष के दायित्व के 10 प्रतिशत हिस्से की सीमा तक खरीद सकता है।
- (2) विस्तारित उत्पादक उत्तरदायित्व संबंधी बाध्यता को उत्पादकों द्वारा तिमाही आधार पर आनुपातिक रूप से विस्तारित उत्पादक उत्तरदायित्व प्रमाणपत्र खरीदकर पूरा करना होगा।
- (3) जैसे ही उत्पादक, विस्तारित उत्पादक उत्तरदायित्व संबंधी प्रमाण-पत्र की खरीद करता है, वैसे ही यह इसके दायित्व के अनुसार स्वतः समायोजित हो जाएगा तथा पूर्ववर्ती दायित्व को इस समायोजन में प्राथमिकता दी जाएगी और इस प्रकार समायोजित ईपीआर प्रमाण-पत्र स्वतः निर्वापित और रद्द हो जाएगा।
- (4) प्रत्येक उत्पादक/पुनर्चक्रणकर्ता के लिए विस्तारित उत्पादक उत्तरदायित्व संबंधी प्रमाण-पत्र की उपलब्धता, अपेक्षा और अन्य ब्यौरे पोर्टल पर उपलब्ध कराये जाएंगे।
- (5) ऐसे सभी संव्यवहार को अभिलिखित किया जाएगा और उत्पादकों या पुनर्चक्रणकर्ताओं द्वारा तिमाही विवरणियों को भरते समय ऑनलाइन पोर्टल पर प्रस्तुत किया जाएगा।
7. **उत्पादक के उत्तरदायित्व - (1)** उत्पादक केवल रजिस्ट्रीकृत पुनर्चक्रणकर्ताओं से विस्तारित उत्पादक उत्तरदायित्व संबंधी प्रमाण-पत्रों की खरीद करके विस्तारित उत्पादक उत्तरदायित्व की पूर्ति के लिए उत्तरदायी होगा।
- (2) उत्पादक इस बात के लिए उत्तरदायी होगा कि केंद्रीय प्रदूषण नियंत्रण बोर्ड द्वारा विनिर्दिष्ट प्ररूपों में उनके पोर्टल पर वार्षिक और तिमाही विवरणियों को, तिमाही, जिससे वह विवरणी संबंधित है, के बाद के महीने के अंत तक या उससे पहले फाइल करे और प्रत्येक रजिस्ट्रीकृत इकाई को तिमाही विवरणी फाइल करनी होगी।
8. **पुनर्चक्रणकर्ता के उत्तरदायित्व-(1)** सभी पुनर्चक्रणकर्ताओं को उपयोग किए गए अपशिष्ट टायरों और तैयार किए गए अंत्य उत्पाद की मात्रा, बेचे गए विस्तारित उत्पादक उत्तरदायित्व संबंधी प्रमाण-पत्र से सुसंगत सूचना और ऐसी अन्य संबद्ध सूचना को पोर्टल पर मासिक आधार पर प्रस्तुत करना होगा।
- (2) सभी पुनर्चक्रणकर्ता, विनिर्दिष्ट प्ररूप में उनके पोर्टल पर वार्षिक और तिमाही विवरणियों को, तिमाही, जिससे वह विवरणी संबंधित है, के बाद के महीने के अंत तक या उससे पहले फाइल करेगा।

