

MAHARASHTRA POLLUTION CONTROL BOARD

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No. BO/MPCB/AS(T)/Product-mix/210714FT3 0188

Date: 14 / 07 / 2021

Office Memorandum

Subject: Standard Operating Process for obtaining permission for change in product-mix under the EIA Notification dated 02nd March 2021

- Ref:
1. Amendment to EIA Notification No. S.O. 3518 (E) dated 23rd November 2016
 2. Office Memorandum regarding Procedure dated 11/7/2017
 3. Office Memorandum regarding Empanelment of Environmental Auditors dated 11/7/2017
 4. Office Memorandum regarding Constitution of Expert Technical Committee dated 10/7/2017 & 20/8/2019
 5. MoEF & CC Notification dated 02/3/2021

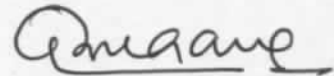
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Ministry of Environment, Forest & Climate Change has published Notification on 02nd March 2021 for consideration of Existing project (having prior Environmental Clearance) with no increase in pollution load & procedure for verification of **No Increase in Pollution Load**. Therefore, in compliance to the MoEF & CC Notification dated 02nd March 2021, a Standard Operating Procedure (SOP) for dealing applications under product mix is required to be drawn. Accordingly, Standard Operating Process for obtaining permission for change in product-mix under the EIA Notification dated 02nd March 20021 has been framed and is outlined herein as below:

1. The instant amendment in EIA Notification exempts the requirement of prior Environmental Clearance applicable for the projects covers as per MoEF & CC Notification dated 02/3/2021.
2. Project Proponent (PP) to obtain a certificate of "No increase in the pollution load" certificate from the environmental auditors empaneled vide office memorandum dated 11/7/2017.
3. PP shall upload "No increase in the pollution load" and required details alongwith Boards proforma on PARIVESH portal and get system generated acknowledgement.
4. PP shall apply with applicable fees (one term fee based on total CI of the unit) for amendment in Consent to Operate with following specific documents:
 - a. Specified format of information as provided on PARIVESH Portal)

- b. "No increase in pollution load" certificate
 - c. Copy of Prior Environment Clearance
 - d. Last Valid Consent to Operate
 - e. Online system generated acknowledgement from PARIVESH portal
 - f. Details of Online Continuous Monitoring System (OCMS) connected to the servers of the MPCB and CPCB to report the quantity and quality, of emission and discharges (Undertaking may also include regular calibration of OCMS and compliance of guidelines regarding OCMS being issued by MPCB/CPCB/MoEF &CC).
5. This amendment in Consent to Operate under Product mix procedure shall not be applicable if such change or increase results in change in category of project or activity from Category- "B" to either Category- "A" or Category – "B 1"
 6. Sub-Regional Office /Regional Office shall verify the information furnished by industry with application based on inspection and technical scrutiny and the application alongwith the comments of Sub-Regional Officer/Regional Officer shall be forwarded to the respective authorities as per the delegation of powers.
 7. The application so received through online to the respective authorities (HOD/CC/CAC Cell) shall forward to the convener of the Technical Committee..
 8. The applicant alongwith the Environmental Auditors shall make presentation before the Technical Committee. The Technical Committee shall examine the details and certificate of no increase in pollution load received from the applicant and the environmental auditors as well as the report of the scrutiny done by the Board.
 9. The meeting of the Technical Committee shall be conducted at least once in a month
 10. Based on the deliberations and the scrutiny, the Technical Committee will make its recommendations.
 11. The convener of the Technical Committee shall communicate the recommendations of the Committee to the respective authorities.
 12. Based on the recommendations of the Technical Committee, the authorities shall take decision with respect to the application received from the project proponent for the change in consent to operate for the purpose of change in product-mix. The decision taken by the respective authorities as per the delegation of powers shall be conveyed through online consent/Rejection order to the applicant.
 13. If on verification the MPCB or Expert Committee holds that the change or expansion or modernization will result or has resulted in increase in pollution load, the exemption claimed under this clause shall not be valid and it shall be deemed the project proponent was liable to obtain Prior Environmental Clearance before under taking such changes or increase. In this case, amendment in Consent to operate under Product Mix shall not be granted. PP shall be directed to take prior EC before undertaking such changes or increase.
 14. In case it come to notice during scrutiny that Auditor who have given certificate for "No increase in pollution load" is not empaneled by MPCB then PP shall have to re-register to PARIVESH with revised certificate.

15. PP shall not initiate activities for changes or increase without prior amendment in Consent to Operate under Product Mix from MPCB.
16. In case of non-compliance under the notification, suitable actions including directions, closure, Environment Damage Compensation, Legal case under section 19 of the Environment (Protection) Act, 1986 shall be initiated based on violation.


(Ashok Shingare, IAS)
Member Secretary