

Minutes of the Meeting held pursuant to the Direction of National Green Tribunal in Application No. 199 of 2014 in the matter of Almitra H. Patel & Anr regarding Standards for MSW Incinerators for Power Generation and visit of the MSW sites in Haryana

In O.A. No.199 of 2014 by Almitra H. Patel & Anr, the Hon'ble Nation Green Tribunal (NGT) vide its order dated 20.03.2015 directed the following to the Ministry-

" 14. We direct the CPCB and MoEF to have meeting within two weeks from today and prescribe specific standards for emissions from incinerators used for power generation. It should be a composite document and should be put on the website of these agencies immediately."

"15.....We direct a team of a representative of MoEF, a Member of CPCB and Member of Haryana Pollution Control Board to inspect all these plants and submit a report of performance to the Tribunal within one month from today."

"21.....We also direct CPCB, all brand owners, producers, users and MoEF to submit their views in relation to metalized or non-metalized multi-layer packaging up to 2 kg net weight packs to be replaced by thermo-plastic packaging or any other fully recyclable packaging."

2. In compliance with the order, a meeting was held on 16.04.2015 at 4.00 P.M in the Ministry which was attended by CPCB and CP Division of the Ministry. The list of officers who were present in the meeting is annexed herewith. The issues were discussed and the following was decided-

2.1. As regards the standards for the incinerators for power generation, all the Officers felt that the existing Municipal Solid Waste (Management and Handling) Rules, 2000 (MSW Rules) provides for emission standards for incinerators. However, these standards are being revised to incorporate the limits for PCDDs (Dioxin and Furans), which are the recent concerns of incineration. The Ministry is in the process of revising the MSW Rules. The draft amendment Rules for MSW

submission to the M/o Law and Justice for vetting and Hindi translation. The draft rules will be notified in the Gazette of India for public comments and suggestion and finalized after careful consideration of the suggestions received. It was unanimously agreed that till the finalization of the MSW rules, a public notice on these proposed standards may be uploaded separately on the website of this Ministry and CPCB in compliance with the order of NGT.

2.2. Regarding the inspection to the existing MSW plants in Haryana, it was decided to carry out the inspection on 24th -25th April, 2015. It was also decided that since NGT has desired to know the performance of these MSW plants, it is essential to conduct monitoring of air quality, stack emission and effluents. Therefore, HPCB may be asked to carry out the monitoring of these plants prior to the inspection. Also a senior officer handling the subject matter may be asked to join for the inspection on both the days. The concerned officer from HUDA may also be asked to be present during the inspection.

2.3. Regarding the direction on replacing multilayered packaging by thermo-plastic packaging or any other fully recyclable packaging, it was felt that similar issues have been raised in Application No.15 of 2014 and NGT vide order dated 03.03.2015 observed that *plastic multi-layered packaging /pet bottles would be injurious to human health and cause serious environmental hazards. Therefore, a restriction has to be placed upon such packaging and generation of municipal plastic waste.* It was also desired by NGT that the stakeholders may be given an opportunity to express their views before banning these packaging materials. Accordingly, an advertisement was published in the National News Paper. Subsequently, on 08.04.2015, the NGT has desired for written submissions from the stakeholders. The views of the Ministry and CPCB have already been submitted to Hon'ble NGT through affidavits. Further, in the draft revised Plastics (Manufacture, Usage and Waste Management) Rules, which is to be published in Gazette of India for public Comments and suggestion, it has been proposed that –

(4) *No producer shall on and after the expiry of a period of one year from the date of final publication of these rules on the Official Gazette, manufacture or use any plastic or multilayered packaging for packaging of commodities without registration from the concerned State Pollution Control Board or the Pollution Control Committees.*

(5) *Every producer shall maintain a record of details of the person engaged in supply of plastic used as raw material to manufacture carry bags or plastic sheet or like of cover made of plastic sheet of multilayered packaging."*

It was decided that the above views may be submitted to the NGT.