9. रजिस्ट्रीकरण, वार्षिक विवरणियों को भरने, विस्तारित उत्पादक उत्तरदायित्व प्रमाण-पत्र प्राप्त करने और सामग्रियों का पता लगाने के लिए ऑनलाइन पोर्टल- (1) केंद्रीय प्रदूषण नियंत्रण बोर्ड, रजिस्ट्रीकरण और साथ-साथ तिमाही विवरणियों भरने, विस्तारित उत्पादक उत्तरदायित्व संबंधी प्रमाण-पत्र को सृजित और समायोजित करने तथा पुनर्चक्रणकर्ताओं द्वारा मासिक सूचना प्रस्तुत करने के लिए एक ऑनलाइन प्रणाली स्थापित करने हेतु एक पोर्टल विकसित करेगा।
- (2) यह पोर्टल, अपशिष्ट टायरों के लिए विस्तारित उत्पादक उत्तरदायित्व के कार्यान्वयन के लिए इस अनुसूची के उपबंधों के संबंध में एकल बिंदु आंकड़ा संग्रह के रूप में कार्य करेगा और इससे निम्नलिखित सूचना उपलब्ध होगी, अर्थात् :
- उत्पादक के लिए- अलग-अलग वर्षों के नए टायरों का आयात या उत्पादन, अपशिष्ट/नए टायरों की मात्रा, विस्तारित उत्पादक उत्तरदायित्व प्रमाण-पत्र की खरीद के संबंध में तिमाही विवरणी, प्रत्येक वर्ष के लिए विस्तारित उत्पादक उत्तरदायित्व बाध्यता का समायोजन, वर्तमान वर्ष की विस्तारित उत्पादक उत्तरदायित्व संबंधी बाध्यता और पूर्ववर्ती वर्षों की अग्रणीत बाध्यता।
 - पुनर्चक्रणकर्ताओं के लिए- पुनर्चक्रित सामग्री और अंत्य उत्पाद संबंधी सूचना और मात्रा प्रस्तुत करने के लिए सुविधा तथा सृजित किए गए और बेचे गए विस्तारित उत्पादक उत्तरदायित्व संबंधी प्रमाण-पत्र। यह सुनिश्चित किया जाए कि अपशिष्ट टायर के आयातक के मामले में विस्तारित उत्पादक उत्तरदायित्व के मान को इसे WP द्वारा विभाजित करके कम किया जाए।
 - इस पोर्टल में विभिन्न उत्पादकों की वर्तमान अपूर्ण विस्तारित उत्पादक उत्तरदायित्व संबंधी बाध्यता, पुनर्चक्रणकर्ताओं के पास विस्तारित उत्पादक उत्तरदायित्व संबंधी प्रमाण-पत्र की मात्रा और उत्पादकों के पास अतिशेष ईपीआर प्रमाण-पत्रों से संबंधित सूचना उपलब्ध होगी।
 - पैरा 13 के अधीन गठित विषय निर्वाचन समिति के अनुमोदन से इस अनुसूची के उपबंधों के कार्यान्वयन को सुगम बनाने के लिए अपेक्षित कोई अन्य सुविधा।
- (3) पोर्टल को विकसित किए जाने तक, विस्तारित उत्पादक उत्तरदायित्व के कार्यान्वयन से संबंधित सभी कार्यकलाप ऑफलाइन रीति से किए जाएंगे।
- (4) केंद्रीय प्रदूषण नियंत्रण बोर्ड, इस अनुसूची के उपबंधों के अनुसार विस्तारित उत्पादक उत्तरदायित्व के लिए सभी सुसंगत प्ररूपों या विवरणियों का प्रारूप विनिर्दिष्ट करेगा।
- (5) केंद्रीय प्रदूषण नियंत्रण बोर्ड, पोर्टल के माध्यम से उत्पादक और पुनर्चक्रणकर्ताओं से पैरा 13 के अधीन गठित विषय निर्वाचन समिति के अनुमोदन से केंद्रीय प्रदूषण नियंत्रण बोर्ड द्वारा जैसा समय-समय पर विनिर्दिष्ट किया जाये ऐसी प्रसंस्करण या रजिस्ट्रीकरण फीस प्रभारित करेगा।
10. पर्यावरणीय क्षतिपूर्ति- (1) केंद्रीय प्रदूषण नियंत्रण बोर्ड इस अनुसूची में उपवर्णित बाध्यताओं को पूरा न करने और गलत विस्तारित उत्पादक उत्तरदायित्व संबंधी प्रमाणपत्र के उपयोग के मामले में उत्पादकों पर पर्यावरणीय क्षतिपूर्ति अधिरोपित करने और संग्रहीत करने के लिए मार्गदर्शक सिद्धांत अधिकिथत करेगा। उक्त मार्गदर्शक सिद्धांत इस अनुसूची के अनुसार होंगे तथा पैरा 13 के अधीन गठित विषय निर्वाचन समिति द्वारा अनुमोदित होंगे और कार्यान्वयन से पहले केंद्रीय सरकार द्वारा अनुमोदित किए जाएंगे।
- (2) गलत विस्तारित उत्पादक उत्तरदायित्व संबंधी प्रमाणपत्र जारी करने और गलत जानकारी उपलब्ध कराने पर पुनर्चक्रणकर्ताओं से पर्यावरणीय क्षतिपूर्ति भी उद्गृहीत की जाएगी।
- (3) पर्यावरणीय क्षतिपूर्ति, अरजिस्ट्रीकृत उत्पादकों, पुनर्चक्रणकर्ताओं और ऐसी किसी इकाई से भी उद्गृहीत किया जाएगा जो इस अनुसूची के उपबंधों के उल्लंघन में सहायता या दुष्प्रेरण करती है।
- 4(क) पर्यावरणीय क्षतिपूर्ति का संदाय इस अनुसूची में उपवर्णित बाध्यताओं से उत्पादकों को मुक्त नहीं करेगा और किसी विशेष वर्ष के लिए अपूर्ण विस्तारित उत्पादक उत्तरदायित्व संबंधी बाध्यता को अगले वर्ष तक और इस प्रकार से 3 वर्ष तक अग्रणीत किया जाएगा।

(ख) यदि विस्तारित उत्पादक उत्तरदायित्व संबंधी बाध्यता की कमी को 1 वर्ष के बाद दूर किया जाता है, तो उद्गृहीत पर्यावरणीय क्षतिपूर्ति का 85% उत्पादकों को वापस कर दिया जाएगा, यदि विस्तारित उत्पादक उत्तरदायित्व संबंधी बाध्यता की कमी को दूसरे वर्ष के बाद दूर किया जाता है तो, उद्गृहीत पर्यावरणीय क्षतिपूर्ति का 60% उत्पादकों को वापस कर दिया जाएगा और यदि विस्तारित उत्पादक उत्तरदायित्व संबंधी बाध्यता की कमी को तीसरे वर्ष के बाद दूर किया जाता है, तो उद्गृहीत पर्यावरणीय क्षतिपूर्ति का 30% उत्पादकों को वापस कर दिया जाएगा, तत्पश्चात् उत्पादकों को कोई पर्यावरणीय क्षतिपूर्ति वापस नहीं की जाएगी।

(5) गलत जानकारी के परिणामस्वरूप वास्तविक पुनर्चर्कित अपशिष्ट के 5% से अधिक पुनर्चक्रणकर्ताओं द्वारा विस्तारित उत्पादक उत्तरदायित्व संबंधी प्रमाणपत्रों का सृजन अधिक होने के परिणामस्वरूप रजिस्ट्रीकृत का प्रतिसंहरण हो जाएगा और पर्यावरणीय क्षतिपूर्ति का अधिरोपण हो जाएगा जो वापिसी योग्य नहीं होगा।

(6) (क) पर्यावरणीय क्षतिपूर्ति के अधीन एकत्रित निधियां केंद्रीय प्रदूषण नियंत्रण बोर्ड द्वारा पृथक से निलंब लेखा (एसक्रो अकाउंट) में रखा जाएगा और संग्रहण में उपयोगित किया जाएगा और एकत्र न किए गए ऐसे अपशिष्ट टायर, जिन पर पर्यावरणीय क्षतिपूर्ति उद्गृहीत की जाती है – जिनका जीवन चक्र समाप्त हो गया है या पुनर्चक्रणीय, के निपटान और ऐसे टायर, जिनका जीवन चक्र समाप्त नहीं हुआ है/गैर-पुनर्चक्रणीय, के निपटान और एकत्रण में संग्रहित की गई निधियों का उपयोग किया जाएगा, अन्यथा उक्त विषय निर्वाचन समिति अनुच्छेद 13 के अधीन गठित द्वारा लिए गए विनिश्चय के अनुसार उपयोग किया जाएगा।

