

# EHS Newsletter

## 2019



### CRZ (Coastal Regulation Zone)

#### Notification (January 2019)

In order to protect coastal environmental resources, Government of India has promulgated Coastal Regulatory Zones (CRZ) in 1991 and amended the same in 2011. According to these regulations, industrial activities and commercial activities shall not be developed within 500m from high tide line. Only specific activities such as waterfront development, ports and harbours, pipelines etc are permitted through a regulatory permitting mechanism. To this notification, further amendments were made through CRZ notification issued in 2019 and several additional provisions are added to further regulate the economic and industrial activities within the notified CRZ area and also to facilitate infrastructure development and construction on the coast.

These regulations will have a direct impact on ports and harbour, water front development activities, all activities falling within the coastal zones. The new notification aims to "conserve and protect the unique environment of coastal stretches and marine areas, besides livelihood security to the fisher communities and other local communities in the coastal areas and to promote sustainable development based on scientific principles taking into account the dangers of natural hazards, sea level rise due to global warming.

[Coastal Regulation Zone Notification](#)

In the few years, Indian statutory framework on Environment, Health and Safety in respect of all sectors of industrial activities have made an impetus on the need for adopting upgraded pollution control systems and environmental management programs. A new trend is observed which is focussing on developing stringent norms and its enforcement which is on the rise and can be expected to be regularized in the coming years.

Some of the specific areas which are under limelight and are expected to see further development in the near future are included in this chapter.



### **Mangrove Protection Act**

India has a long tradition of mangrove forest management. Apart from Central Government of India, measures have been taken by State Governments to conserve and manage mangroves in the State. In this context, Government of Maharashtra has stated that all mangroves are to be declared as protected forests or reserved forests, including City and Industrial Development Corporation (CIDCO) and Mumbai Metropolitan Regional Development Authority (MMRDA) land. The change in classification from "protected forests" to "reserve forests" will help in enhancing protection to the mangroves as entry, and human interference in general, will be restricted. All mangroves are to be treated as CRZ (Coastal Regulation Zone) - I. If the area of mangrove patch is more than 1,000 metre square, the 50-metre buffer zone is also to be treated as CRZ I. No construction or dumping will be allowed. Satellite mapping will be carried out every 6 months. Only compound wall can be constructed on the landward side of 50 metres for protection.

### **Ground Water Drawl Permission**

Water security is becoming an important business continuity issues due to climate change impact. Due to lack of fresh water reservoir and storage facilities, Indian communities and industries are relying on ground water source as a major alternative source. Due to extensive drawl of ground water, several ground water watersheds are falling under over exploited zone. In order to regulate ground water, Central Ground Water Board has issued mandatory guidelines on ground water use for commercial and industrial use. All the industrial units/infrastructure/mining projects, whether existing or new or under expansion facilities are directed to obtain NOC (No Objection Certificate) from Central Ground Water Authority (CGWA)/State Ground Water Authority (SGWA). The concerned State Pollution Control Board (SPCB) shall not issue Consent to Operate (CTO) till the project proponent obtains such permission.

The industries falling under notified over exploited zones are not permitted to draw ground water. Facilities falling under other zones (critical, semi-critical and safe zone) are required to adopt storm water recharge program to replenish 0.5 to 2 time the total annual ground water drawl quantities by adopting a regional level rainwater harvesting program.

