



# **TAMIL NADU POLLUTION CONTROL BOARD**

## **PROCEDURE FOR OBTAINING CONSENT**

### **PROCEDURES FOR OBTAINING CONSENT OF THE TAMIL NADU POLLUTION CONTROL BOARD AND LIST OF DOCUMENTS TO BE ATTACHED**

#### **Consent to Establish**

Consent of the Board has to be obtained for both establishment and operation of the industry (new and existing industries), as required under the provisions of the Water / Air Acts. The industries which commissioned before 27.2.1982 are considered as existing industries and the industries which have commissioned on or after 27.2.1982 are considered as new industries.

1. The Tamil Nadu Pollution Control Board enforces the Water (Prevention and Control of Pollution) Act, 1974 as amended, Air (Prevention and Control of Pollution) Act, 1981 as amended and the Environment (protection) Act, 1986. Under the Water (P&CP) Act, 1974 as amended and under the Air (P&CP) Act, 1981 as amended, the industries have to obtain the consent of the Board for the establishment and operation of the industry.

As per section 25 of the Water (P&CP) Act, 1974 as amended, no person shall without the previous consent of the State Board, establish or take any steps to establish any industrial plant or process or any treatment and disposal system or any extension or addition thereto which is likely to discharge sewage or trade effluent into any stream or well or sewer or on land. As per sub Section 2 of Section 25 of the said Act, an application for consent of the State Board under sub Section (1) shall be made in such form containing such particulars and shall be accompanied by such fees as may be prescribed.

Also as per Section 21 of the Air (P & CP) Act, 1981 as amended, no person shall without the previous consent of the State Board, operate any industrial plant for the purpose of any industry in an Air Pollution Control area. (The Govt. of Tamil Nadu vide GO Ms. No.4 Environment Control Dept. dt. 28.09.1983 declared the

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entire area within the state of Tamil Nadu as air pollution Control area). As per Sub Section (2) of Section 21 of the said Act, an application for consent of the State Board under Sub Section (1) shall be accompanied by such fees as may be prescribed and shall be made in the prescribed form and shall contain the particulars of the industrial plant and such other particulars as may be prescribed.

2. **The project proponent shall apply for consent only through Online Consent Management & Monitoring System (OCMMS).** Application will not be received by offline. Web portal for online consent application is **tnocmms.nic.in** OCMMS is a web based generic application software package for automating the workflow associated with Consent Management and Monitoring which is one of the basic functions of the TNPCB. This system allows the industries for online submission of application for Consent to Establish, Consent to Operate, Renewal of Consents, uploading of documents, online payment of consent fee, online submission of clarification and for knowing the status of application. In order to help the project proponent on filing of application through OCMMS, TNPCB operates Care Centre in all the District Offices.

3. After submission of application in complete shape, it will be processed and site will be inspected by the officers of TNPCB. Thereafter, the subject will be placed before the respective Committee and decision will be taken. The applications which are in complete shape will be cleared and consent for establishment will be issued for a validity period of five years for non-EC cases and seven years for EC attracting cases.

4. If the project proponent is not able to complete the establishment of the project within stipulated years, then he/she has to apply for CTE one month before the expiry of CTE to the concerned District Officer. CTE will be issued after field inspection by the concerned Officer.

5. As per EIA Notification 2006, 38 categories of industries have to obtain Environmental Clearance from Ministry of Environment, Forests & Climate Change, Government of India / State Environmental Impact Assessment Authority, as the case may be. TNPCB will issue consent for establishment to the projects which attracts EIA notification 2006, only on receipt of environment clearance from MOEF&CC/SEIAA and after satisfying the siting criteria and all other requirements.

6. In case of Projects which are covered under Coastal Regulation Zone Notification, 2011, Clearance shall be obtained from Coastal Zone Management Authority, before applying for Consent of Tamil Nadu Pollution Control Board. District Environmental Engineer, TNPCB is the convener of the District Coastal Zone Management Committee.

**Consent to Establish validity period** shall be as follows:

Projects	Validity Period
All EIA Projects	7 Years (1 Fee)
All Non-EIA Projects	5 Years (1 Fee)

All the Consent to Establish order will be issued with validity date ending 31<sup>st</sup> March

**Consent to Operate**

The Industries have to apply for the consent of the Board for operation of the industry two months in advance of the commissioning of the operation. The application shall be submitted through **OCMMS**. The District Officer will inspect the industry to verify whether all the conditions imposed in the consent for establishment have been complied with. The above report will be scrutinized and consent for operation will be granted. All the Consent to Operate orders will be issued with validity date ending 31<sup>st</sup> March

**Time Limit for Processing Application by TNPCB**

TNPCB prescribed time limit for processing of the applications received for issue of consent to establish, consent to operate, renewal of consent, consent for expansion activity, amendment, extension of consent, authorization under Bio-Medical Waste Rules, Hazardous Waste rules, Municipal Solid Waste Rules, E-Waste Rules, Plastic Waste Rules etc., as detailed below:

Sl.No.	Category / Classification	Time Limit Prescribed for processing in days
1	Red / Large	45
2	Red / Medium	45
3	Red / Small	30
4	Orange / Large	30
5	Orange / Medium	30
6	Orange / Small	30