(ख) विषय निर्वाचन समिति द्वारा निधियों के उपयोग के लिए तौर-तरीकों की सिफारिश की जाएगी और उन्हें केंद्रीय सरकार द्वारा अनुमोदित किया जाएगा, जो इस संबंध में अनुदेश भी जारी कर सकता है।

11. **अभियोजन** - ऐसे किसी भी व्यक्ति, जो विस्तारित उत्पादक उत्तरदायित्व संबंधी प्रमाणपत्र प्राप्त करने के लिए इस अनुसूची के उपबंधों के अधीन अपेक्षित जानकारी को गलत उपलब्ध कराता है, किसी भी तरीके से गलत या कूटचित विस्तारित उत्पादक उत्तरदायित्व संबंधी प्रमाणपत्र का उपयोग करता है या हेतु बनता है, वास्तविक पुनर्चर्कित अपशिष्ट के 5% से अधिक विस्तारित उत्पादक उत्तरदायित्व संबंधी प्रमाणपत्र सृजित करता है, जान बूझकर दिए गए निर्देशों का उल्लंघन करता है या सत्यापन और लेखा परीक्षा कार्यवाही में सहयोग करने में विफल रहता है, को पर्यावरण संरक्षण अधिनियम, 1986 की धारा 15 के अधीन अभियोजित किया जा सकता है और यह अभियोजन उपरोक्त पैरा 10 के अधीन उद्गृहीत पर्यावरणीय क्षतिपूर्ति के अतिरिक्त होगा।
12. **सत्यापन और लेखा परीक्षा** - केंद्रीय प्रदूषण नियंत्रण बोर्ड स्वयं या किसी नामनिर्दिष्ट अभिकरण के माध्यम से निरीक्षण और आवधिक लेखा परीक्षा के माध्यम से उत्पादकों या पुनर्चक्रणकर्ताओं के अनुपालन को उचित समझे जाने पर सत्यापित करेगा और विस्तारित उत्पादक उत्तरदायित्व संबंधी लक्ष्य, बाध्यताओं और उत्तरदायित्वों को पूरा न करने और उसके उल्लंघनों पर पैरा 10 के उपबंधों के अनुसार कार्रवाई की जाएगी।
13. **अपशिष्ट टायर के लिए ईपीआर व्यवस्था के कार्यान्वयन के लिए विषय निर्वाचन समिति** - (1) अपशिष्ट टायर के लिए विस्तारित उत्पादक उत्तरदायित्व संबंधी व्यवस्था के समग्र कार्यान्वयन की निगरानी के लिए अध्यक्ष, केंद्रीय प्रदूषण नियंत्रण बोर्ड या उनके नामिती अध्यक्ष की अध्यक्षता में विषय निर्वाचन समिति होगी और अध्यक्ष के अतिरिक्त निम्नलिखित सदस्य समाविष्ट होंगे, अर्थात्:
 - क) पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय का एक प्रतिनिधि।
 - ख) उद्योग और आंतरिक व्यापार संवर्धन विभाग का एक प्रतिनिधि।
 - ग) ऑटोमोबाइल टायर मैनुफैक्चर्स एसोसिएशन के एक प्रतिनिधि।
 - घ) रिसाइकलर्स एसोसिएशन (अर्थात् पुनर्निर्मित रबर, क्रम्ब रबर, क्रम्ब रबर मोडिफाइड बिटुमन, पुनःप्राप्त कार्बन ब्लैक और टायर पायरोलिसिस ऑयल मैनुफैक्चर्स) के विनिर्माता का एक प्रतिनिधि।
 - ङ) विषय निर्वाचन समिति के अध्यक्ष द्वारा सथासहयोजित राज्य प्रदूषण नियंत्रण बोर्ड या प्रदूषण नियंत्रण समिति का एक प्रतिनिधि।

- च) केंद्रीय प्रदूषण नियंत्रण बोर्ड के संबंधित प्रभाग के प्रमुख - सदस्य संयोजक।
- (2) विषय निर्वाचन सीमित कार्यान्वयन की निगरानी और पर्यवेक्षण करेगी और समय-समय पर उदभूत विवादों को इस संबंध में प्राप्त किए गए अभ्यावेदनों पर विनिश्चय करेगी।
- (3) विषय निर्वाचन समिति केंद्रीय सरकार के अनुमोदन से प्रौद्योगिक उन्नति और अन्य कारकों को ध्यान में रखते हुए पुनर्चक्रण के तरीकों के लक्ष्य, महत्व और अनुमेयता का पुनर्विलोकन और संशोधन करेगी।
- (4) विषय निर्वाचन समिति इस अनुसूची के उपबंधों के सुचारू कार्यान्वयन के लिए जो वह उचित समझे ऐसे सभी उपाय करेगी।

[फा. सं. 09/6/2021-एचएसएमडी]

नरेश पाल गंगवार, अपर सचिव

टिप्पण : मूल नियम भारत के राजपत्र, असाधारण, भाग II, खंड 3, उप-खंड (i) में सा.का.नि. 395(अ) तारीख 4 अप्रैल, 2016 द्वारा प्रकाशित किए गए थे, और तत्पश्चात अधिसूचना संख्यांक सा.का.नि. 670(अ), तारीख 6 जुलाई, 2016, सा.का.नि. 177(अ), तारीख 28 फरवरी, 2017, सा.का.नि. 544(अ), तारीख 11 जून, 2018, सा.का.नि. 178(अ), तारीख 1 मार्च, 2019, सा.का.नि. 641(अ), तारीख 9 अक्टूबर, 2020, सा.का.नि. 47(अ), तारीख 27 जनवरी, 2021 और सा.का.नि. 798(अ), तारीख 12 नवंबर, 2021 द्वारा संशोधित किए गए थे।

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 21st July, 2022

G.S.R. 593(E).—Whereas the draft notification containing the draft Regulations on Extended Producer Responsibility for Waste Tyre were published, by the Government of India in the Ministry of Environment, Forest and Climate Change, vide notification number S.O. 5497 (E), dated the 31st December, 2021 in the Gazette of India, Extraordinary Part II, Section 3, Sub-section (ii) inviting objections and suggestions from all persons likely to be affected thereby, before the expiry of the period of sixty days from the date on which copies of the official Gazette containing the said notification were made available to the public;