[Guidelines-Criteria for evaluation of proposals-requests for ground water abstraction](#)



### **Island Protection Zone Notification (March 2019)**

In order to manage and conserve marine and coastal ecosystems, develop coastal areas, eco-tourism, livelihood options and sustainable development of coastal communities, the Central Government of India, under the Island Protection Zone(IPZ) Notification, 2011 declared certain coastal stretches of Andaman & Nicobar and Lakshadweep as Island Protection Zone. Now, the Central Government with a view to conserve and protect the unique environment of coastal stretches and marine areas, and to further promote sustainable development has declared the coastal stretches of ten bigger oceanic islands in Andaman & Nicobar viz Middle Andaman, North Andaman, South Andaman, Great Nicobar, Baratang, Havelock, Little Andaman, Car Nicobar, Neil and Long islands and the water area up to territorial water limits of the country as the Island Coastal Regulation Zone(ICRZ). All permitted or regulated project activities attracting the provisions of this notification shall be required to obtain ICRZ clearance prior to their commencement. The notification relaxes development norms in the islands compared to the IPZ notification of 2011, which stipulated a no-development zone (NDZ) of 200 metres from the HTL (High Tide Line) for all islands.

[Island Protection Zone Notification](#)

## Zero Liquid Discharge (ZLD) mandatory for Distilleries

Zero liquid discharge has become a norm in several process industries such as pharmaceutical, chemical, textile etc industries during the past decade to avoid river and ground water pollution due to disposal of treated wastewater. According to the guidelines issued by Central Pollution Control Board, India, zero liquid discharge should aim at recycling the treated wastewater in the main plant for cooling, boiler make up and other utilities. Any excess unutilized treated wastewater shall be used for gardening and horticulture within the industrial facility. As per the amendment of the Environment (Protection) Rules, 1986, and notification issued in 2018, it is now mandatory for the Distilleries to achieve Zero Liquid Discharge (ZLD). As per these standards, distilleries are required to install biological treatment process and the treated wastewater shall be further processed in RO plant to recover maximum possible reusable water and the rejects from the RO plant shall be subjected to forced mechanical evaporation. The sludge generated from the evaporator shall be disposed to secured land-fills. The average operating cost of ZLD facilities in India will be in the order of USD 10 per cubic meter of wastewater processed. All Breweries, Malteries and Stand-alone bottling units shall achieve the effluent discharge standards such as pH in the range of 6.5 to 8.5, suspended solids of 50 mg/L as against earlier standard of 100 mg/L, BOD (3 days at 27°C) of 20 mg/L as against earlier standards of 30 mg/l. Due to implementation of these new discharge standards, all breweries are required to undertake a detailed wastewater treatment plant adequacy study and submit an action plan to respective State Pollution Control Boards.

[Zero Liquid Discharge \(ZLD\) mandatory for Distilleries](#)

## NGT Order on Revising the Discharge Standards from Sewage Treatment Plants (STPs)

The National Green Tribunal (NGT) has been established in India under the National Green Tribunal Act 2010 for effective and expeditious disposal of cases relating to environmental protection and conservation of forests and other natural resources including enforcement of any legal right relating to environment. The NGT has noted that untreated or partially treated sewage is a major source of pollution in the country and thus has raised issue for consideration regarding the relaxed discharge standards for STPs as laid vide Notification dated 13.10.2017 by way of Environment (Protection) Amendment Rules, 2017 against Serial No.105 of Schedule-I to the Environment (Protection) Rules, 1986. An order has been issued by NGT dated 30th April 2019 expressing the need for revised discharge standards for STPs (new as well as existing STPs) with a view to protect the water quality of the rivers/streams.

[NGT Order on Revising the Discharge Standards from Sewage Treatment Plants \(STPs\)](#)



# New environmental clearance and permitting regulations

According to the EIA Notification dated 14th September 2006 and its amendments, following industries are required to obtain environmental clearance at the time of Greenfield and expansion stages: mining of minerals, Offshore and onshore oil and gas exploration, development & production, River valley projects, Thermal Power Plants, Nuclear power project, coal washeries, Metallurgical industries, Cement plants, Petroleum refining industry, Coke oven plants, Asbestos milling and asbestos based products, Chlor-alkali industry, Soda ash Industry, Leather/skin/hide processing industry, Chemical fertilizers, pesticide industry, Petrochemical complexes, Manmade fibres manufacturing, Synthetic organic chemicals industry, Distilleries, Integrated paint industry, Pulp & paper industry, Sugar Industry, Oil & gas transportation pipe line, Isolated storage & handling of hazardous chemicals, Air port, All ship breaking yards including ship breaking units, Industrial estates/ parks/ complexes/ areas, Common hazardous waste treatment, storage and disposal facilities (TSDFs), Ports, Harbours, Highways, Aerial ropeways, Common Effluent Treatment Plants (CETPs), Common Municipal Solid Waste Management Facility (CMSWMF), Building and Construction projects, Townships and Area Development projects. The following new regulations are promulgated in 2018-19.

