

A Guidebook On Application And Inspection Procedure Under Water (Prevention & Control Of Pollution) Act, 1974, Air (Prevention & Control Of Pollution) Act, 1981, Environment (Protection) Act, 1986, Hazardous Waste (Management, Handling And Trans-Boundary Movement) Rules, 2008 & Rules Made There Under.

LIST OF APPROVALS & COMPLIANCE INSPECTIONS

PRE-ESTABLISHMENT STAGE

<i>PARTICULARS</i>	<i>PAGE #</i>
<i>CONSENT TO ESTABLISH (NOC) UNDER THE AIR & THE WATER ACT.</i>	<i>3-5</i>

PRE-OPERATION STAGE

<i>PARTICULARS</i>	<i>PAGE #</i>
<i>CONSENT TO OPERATE (EMISSION CONSENT) UNDER THE AIR (PREVENTION AND CONTROL OF POLLUTION) ACT, 1981 AND</i>	<i>6-8</i>
<i>CONSENT TO OPERATE (DISCHARGE CONSENT) UNDER THE WATER (PREVENTION AND CONTROL OF POLLUTION) ACT, 1974.</i>	<i>9-10</i>
<i>APPLICATION FOR OBTAINING AUTHORIZATION FOR COLLECTION/RECEPTION/TREATMENT/TRANSPORT/ STORAGE/DISPOSAL OF HAZARDOUS WASTE.</i>	<i>11-12</i>
<i>APPLICATION FOR SEEKING REGISTRATION UNDER THE RULE 8(1) OF HAZARDOUS WASTE (MANAGEMENT, HANDLING AND TRANS-BOUNDARY MOVEMENT) RULES, 2008.</i>	<i>13-14</i>

COMPLIANCE INSPECTIONS

<i>PARTICULARS</i>	<i>PAGE #</i>
<i>PREVENTION AND CONTROL OF POLLUTION UNDER THE WATER (PREVENTION AND CONTROL OF POLLUTION) ACT, 1974, AND</i>	<i>15-17</i>
<i>PREVENTION AND CONTROL OF POLLUTION UNDER THE AIR (PREVENTION AND CONTROL OF POLLUTION) ACT, 1981.</i>	<i>18-19</i>

Disclaimer: Information/material/checklist contained in this document is of general purpose only and is not intended to provide comprehensive advice and analysis in relation to the subject matter. This is subject to changes if there are any changes in the existing legislative framework. We do not assume responsibility or liability for any loss or damage which may result from inaccuracy or omission of such information in this document or from its use and make no warranties, express or implied, in relation to such matters.

PRE-ESTABLISHMENT STAGE

A.1. INTRODUCTION

Name of Service	CONSENT TO ESTABLISH (NOC) UNDER THE AIR & THE WATER ACT.	
Authority/Department	Bihar State Pollution Control Board	
Regulatory Framework	The Air (Prevention and Control of Pollution) Act, 1981. The Water (Prevention and Control of Pollution) Act, 1974.	
Service Condition (i.e. Who requires this NOC?)	All industries establishing their business in Bihar are required to obtain NOC/CTE under above mentioned Acts.	
Application Method	Online (Please visit the site http://bspcb.bihar.gov.in/ for making the application)	
List of prescribed documents to be submitted	<ol style="list-style-type: none"> 1. Application in prescribed format (Online). 2. Project Report. 3. Location Map & Lay-out plan. 4. Legitimate land document viz. Registered Paper/Lease Agreement/Kirayanama etc. 5. Copy of Environment Clearance, if required. 	
Processing Fee (if any) and Mode of Payment	Industries with proposed Capital Investment of	INR
	Up to Rs. 25 Lakhs	5000/-
	Above Rs. 25 lakhs & up to Rs. 5 Crore	15,000/-
	Above Rs. 5 Crore & up to Rs. 10 Crore	35,000/-
	Above Rs. 10 Crore & up to Rs. 50 Crore	75,000/-
	Above Rs.50 Crore	1,50,000/-
Key Approving Authority	Chairman	
Whether inspection is required prior to obtaining NOC/CTE	Yes (In case of Red and Orange Category of industries).	
Prescribed Timeline for service delivery (from date of application)	120 days.	