AND WHEREAS, the copies of the Official Gazette containing the said notification were made available to the public on the 31st day of December, 2021;

AND WHEREAS, the objections and suggestions received from the public in respect of the said draft notification within the said period have been duly considered by the Central Government;

NOW, THEREFORE, in exercise of the powers conferred by sections 6, 8 and 25 of the Environment (Protection) Act, 1986 (29 of 1986) read with sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following rules further to amend the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016, namely: -

1. **Short title and commencement.** - (1) These rules may be called the Hazardous and Other Wastes (Management and Transboundary Movement) Amendment Rules, 2022.
(2) They shall come into force on the date of their publication in the Official Gazette.
2. In the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 (hereinafter referred to as the said rules), in rule 9, after sub-rule (3), the following sub-rule shall be inserted, namely: -
“(4) The utilisation and management of waste tyre shall be in accordance to the provisions contained in Schedule IX.”
3. In the said rules, after Schedule VIII, the following Schedule shall be inserted, namely: -

‘SCHEDULE IX**[See rule 9 (4)]****Extended Producer Responsibility (EPR) for Waste Tyre****1. Definitions. – For the purposes of this Schedule, -**

- (a) “business” means any activity of production or manufacturing or sale of new tyre, import of new or waste tyre, import of vehicle fitted with new tyre, import of new tyre by automobile manufacturer for use in vehicle sold domestically and recycling of waste tyre;
- (b) “conversion factor” means units of waste tyre needed to produce one unit of each end product of recycling;
- (c) “environmentally sound management of waste tyre” means taking all steps required to ensure that waste tyre is managed in a manner so as to protect health and environment against any adverse effects which may result from such waste tyre;
- (d) “extended producer responsibility” means responsibility of producer of tyre to ensure environmentally sound management of waste tyre in accordance with the provisions of this Schedule;
- (e) “producer” means any person or entity who, -
- (i) manufactures and sells new tyre domestically; or
 - (ii) sells domestically under its own brand, new tyre manufactured by other manufacturers or suppliers; or
 - (iii) sells imported new tyre; or
 - (iv) imports vehicles fitted with new tyres; or
 - (v) automobile manufacturers importing new tyre for use in new vehicles sold domestically; or
 - (vi) imports waste tyre;
- (f) “recycling” means any process or action of converting waste tyre into following end products, in an environmentally sound manner and having facilities as elaborated in the standard operating procedure or guidelines as specified by the Central Pollution Control Board, namely; -
- (i) reclaimed rubber;
 - (ii) crumb rubber;
 - (iii) crumb rubber modified bitumen (CRMB);
 - (iv) recovered carbon black, which is usable as raw material for manufacture of new tyre; and
 - (v) pyrolysis oil or Char, which is used only as a fuel and not as raw material for manufacture of new tyre;
- (g) “recycler” means any person or entity engaged in the process of recycling;
- (h) “recycling target” means quantity of waste tyre to be recycled as per the provisions of paragraph 6 of this Schedule;
- (i) “standard operating procedure” means the document specified by the Central Pollution Control Board elaborating minimum requirement of equipment and processes;
- (j) “guidelines” means the document specified by the Central Pollution Control Board elaborating minimum requirement for achieving environmentally sound management of waste tyres including handling, collection, transportation and storage and recycling of waste tyre;
- (k) “portal” means the online system developed by the Central Pollution Control Board under

paragraph 9;

- (l) “retreading” means process of renewal of tread and side wall rubber of a worn out tyre having a good structural quality; and
- (m) “waste tyre” means any tyre, including tubes and flaps that is no longer mounted on a vehicle and is no longer used for its intended purpose.

2. Application. - The provisions of this Schedule shall be applicable to the following entities, namely: -

- (i) producer;
- (ii) recycler of waste tyre; and
- (iii) retreader.

3. Registration. - (1) The entities referred in paragraph 2 shall register on the portal.

- (2) No entity shall carry out any business without registration.
- (3) The entities registered under sub-paragraph (1) shall not deal with any unregistered producer or recycler.
- (4) In case, any registered entity furnishes false information or willfully conceals information for getting registration or return or report or information required to be provided or furnished under this Schedule or in case of any irregularity, the registration of such entity may be revoked by the Central Pollution Control Board for a period up to three years after giving an opportunity of being heard and in addition, environmental compensation charges may also be levied in such cases as per paragraph 10.
- (5) In case any entity is covered in more than one category under paragraph 3, then the said entity shall register under those categories separately.
- (6) The Central Pollution Control Board may charge such registration fees from the applicants as may be specified from time to time with the approval of the steering committee constituted under paragraph 13.

4. Modalities of extended producer responsibility regime. - (1) All producers shall have the following extended producer responsibility obligations, namely: -

(a) For manufacturers or importers of new tyres: -

Sl. No.	Year	Waste Tyre Recycling Target in Weight (Kilogram or Tons)
(1)	(2)	(3)
(i)	EPR obligation of the year 2022-2023 (the year in which this Schedule comes into force)	35% of the quantity of new manufactured or tyres imported in year 2020-2021
(ii)	EPR obligation of the year 2023-2024	70% of the quantity of new manufactured or tyres imported in year 2021-2022
(iii)	EPR obligation of the year 2024- 2025	100% of the quantity of new manufactured or tyres imported in year 2022-2023.
(iv)	After the year 2024-2025 (year Y), the extended producer responsibility obligation shall be 100% of the quantity of new tyres manufactured or imported in the year (Y-2).	
(v)	Units established after the 1st April, 2022, the extended producer responsibility obligation shall start after two years (Y) and shall be 100% of the new tyres manufactured or imported in the year (Y-2).	

(b) For waste tyre importer: -

- (i) The extended producer responsibility obligation for waste tyre importer in year (Y) shall be 100% of the tyre imported in year (Y-1)
- (ii) The import of waste tyre for the purpose of producing pyrolysis oil or char is prohibited.