## Standardization of Environmental Compliance (EC) Conditions

While there was a specific notification (EIA notification 2006) on procedure for obtaining Environmental Clearance (EC) for various industries, Ministry of Environment, Forest and Climate Change (MoEF&CC) has now standardized the conditions that are required to be followed by imposing certain restrictions and prohibitions on new projects/activities or on the expansion/modernization of existing projects. This was done in order to bring uniformity on stipulated terms and conditions across the projects and sectors and as general guidance to the regulatory authority concerned as well as project proponents. The standard conditions have been stipulated for about 25 industrial sectors such as Integrated Iron and Steel plants, Cement plants, Paper and Pulp Industries etc as provided in the MoEF&CC circular dated 9th August 2018.



## Corporate Environment Responsibility (CER)

The focus on Corporate Social Responsibility (CSR) in India has increased in the recent past. Hence, the Ministry of Environment, Forest and Climate Change (MoEF&CC) has now made it mandatory that apart from CSR (as under Companies Act, 2013), the companies are required to allocate the CER budget to the tune of 0.25% to 1% of the project cost while seeking the Environmental Clearance for all the new/expansion projects of various industrial sectors as per the MoEF&CC circular dated 1st May 2018. The CER funds are to be spent based on need-based assessment in the nearby areas for community development. The fund allocation varies from project to project based on its capital investment which is clearly explained in the circular.

### ***Special Provision for Sugar Manufacturing Industries and Distilleries intending to produce ethanol for blending with petrol***

The focus on non-polluting renewable energy sources is growing day by day. Central Government has published the National Policy on Bio-fuels, 2018 stipulating Ethanol Blended with Petrol (EBP) Programme as its main component, offering indigenous and non-polluting renewable energy source. As a measure to expedite the production of Ethanol for its limited purpose of blending with petrol exclusively for its usage as bio-fuel under the Ethanol Blended with Petrol(EBP) Programme some special provisions are provided for all expansion projects of sugar manufacturing industries or distilleries intending to produce Ethanol for blending with petrol as per Notification published by MoEF&CC on 17th January, 2019. These projects shall only obtain a certificate from the Ministry of Petroleum and Natural Gas stating that the proposal is for the purpose of blending the bio-ethanol with the petrol, and the EC application shall be subjected to appraisal as per the procedure applicable to category B2 projects specified in the EIA notification 2006.

[Special Provision for Sugar Manufacturing Industries and Distilleries intending to produce ethanol for blending with petrol](#)

### ***Exemption of obtaining Environmental Clearance (EC) for Thermal Power plants using Waste Heat Recovery Boilers without any auxiliary fuel***

In order to promote energy conservation, reduce greenhouse emissions and in larger interest of the environment including climate change, MoEF&CC has issued, circular dated 23rd January 2019, stating that "setting up new or expansion of captive power plants employing waste heat recovery boiler without using any auxiliary fuel in the existing Cement Plants, Integrated Steel Plants, Metallurgical Industries and other industries having potential for heat recovery does not attract the provisions of EIA notification, 2006". Hence such projects are exempted from obtaining Environmental Clearance.

[Exemption of Environment Clearance for Thermal Power Plant using Waste Heat recovery Boilers \(WHRB\) without any auxiliary fuel etc.](#)

## More Information

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