:- IMPORTANT NOTE:-

- Total Project Cost includes updated cost of Land, Building, Plant & Machinery, Infrastructure, Pollution Control Facilities etc.
- BSPCB does not issue CTE certificates under The Air Or The Water act manually.

A. II. APPLICATION & APPROVAL PROCEDURE

Keep the scanned copy of all the relevant documents ready as per the above mentioned checklist.

Register yourself with BSPCB using the URL <http://bspcb.bihar.gov.in/> to generate login ID & Password.

Login the site using the login ID & Password.

Apply for Consent to Establish by selecting the option “CTE” from the options available therein.

Fill in the application form, Upload all the relevant documents & pay the requisite fee online using the Credit Card/Debit Card/ Net Banking services of any of the banks.

Submit the Form online.

Filled Application Form will be scrutinized by the Assistant and Junior Environmental Engineer (JEE) followed by a site visit, if required.

In case there is any query it will be communicated to the applicant online and a suitable timeline will be given to answer the query.

Afterwards, Junior Environmental Engineer (JEE) will put-up the application with his recommendations to the Member Secretary.

The Member Secretary will then forward the application along with his recommendations to the Chairman for his approval.

After approval of Chairman, NOC/CTE will get issued by the Member Secretary.

Further, it will be sent to the applicant ID. Certificate can be downloaded by the applicant from the website after login to his/her ID with BSPCB.

PRE-OPERATION STAGE

B.I. INTRODUCTION

Name of Service	CONSENT TO OPERATE (EMISSION CONSENT) UNDER THE AIR (PREVENTION AND CONTROL OF POLLUTION) ACT, 1981.	
Authority/Department	Bihar State Pollution Control Board	
Regulatory Framework	The Air (Prevention and Control of Pollution) Act 1981.	
Service Condition (i.e. Who requires Emission Consent?)	All industries that have fulfilled the consent conditions of CTE under The Air Act & are ready to start commercial operations.	
Application Method	Online (<i>Please visit the site http://bspcb.bih.nic.in/ for making the application.</i>)	
List of prescribed documents to be submitted	<ol style="list-style-type: none"> 1. Application in prescribed format (Online). 2. Compliance report of previous consent conditions (CTE/CTO). 3. Compliance of Pollution Control Facilities. 4. Test report if any. 5. Copy of Environment Clearance, if required. 	
Application Processing Fee (if any) and Mode of Payment	Industries having an investment of	INR (for 5 years)
	Up to 25 Lakh	15000/-
	above 25 Lakhs and up to 5 Cr.	45000/-
	above 1 crores and up to 5 Cr.	45000/-
	above 5 crores and up to 10 Cr.	70000/-
	above 10 crores and up to 50 Cr.	100000/-
	above 50 Cr.	275000/-
Key Approving Authority	Chairman	
Whether prior inspection is required for this approval	Yes	
Prescribed Timeline for service delivery (from date of application)	120 days	

B.II. APPLICATION & APPROVAL PROCEDURE

Keep the scanned copy of all the relevant documents ready as per the above mentioned checklist

Register yourself with BSPCB using the URL <http://bspcb.bihar.gov.in/> to generate login ID & Password.

Login the site with the ID & Password.

Apply for Consent to Operate by selecting the option “CTO-Air” from the options available therein.

Fill in the application form, Upload all the relevant documents & pay the requisite fee online using the Credit Card/Debit Card/ Net Banking services of any of the banks.

Submit the Form online.

Filled Application Form will be scrutinized by the Assistant and Junior Environmental Engineer (JEE) followed by a site visit, if required.

In case there is any query it will be communicated to the applicant online and a suitable timeline will be given to answer the query.

Afterwards, Junior Environmental Engineer (JEE) will put-up the application with his recommendations to the Member Secretary.

The Member Secretary will then forward the application along with his recommendations to the Chairman for his approval.

After approval of Chairman, CTO (Emission Consent) will get issued by the Member Secretary.

Once the CTO (Emission Consent) gets issued it will be sent to the applicant ID. Emission Consent can be downloaded from the website after login by the applicant.