(2) Retreading: -

- (i) The waste tyre shall be allowed for retreading and a retreader shall have to get registered on the portal for issuance of retreading certificates.
- (ii) On production of retreading certificates, the extended producer responsibility obligation shall be deferred by one year for the corresponding quantity of waste tyre:

Provided that the obligation shall be extinguished only after end of life disposal through a registered recycler.

- (3) The extended producer responsibility target of producer shall be reduced by a factor laid down by the Central Pollution Control Board on account of wear and tear of tyres.
- (4)
 - (i) The producer shall fulfill their extended producer responsibility obligation through online purchase of extended producer responsibility certificate from registered recyclers only and submit it online on the portal by filing quarterly return.
 - (ii) The quarterly return shall be filed by the end of the month succeeding the end of the quarter.
 - (iii) The details provided by producers and registered recyclers shall be cross-checked on the portal.
 - (iv) In case of difference, the lower figure shall be considered towards fulfilment of extended producer responsibility obligation of producer.
 - (v) The certificates referred to in this paragraph shall be subject to environmental audit by the agencies authorised by the Central Government in this regard.
- (5) The Central Pollution Control Board shall specify the standard operating procedure strictly in accordance with the provisions of this Schedule.

- 5. Extended producer responsibility certificate generation.** - (1) The Central Pollution Control Board shall generate extended producer responsibility certificate through the portal in favor of a registered recycler and the eligible quantity for generating extended producer responsibility certificates shall be calculated as per the following table, namely: -

TABLE

Sl. No.	End Product of recycling	Quantity of End Product (Q_p)	Conversion factor determined by CPCB (C_F)	Weightage allocated to the end product (W_P)	Quantity eligible for generation of extended producer responsibility certificate ($Q_{EPR} = Q_P \times C_F \times W_P$)
(1)	(2)	(3)	(4)	(5)	(6)
1.	Reclaimed Rubber			1.30	
2.	Recovered Carbon Black usable as raw material for manufacture of new tyre.			1.25	
3.	Crumb rubber Modified Bitumen (CRMB)			1.10	

4.	Crumb rubber			1.00	
5.	Pyrolysis oil and char (usable as fuel only and not as raw material for manufacture of new tyre)				
	(i) extracted from continuous pyrolysis method			0.80	
	(ii) extracted from batch pyrolysis method			0.50	

(2) **Term of Reference. - For the purpose of the Table referred to in sub-paragraph (1), -**

- (i) the quantity eligible for generation of extended producer responsibility certificate shall be calculated as per the following formula, namely: -

$$Q_{EPR} = Q_P \times C_F \times W_P ;$$

- (ii) conversion factor C_F for each end product shall be determined by the Central Pollution Control Board;
- (iii) the weightage W_P shall be reviewed by the Steering Committee from time to time in view of the technological advancements, availability of material and other factors;
- (iv) the weightage W_P for imported waste tyres shall be 1 for all categories and the value of waste tyre certificate shall be reduced by dividing it by W_P of respective certificates when the extended producer responsibility certificates purchased by waste tyre importer are adjusted against their EPR obligation.
- (3) (a) The validity of the extended producer responsibility certificate shall be two years from the end of the financial year in which it was generated.
(b) The expired certificate automatically extinguished after the period unless extinguished earlier as per sub-paragraph (2) of paragraph 7.
- (4) (a) Each extended producer responsibility certificate shall have a unique number containing year of generation, code of end product, recycler code and a unique code.
(b) The extended producer responsibility certificates shall be in the denominations of 100, 200, 500 and 1000 Metric Tonnes or as may be decided by the Central Pollution Control Board with the approval of the Steering Committee constituted under paragraph 13.

6. Transaction of extended producer responsibility certificates. - (1) A producer can purchase extended producer responsibility certificates limited to its extended producer responsibility liability of current year (Year Y) plus any leftover liability of preceding years plus 10% of the current year liability.

- (2) The extended producer responsibility obligation shall have to be fulfilled by the producers by proportionately purchasing extended producer responsibility certificate on quarterly basis.
- (3) As soon as the producer purchases extended producer responsibility certificate, it shall be automatically adjusted against its liability, priority in adjustment shall be given to earlier liability and the extended producer responsibility certificate so adjusted shall be automatically extinguished and cancelled.
- (4) The availability, requirement and other details of the extended producer responsibility certificate for every producer or recycler shall be made available on the portal.
- (5) All such transactions shall be recorded and submitted by the producers or recyclers on the portal at the time of filing quarterly returns.

7. **Responsibilities of the producer.** - (1) The producer shall be responsible for fulfillment of extended producer responsibility by purchasing extended producer responsibility certificates from registered recyclers only.
- (2) The producer shall be responsible to file annual and quarterly returns in the forms as specified by the Central Pollution Control Board on the portal on or before the end of the month succeeding the quarter to which the return relates and each registered entity shall have to file the quarterly return.
8. **Responsibilities of the recycler.** - (1) All the recycler shall submit on monthly basis the information regarding quantity of waste tyres used and end product produced, extended producer responsibility certificate sold and such other relevant information on the portal.
- (2) All the recycler shall file annual and quarterly returns in the Form as specified on the portal on or before the end of the month succeeding the quarter to which the return relates.
9. **Portal for registration, filing of annual returns, extended producer responsibility certificate and tracing of materials.** - (1) The Central Pollution Control Board shall develop the portal to establish an online system for the registration and filing of quarterly returns, generation and adjustment of extended producer responsibility certificate and submission of monthly information by recyclers.
- (2) The portal shall act as the single point data repository with respect to the provisions of this Schedule for implementation of extended producer responsibility for waste tyre and contain the following information, namely: -
- (i) **For producer.** - import or production of new tyres of different years, quantity of waste or new tyres, quarterly return in respect of extended producer responsibility certificate purchase, adjustment of extended producer responsibility obligation for each year, the current year extended producer responsibility obligation and brought forward obligation of preceding years.
- (ii) **For recyclers.** - facility for submitting information and quantity of recycled material and end product, extended producer responsibility Certificate generated and sold and ensure that value of extended producer responsibility is reduced by diving it by W_p in case of waste tyre importer.
- (iii) The portal shall provide information with respects to current unfulfilled extended producer responsibility obligations of different producers, the quantity of extended producer responsibility certificate with recyclers and surplus extended producer responsibility certificate with producers.
- (iv) Any other facility which is required to streamline the implementation of the provisions of this Schedule with the approval of the Steering Committee constituted under paragraph 13.
- (3) Till the time the portal is developed, all activities related to implementation of extended producer responsibility shall be done in off-line manner.
- (4) The Central Pollution Control Board shall specify the formats of all the relevant forms or returns for the extended producer responsibility in accordance with the provisions of this Schedule.
- (5) The Central Pollution Control Board may charge such processing or registration fee from the producer and recyclers through portal as may be specified from time to time by the Central Pollution Control Board with the approval of the Steering Committee constituted under paragraph 13.
10. **Environmental Compensation.** - (1) The Central Pollution Control Board shall lay down guidelines for imposition and collection of environmental compensation on the producers in case of non-fulfilment of obligations set out in this Schedule and use of false extended producer responsibility certificate and the said guidelines shall be in accordance with the provisions of this Schedule and shall require to be approved by the Steering Committee constituted under paragraph 13 and Central Government before implementation.

(2) The environmental compensation shall also be levied on the recyclers for issue of false extended producer responsibility certificate and providing false information.

(3) The environmental compensation shall also be levied on unregistered producers, recyclers and any entity which aids or abets the violation of the provisions of this Schedule.

(4) (a) The payment of environmental compensation shall not absolve the producers from the obligation set out in this Schedule and the unfulfilled extended producer responsibility obligation for a particular year shall be carried forward to the next year and so on and up to three years.

(b) In case, the shortfall of extended producer responsibility obligation is addressed after first year, 85% of the environmental compensation levied shall be returned to the producers, and in case, the shortfall of extended producer responsibility obligation is addressed after second year, 60% of the environmental compensation levied shall be returned to the producers, and in case, the shortfall of extended producer responsibility obligation is addressed after third year, 30% of the environmental compensation levied shall be returned to the producers, thereafter no environmental compensation shall be returned to the producer.

(5) Any false information resulting in over generation of extended producer responsibility certificates by recycler above 5% of the actual recycled waste shall result in revocation of registration and imposition of environmental compensation which shall not be returnable.

(6) (a) The funds collected under environmental compensation shall be kept in a separate escrow account by the Central Pollution Control Board and shall be utilised in collection and recycling or end of life disposal of uncollected and non-recycled or non-end of life disposal of waste tyres on which the environmental compensation is levied and on such other heads as decided by the said Steering Committee constituted under paragraph 13.

(b) modalities for utilisation of the funds shall be recommended by the Steering Committee and approved by the Central Government, which may also issue instructions in this regard.

- 11. Prosecution.** - Any person, who provides incorrect information for obtaining extended producer responsibility certificates, uses or causes to be used false or forged extended producer responsibility certificates in any manner, over generates extended producer responsibility certificates above 5% of the actual waste recycled, willfully violates the directions given under the provisions of this Schedule or fails to co-operate in the verification and audit proceedings, may be prosecuted under section 15 of the Act and this prosecution shall be in addition to the environmental compensation levied under paragraph 10.
- 12. Verification and Audit.** - The Central Pollution Control Board by itself or through a designated agency shall verify compliance of producers or recyclers through inspection and periodic audit, as deemed appropriate and the actions against violations and for non-fulfillment of extended producer responsibility target, obligations and responsibilities shall be in accordance with the provisions of paragraph 10.
- 13. Steering Committee for implementation of extended producer responsibility regime for waste tyre.** - (1) There shall be a Steering Committee under the Chairmanship of the Chairman, Central Pollution Control Board or his nominee to oversee the overall implementation of the extended producer responsibility regime for waste tyre and shall comprise of the following other members in addition to the Chairman, namely:
- one representative of the Ministry of Environment, Forest and Climate Change;
 - one representative of the Department of Promotion of Industry and Internal Trade;
 - one representatives of the Automobile Tyre Manufacturers Associations;
 - one representatives of the Recycler Associations (viz. manufacturer of reclaimed rubber, crumb rubber, crumb rubber modified bitumen, recovered carbon black and tyre pyrolysis oilmanufacturers);
 - one representatives of the State Pollution Control Board or Pollution Control committee as co-opted by the Chairman of the Steering Committee;
 - Head of the Concerned Division of the Central Pollution Control Board – Member- Convener.

- (2) The Steering Committee shall monitor and supervise implementation of the provisions of this Schedule and shall decide the disputes arisen from time to time on the representations received in this regard.
- (3) The Steering Committee shall review and revise the targets, weightage and permissibility of modes of recycling in view of the technological advancements and other factors with the approval of the Central Government.
- (4) The Steering Committee shall take all such measures as it deems necessary for proper implementation of the provisions of this Schedule.’.

[F. No. 09/6/2021-HSMD]

NARESH PAL GANGWAR, Addl. Secy.

Note : The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* number G.S.R. 395(E), dated the 4th April, 2016 and subsequently amended *vide* notification numbers G.S.R. 670(E), dated the 6th July, 2016, G.S.R. 177(E), dated the 28th February, 2017, G.S.R. 544(E), dated the 11th June, 2018, G.S.R. 178(E), dated the 1st March, 2019, G.S.R. 641(E), dated the 9th October, 2020, G.S.R. 47(E), dated the 27th January, 2021 and G.S.R. 798(E), dated 12th November, 2021.