C.I. INTRODUCTION

Name of Service	CONSENT TO OPERATE (DISCHARGE CONSENT) UNDER THE WATER (PREVENTION AND CONTROL OF POLLUTION) ACT, 1974.		
Authority/Department	Bihar State Pollution Control Board		
Regulatory Framework	The Water (Prevention and Control of Pollution) Act, 1974		
Service Condition (i.e. Who requires Discharge Consent ?)	All industries that have fulfilled the consent conditions of CTE under The Water Act & are ready to start commercial operations.		
Application Method	Online (<i>Please visit the site http://bspcb.bih.nic.in/ for making the application</i>)		
List of prescribed documents to be submitted	1. Application in prescribed format (Online) 2. Compliance report of previous consent conditions (CTE/CTO) 3. Compliance of Pollution Control Facilities 4. Test report if any. 5. Copy of Environment Clearance, if required.		
Application Processing Fee (if any) and Mode of Payment	Industries having an investment of	INR (for 5 years)	
	Up to 25 Lakh	15000/-	
	above 25 Lakhs and up to 5 Cr.	45000/-	
	above 5 crores and up to 10 Cr.	70000/-	
	above 10 crores and up to 50 Cr.	100000/-	
	above 50 Cr.	275000/-	
Key Approving Authority	Chairman.		
Whether prior inspection is required for this approval	Yes		
Prescribed Timeline for service delivery (<i>from date of application</i>)	120 days.		

C.II. APPLICATION & APPROVAL PROCEDURE

Keep the scanned copy of all the relevant documents ready as per the above mentioned checklist

Register yourself with BSPCB using the URL <http://bspcb.bihar.gov.in/> to generate login ID & Password.

Login the site with the ID & Password.

Apply for Consent to Operate by selecting the option “CTO-Water” from the options available therein

Fill in the application form, Upload all the relevant documents & pay the requisite fee online using the Credit Card/Debit Card/ Net Banking services of any of the banks.

Submit the Form online.

Filled Application Form will be scrutinized by the Assistant and Junior Environmental Engineer (JEE) followed by a site visit, if required.

In case there is any query it will be communicated to the applicant online and a suitable timeline will be given to answer the query.

Afterwards, Junior Environmental Engineer (JEE) will put-up the application with his recommendations to the Member Secretary.

The Member Secretary will then forward the application along with his recommendations to the Chairman for his approval.

After approval of Chairman, CTO (Discharge Consent) will get issued by the Member Secretary.

Once the CTO (Discharge Consent) gets issued it will be sent to the applicant ID. Discharge Consent can be downloaded by the concerned applicant after login to the website.

D.I. INTRODUCTION

Name of Service	APPLICATION FOR OBTAINING AUTHORIZATION FOR COLLECTION/RECEPTION/TREATMENT/TRANSPORT/ STORAGE/DISPOSAL OF HAZARDOUS WASTE.
Authority/Department	Bihar State Pollution Control Board
Regulatory Framework	Hazardous Waste (Management, Handling and Trans-Boundary Movement) Rules, 2008.
Service Condition (i.e. Who requires this Authorization?)	Every person engaged in generation, processing, treatment, package, storage, transportation, use, collection, destruction, conversion, offering for sale, transfer or the like of hazardous waste is required to obtain an Authorization.
Application Method	Online (<i>Please visit the site http://bspcb.bih.nic.in/ for making the application</i>)
List of prescribed documents to be submitted	No supporting document is required for this purpose. Only, application in 'Form I' has to be submitted.
Processing Fee (if any) and Mode of Payment	Rs. 2000 only.
Key Approving Authority	Chairman.
Whether prior inspection is required for this approval	Yes, if Board consider the inspection necessary as per the rule 5(4) of the Act.
Prescribed Timeline for service delivery (from date of application)	120 days.

:- IMPORTANT NOTE:-

- Authorization under Hazardous Waste Management Handling and Trans-Boundary Movement Rules, 2008 once obtained is valid for 5 years. Respective persons will have to apply to the BSPCB for its renewal after 5 years.
- At present only offline services for Authorization under Hazardous Waste Management Handling and Trans-Boundary Movement Rules is available.
- Occupier shall maintain the records of hazardous waste handled by him in the **Form-3** & shall submit the annual return in **Form-4** on or before 30th June of Financial Year.

D.II. APPLICATION & APPROVAL PROCEDURE

Application has to be submitted in FORM 1 available at BSPCB Office.

Fill in the application form i.e. Form 1 and submit it at BSPCB office.

Filled Application Form will be scrutinized by the concerned Board official followed by a site visit, if required.