B-29016/1(NGT)/19/WM-III Division

December 04, 2019

To
The Chairman
(19 SPCBs/PCCs having Tyre Pyrolysis Units)

9634-9459

Directions under Section 5 of the Environment (Protection) Act, 1986 to Tyre Pyrolysis Units which are not complying with consent conditions and SOP of MoEF & CC

WHEREAS, the Ministry of Environment, Forests & Climate Change, Government of India (herein after referred as MoEF&CC) has notified the Hazardous and other Wastes (Management and Transboundary Movement) Rules, 2016 under the Environment (Protection) Act, 1986, for proper management and handling of Hazardous wastes; and

WHEREAS, MoEF&CC, 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, Central Pollution Control Board (herein after referred to as 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

WHEREAS, CPCB in compliance to the Hon'ble NGT, Principal Bench, New Delhi, orders dated 25.04.2019, in the matter of original application O.A. No.400/2019 submitted status report on compliance of Hazardous and Other Waste (Management and Transboundary Movement) Rules, 2016 and remedial measures in tyre pyrolysis industries. The status report so submitted was a compilation of compliance reports as received from SPCBs/PCCs and also included remedial measures for addressing environmental concerns in tyre pyrolysis industries.

WHEREAS, as per the reports from SPCBs/PCCs it was observed that around 270 units are not complying for which SPCBs/PCCs have been taken actions. The Hon'ble NGT Principal Bench, New Delhi in its order in the above matter observed that pyrolysis process involves high level of pollution and also adversely affects health of workers involved in the process.

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1 of 2

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
निर्गत.....
दिनांक

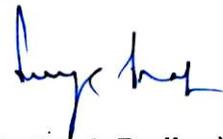
05/12/19

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WHEREAS, the Hon'ble NGT further directed that CPCB may issue appropriate directions on the subject after due consideration of the issue. Accordingly, a meeting was held in CPCB with representatives of tyre pyrolysis industries namely the All India Rubber & Tyre Recyclers Association, Mumbai (AIRTRA) and Pyrolysis Industries Welfare Association, Punjab, where their views were taken in the matter of switching over to continuous process from batch process.

Now, THEREFORE, in exercise of the powers vested under the Section 5 of the Environment (Protection) Act, 1986, directions are hereby issued to you to close down all such pyrolysis units in your State/UT which are not complying as on date with consent conditions and SOP of the MoEF&CC. You are also directed to carry out strict vigilance and monitoring in complying industries to ensure continued compliance of consent conditions and SOP of MoEF&CC. You are further directed that import of polluting hazardous waste material shall be strictly regulated as per Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and amendment thereof.

Action Taken Report (ATR) shall be submitted to the Central Pollution Control Board by 25.12.2019. Failing to comply with these directions, shall attract appropriate action under Law



(S. P. Singh Parihar)
Chairman

4/12/19

Copy to:

1. The Joint Secretary
HSM Division, 2nd Floor Agni Wing
Indira Paryavaran Bhawan
Ministry of Environment, Forest and Climate
Change, Jor Bagh Road, Aliganj, New Delhi -04
2. Regional Directorates of CPCB
3. Incharge, I.T. Division, CPCB, Delhi

For Information please

For Follow up

For uploading on the web site of
CPCB


(Member Secretary)

for

List of 19 States of Tyre Pyrolysis Units

1.	The Chairman 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
2.	The Chairman Assam State Pollution Control Board, Bamunimaidam, Guwahati – 781 021
3.	The Chairman Bihar State Pollution Control Board Parivesh Bhawan, Plot No. N-B/2, Patliputra Industrial Area, Patna-800023
4.	The Chairman Chhattisgarh Environment Conservation Board Paryavas Bhawan, North Block Sector-19 Naya Raipur – 492 099
5.	The Chairman Haryana State Pollution Control Board C-11, Sector 6, Panchkula, Haryana 134109
6.	The Chairman Himachal Pradesh State Pollution Control Board Paryavaran Bhavan, Phase III, New Shimla – 171009, Himachal Pradesh
7.	The Chairman J&K State Pollution Control Board, Parivesh Bhawan, Shiekh-ul-Campus, behind Govt. Silk Factory, Raj Bagh, Srinagar(J&K)
8.	The Chairman Jharkhand State Pollution Control Board T.A Building, HEC Campus, P.O. Dhurwa Ranchi – 834004, Jharkhand
9.	The Chairman Karnataka State Pollution Control Board Parisara Bhavan, 4th& 5th floors, Church Street, Bangalore – 560 001, Karnataka
10.	The Chairman Kerala State Pollution Control Board Plamoodu Junction, Pattam Palace P.O. Thiruvananthapuram – 695004, Kerala
11.	The Chairman Maharashtra State Pollution Control Board Kalpataru Point, 3rd& 4th floors Sion Matunga Scheme Road No. 6 Opp. Cine Planet, Sion Circle, Sion (E), Mumbai 400 022, Maharashtra
12.	The Chairman Madhya Pradesh State Pollution Control Board Paryavaran Parisar, E-5 Area Colony Bhopal – 462016, Madhya Pradesh

13.	The Chairman Odisha State Pollution Control Board Paribesh Bhawan A-118, Nilakanta Nagar, Unit -VIII, Bhubaneshwar - 751012.
14.	The Chairman Punjab State Pollution Control Board Nabha Road, ITI Rd, Adarsh Nagar, Prem Nagar, Patiala - 147001.
15.	The Chairman Rajasthan State Pollution Control Board A-4 Institutional Area, Jhalane Dungri Jaipur - 302004
16.	The Chairman Tamil Nadu State Pollution Control Board No. 76, Mount Salai, Guindy, Chennai - 600032
17.	The Chairman Telangana State Pollution Control Board Paryavaran Bhavan A-3, Industrial Estate, Sanath Nagar, Hyderabad - 500 018
18.	The Chairman Uttar Pradesh State Pollution Control Board Building. No. TC-12V Vibhuti Khand, Gomti Nagar, Lucknow- 226010
19.	The Chairman Uttarakhand Environment Protection & Pollution Control Board 29/20, Nemi Road, Dehradun - 248001