In case there is any query it will be communicated to the applicant online and a suitable timeline will be given to answer the query.

Afterwards, concerned official will put-up the application with his recommendations to the Member Secretary.

The Member Secretary will now forward the application along with his recommendations to the Chairman for his approval.

After approval of Chairman, Authorization will be granted by the Member Secretary.

Authorization Certificate will be sent to the registered address (provided in the Form 1) of applicant

E.I. INTRODUCTION

Name of Service	APPLICATION FOR SEEKING REGISTRATION UNDER THE RULE 8(1) OF HAZARDOUS WASTE (MANAGEMENT, HANDLING AND TRANS-BOUNDARY MOVEMENT) RULES, 2008.
Authority/Department	Bihar State Pollution Control Board
Regulatory Framework	Hazardous Waste (Management, Handling and Trans-Boundary Movement) Rules, 2008.
Service Condition (i.e. Who requires this Authorization?)	Every person desirous of recycling or reprocessing the hazardous waste specified in Schedule-IV is required to get registration.
Application Method	Online (Please visit the site http://bspcb.bih.nic.in/ for making the application)
List of prescribed documents to be submitted	<ol style="list-style-type: none"> 1. NOC/Consent to Establish issued by BSPCB under the Water (Prevention and Control of Pollution) Act, 1974 & the Air (Prevention and Control of Pollution) Act, 1981. 2. Certificate of Registration issued by District Industries Centre (DIC). 3. Proof of installed capacity of plant and machinery issued by DIC or any other government agency authorized in this behalf. 4. Authorization fee as prescribed.
Processing Fee (if any) and Mode of Payment	Rs. 2000 only.
Key Approving Authority	Chairman.
Whether prior inspection is required for this approval	Yes
Prescribed Timeline for service delivery (from date of application)	120 days.

:- IMPORTANT NOTE:-

- Registration under Hazardous Waste Management Handling and Trans-Boundary Movement Rules, 2008 once obtained is valid for 5 years. Respective persons will have to apply to the BSPCB for its renewal after 5 years.
- At present only offline services for Authorization under Hazardous Waste Management Handling and Trans-Boundary Movement Rules is available.
- Recyclers shall maintain the records of hazardous waste handled by him in the **Form-3** & shall submit the annual return in **Form-6** on or before 30th June of Financial Year.

E.II. APPLICATION & APPROVAL PROCEDURE

Application has to be submitted in FORM 1 available at BSPCB Office.

Fill in the application form i.e. Form 1 and submit it at BSPCB office.

Filled Application Form will be scrutinized by the concerned Board official followed by a site visit, if required.

In case there is any query it will be communicated to the applicant online and a suitable timeline will be given to answer the query.

Afterwards, concerned official will put-up the application with his recommendations to the Member Secretary.

The Member Secretary will now forward the application along with his recommendations to the Chairman for his approval.

After approval of Chairman, Authorization will be granted by the Member Secretary.

Authorization Certificate will be sent to the registered address (provided in the Form 1) of applicant

ENVIRONMENTAL COMPLIANCE INSPECTION

F.I. INTRODUCTION

Name of Service	Compliance Inspection under Prevention and Control of Pollution, Water (Prevention and Control of Pollution) Act, 1974.
Authority/Department	Bihar State Pollution Control Board
Regulatory Framework	The Water (Prevention and Control of Pollution) Act, 1974
Competent Authority for conducting the site inspection	Any of the below mentioned official from BSPCB: i. Assistant Scientific Officer. ii. Scientist. iii. Deputy Analyst. iv. Junior Environmental Engineer (JEE). v. Assistant Environmental Engineer (ASE). vi. Any official from the board directed by the Competent Authority.
Checklist/Facility Process Information	<ul style="list-style-type: none"> • Compliance of NOC/CTE conditions. • Compliance of Consent Conditions (CTO), Discharge Consent. • Details of Effluent Treatment System (ETP) installed & its functioning. • Waste Water Discharge Data. • Waste Water treatment system. • Operation and maintenance records. • Annual reports. • Laboratory Quality Assurance/Quality Control records. • Training records. • Treatment system personnel licenses/certificates.
Key Approving Authority	Chairman

:- IMPORTANT NOTE FOR THE INSTITUTIONAL UNITS:-

- Environmental records should be well organized and readily accessible. This will keep the inspection time-efficient and enhance facility personnel ability to comply with recordkeeping requirements.
- The inspector has the legal authority to have access to, and copy, records and will generally review records included in the above mentioned list.
- The inspector has the legal authority to obtain samples of environmental media, such as wastewater discharges, waste materials etc.
- The inspector may take photographs of facility operations and environmental activities, such as waste water discharge system and wastewater treatment equipment etc.