1.	The Regional Directorate (East) Central Pollution Control Board 502, Southend Conclave 1582, Rajdanga Main Road Kolkata-700107	2.	The Regional Directorate (West) Central Pollution Control Board Synergy House- II, Gorwa Subhanpura Road Subhanpura, Vadodara- 390023
3.	The Regional Directorate (North-East) Central Pollution Control Board TUM-SIR, Lower Motinagar, Near Fire Brigade H.Q Shillong-793014	4.	The Regional Directorate (Central) Central Pollution Control Board 3 rd Floor, Sahkar Bhawan North T.T Nagar Bhopal- 462003
5.	The Regional Directorate (North) Central Pollution Control Board Ground Floor, PICUP Bhawan Vibhuti Khand, Gomti Nagar Lucknow- 226020	6.	The Regional Directorate (South) Central Pollution Control Board 1 st & 2 nd Floors, Nisarga Bhawan A-Block, Thimmaiah Main Road 7 th D Cross, Shivanagar Opposite Pushpanjali Theatre, Bangalore 560010

B-29016/1(NGT)/19/WM-III Division

December 30, 2019

To
The Chairman
(19 SPCBs/PCCs having Tyre Pyrolysis Units)

Directions under Section 5 of the Environment (Protection) Act, 1986 in the matter of OA no. 400 of 2019 in the Hon'ble NGT Principal Bench, New Delhi on regulating location of Tyre Pyrolysis Units in the light of the carrying capacity of the area and for ensuring health of workers involved in the process duly safeguarded.

WHEREAS, the Ministry of Environment, Forests & Climate Change, Government of India (herein after referred as MoEF&CC) has notified the Hazardous and other Wastes (Management and Transboundary Movement) Rules, 2016 under the Environment (Protection) Act, 1986, for proper management and handling of Hazardous wastes; and

WHEREAS, MoEF&CC, 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, Central Pollution Control Board (herein after referred to as 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

WHEREAS, CPCB in compliance with the Hon'ble NGT, Principal Bench, New Delhi, orders dated 25.04.2019, in the matter of original application O.A. No.400/2019 submitted status report on compliance of Hazardous and Other Waste (Management and Transboundary Movement) Rules, 2016 and remedial measures in tyre pyrolysis industries. The status report so submitted was a compilation of compliance reports as received from SPCBs/PCCs and also included remedial measures for addressing environmental concerns in tyre pyrolysis industries.

WHEREAS, the Hon'ble NGT Principal Bench, New Delhi in its order dated 19-09-2019 in the above matter observed that pyrolysis process involves high level of pollution and also adversely affects health of workers involved in the process and directed that location of Tyre Pyrolysis Units be regulated in the light of the carrying capacity of the area and for ensuring health of workers involved in the process be duly safeguarded.

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Now, THEREFORE, in exercise of the powers vested under the Section 5 of the Environment (Protection) Act, 1986, directions are hereby issued for regulating location of tyre pyrolysis industries in light of the carrying capacity of the area. Henceforth, any new/expansion of existing tyre pyrolysis industry be granted consent to establish or amendment in consent to establish only after assessing the carrying capacity of the area. You are also directed to ensure that health of workers involved in the tyre pyrolysis industries is safeguarded.

Action Taken Report (ATR) shall be submitted to the Central Pollution Control Board by 15.01.2020. Failing to comply with these directions, shall attract appropriate action under Law



(S. P. Singh Parihar)
Chairman



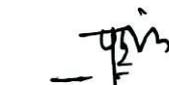
Copy to:

1. The Joint Secretary
HSM Division, 2nd Floor Agni Wing
Indira Paryavaran Bhawan
Ministry of Environment, Forest and Climate
Change , Jor Bagh Road, Aliganj, New Delhi -04
2. Regional Directorates of CPCB
3. Incharge, I.T. Division, CPCB, Delhi

For Information please

For follow up

For uploading on the web site of
CPCB



(Member Secretary)

Item No. 01

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Execution Application No.39/2023

IN

Original Application No.400/2019

Social Action for Forest & Environment (SAFE)

Applicant

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 07.11.2023

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Sanjay Upadhyay, Ms. Saumitra Jaswal, Ms. Gitanjali Sanyal & Ms. Arushi Malik, Advs. for Applicant in E.A 39/2023

ORDER

1. The execution application has been filed seeking implementation of the order dated 07.11.2022 passed by the Tribunal in OA No. 400/2019 after considering the issue of management of End-of-Life Tyres/ Waste Tyres (ELTs) in accordance with the Environment (Protection) Act, 1986, Environment (Protection) Rules, 1986, Hazardous and Other Waste (Management and Transboundary Movement) Rules, 2016 and the relevant guidelines, etc.

2. The Tribunal in the order dated 07.11.2022 had issued following directions:

“7. We have heard learned Counsel for the parties and given further consideration to the issue in the light of above material.

8. It is seen that action has been taken against number of non-complaint units but there still remains gap in the units which are non-compliant and units against whom action has been taken to close them till compliance. Such gaps need to be bridged at the

earliest in the interest of rule of law and environmental good governance. Tyre Pyrolysis Oil Units (TPOs) need to follow 'Zero Liquid' and 'Zero Emission' norms. Further, carbon produced during the process needs to be utilized in cement industries. Carbon material should not be simply transported to landfills.

9. Accordingly, we direct that non-compliant units be closed till compliance expeditiously. CPCB may finalize the classification of the units so that application norms can be enforced. Revised SOP may be finalized by the CPCB and MoEF&CC in light of discussion in today's hearing and above observations within one month. SOP may also provide for certifying the fuel quality standards of pyro-oil as per norms of the Petroleum Ministry."

3. Submission of Counsel for the applicant is that none of the above directions have been complied with till now and revised SOP has not been finalized, classification has not been done and in the public domain there is no information available in respect of closure of the non-compliant units.

4. Submission of Counsel for the applicant is that since no SOP has been finalized till now, therefore, the suggestions which are recorded in Para 4 of the order may be considered at the time of finalizing the SOP.

5. Let notice be issued to the Respondents No. 1 (MoEF&CC) and 2 (CPCB), at the first instance, who were responsible for compliance of the order of the Tribunal noted above.

6. The applicant is permitted to serve the Respondents No. 1 and 2 and file an affidavit of service on the next date of hearing.

7. List on 19.01.2024.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

November 07, 2023
Execution Application No.39/2023
IN Original Application No.400/2019
DV