F.II. INSPECTION PROCEDURE

On approval & consent of Member Secretary BSPCB, any official of the board as mentioned above may conduct a visit to the respective Facility/Industry.

At facility, Inspector will check compliance of NOC/CTE & NOC/CTO conditions issued to the facility under The Water Act.

Checking of waste water disposal system & its functioning, efficiency of personnel handling the waste water disposal system will be done by the visiting inspector.

Inspector will also check all necessary records like Waste Water Discharge Data, Operation and maintenance records of Waste Water Treatment System Installed, Annual reports, Laboratory Quality Assurance/Quality Control records of waste water, Training records & Treatment system personnel licenses/certificates etc.

Inspector will collect sample of waste water generated by the facility & take the photographs of the waste water disposal & treatment system, if needed.

Post Inspection, Inspector will prepare the inspection report of the facility visited in the prescribed format of BSPCB & submit it along with the photographs taken and sample analysis report, if any to the Member Secretary for his perusal & necessary action.

The Member Secretary will review the inspection report and forward it to the Chairman with his recommendations.

In light of the decision taken by the Chairman necessary action would be taken against the facility visited.

Subsequently a letter will get issued to the respective facility asking for a clarification over certain issues or providing information about the proposed punitive action to be taken against the facility.

G.I. INTRODUCTION

Name of Service	Compliance Inspection under Prevention and Control of Pollution, The Air (Prevention and Control of Pollution) Act, 1981.
Authority/Department	Bihar State Pollution Control Board
Regulatory Framework	The Air (Prevention and Control of Pollution) Act, 1981
Service Condition	
Competent Authority for conducting the site inspection	Any of the below mentioned official from BSPCB: i. Assistant Scientific Officer. ii. Scientist. iii. Deputy Analyst. iv. Junior Environmental Engineer (JEE). v. Assistant Environmental Engineer (ASE). vi. Any official from the board directed by the Competent Authority
Checklist of Documents/Facility Process Information	<ul style="list-style-type: none"> • Compliance of NOC/CTE conditions. • Compliance of Consent conditions (CTO), Emission Consent. • Details of Air Pollution Control Devices (APCD) installed & its functioning. • Air emissions data. • Operation and maintenance records. • Annual reports. • Laboratory Quality Assurance/Quality Control records. • Training records.
Key Approving Authority	Chairman

:- IMPORTANT NOTE:-

- Environmental records should be well organized and readily accessible. This will keep the inspection time-efficient and enhance facility personnel ability to comply with recordkeeping requirements.
- The inspector has the legal authority to have access to, and copy, records and will generally review records included in the above mentioned list.
- The inspector may take photographs of facility operations and environmental activities, such as air emission and Air Pollution Control Devices (APCD) etc.

G.II. INSPECTION PROCEDURE

On approval & consent of Member Secretary BSPCB, any official of the board as mentioned above may conduct a visit to the respective Facility/Industry.

At facility, Inspector will check compliance of NOC/CTE & NOC/CTO given to the facility under The Air Act.

Checking of Air Pollution Control Devices (APCD) & its functioning, efficiency of personnel handling the Air Pollution Control Devices (APCD) will be done by the visiting inspector.

Inspector will also check all necessary records like Air Emission Data, Operation and maintenance records of Air Pollution Control Devices (APCD) Installed, Annual reports, Training records etc.

Inspector will take the photographs of the Air Pollution Control Devices (APCD), if needed.

Post Inspection, Inspector will prepare the inspection report of the facility visited in the prescribed format of BSPCB & submit it along with the photographs taken, if any to the Member Secretary of his perusal & necessary action.

The Member Secretary will review the inspection report and forward it to the Chairman with his recommendations.

In light of the decision taken by the Chairman necessary action would be taken against the facility visited.

Subsequently a letter will get issued to the respective facility asking for a clarification over certain issues or providing information about the proposed punitive action to be taken against the facility.