Sl.No.	Category / Classification	Time Limit Prescribed for processing in days
7	Green / Large	30
8	Green / Medium	30
9	Green / Small	30
10	Industries attracting EIA / CRZ Notification	45
11	Hazardous Waste Authorization	45
12	Bio-Medical Waste Authorization	45
13	Municipal Solid Waste Authorization	45
14	E-Waste Authorization	45
15	Plastic Waste Registration	45

### Inspection Procedure

TNPCB issued the following procedure for inspection

1. Notice of inspection to the responsible person/occupier of the premises shall be served before the actual inspection of the premises.
2. Then in the presence of the responsible person/occupier of the premises the inspecting officer shall visit the industry site and surroundings to collect all the information as required in the prescribed inspection report.
3. In case of Green site industry importance shall be given to the following details:
  - a. Location and details of water bodies
  - b. Location and details of habitations
  - c. Location and details of other industries
  - d. Location and details of roadways
4. In case of existing industries importance shall be given to the following details:
  - a) All manufacturing process operations right from the raw materials receipt to product dispatch.
  - b) Records and log books used for accounting the raw materials, by/intermediate products and products quantities.
  - c) Sources, treatment and consumption locations of fresh water and related records and log books.
  - d) The sources of generation of wastewater and air emission, their

treatment/control and disposal activities and related records and log books.

- e) The sources of generation of Hazardous and Non – Hazardous Solid Waste, their storage, treatment and disposal activities and related records and log books.
  - f) Log book of the readings of flow meters fixed at various locations in water and wastewater pipelines.
  - g) Log book of the readings of energy meters used for the purpose of water drawl and usage, wastewater treatment and disposal, solid and hazardous waste management and air pollution control.
5. During the inspection of the industry the inspecting officer also collect samples of wastewater, hazardous waste and ground/surface water, depending upon the requirement. In case of legal sample, the procedure available in the Water (P&CP) Act shall be followed.
  6. Also the inspecting officer shall inform the non-compliance/violations orally and record them in the log book maintained by the industry.
  7. After the inspection the inspecting officer shall prepare an inspection report in the prescribed format and submit it to the appropriate authorities along with the non-compliances observed if any and recommendations for taking further action.
  8. Based on the inspection report the appropriate authority will issue consent/authorization or instructions/show cause notice for the non-compliances/violations observed if any, along with the corrective actions to be taken with time limit as the case may be, in writing, to the industry.

#### **Appeal before the Appellate Authority**

As per section 28 of the Water (P&CP) Act, 1974, any person aggrieved by an order made by the Tamil Nadu Pollution Control Board under section 25, section 26 or section 27 of the Water Act may, within thirty days from the date on which the order is communicated to him, prefer an appeal to Appellate Authority. Similarly, as per section 31 of the Air (P&CP) Act, 1981, any person aggrieved by an order made by the Tamil Nadu Pollution Control Board under the Air Act, may, within thirty days from the date on which the order is communicated to him, prefer an appeal to

Appellate Authority.

### **PROCEDURES FOR OBTAINING RENEWAL CONSENT**

Red category industries have to get the consent renewal annually. Orange category industries have to get the consent renewal annually till the Effluent Treatment Plant & Air Pollution Control measures are operated satisfactorily and there after once in two years. Green category industries have to get the consent renewal once in two years. Application for renewal has to be made sixty days prior to the date of expiry of the consent order to the District Officer along with appropriate consent fee. The District Officer will inspect the industry and submit report. Renewal of consent will be granted only after satisfactory compliance of all the conditions imposed in previous consent order.

**Consent to Operate (Renewal)** will also be issued with validity period for Red / Orange / Green category industries for 5 / 10 / 14 Years respectively on remittance of total consent fee for the entire period in advance Or else the validity period of consent to operate (Renewal) will be restricted accordingly to the number of fees remitted.

#### **Validity Period for Renewal Consent**

As per Board vide B.P. Ms No.5 dt.2.8.2016 all the Consent to Establish, Consent to Operate and renewal consent orders will be issued with validity date ending 31st March.

Sd/xxxx  
Member Secretary

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५/३/१७  
For Member Secretary

**Details of Consents and Enclosures to be accompanied in detailed manner in OCMMS**

**1. 'CTE-Water' and 'CTE-Air'**

Sl No	Enclosures to be accompanied
1	A covering <b>requisition letter</b> stating the status of the industry and activities clearly.
2	Copy of attested <b>sale Deed /Lease Deed</b> or any other relevant documents as proof to ensure possession of the site/factory for which application is made by the applicant.
3	Copy of attested <b>Memorandum of Articles</b> in case of Public/Private sectors <b>or registered partnership deed</b> in case of partnership company
4	<b>Layout plan</b> showing the location of various process equipments, utilities like boiler, generator etc, effluent treatment plant, outlet location, non-hazardous and hazardous waste storage yard.
5	<b>Topo sketch</b> showing the distance of water bodies, roads, existing/proposed residential areas, agricultural lands, important religious locations, educational institutions, ancient monuments, archeological places and other sensitive areas for 1 KM. radius from the units.
6	Detailed <b>manufacturing process</b> for each product along with detailed process flow chart.
7	Details of <b>Water Balance and wastewater balance</b> for process.
8	Details of <b>Material balance</b> for each products and process.
9	<b>Land use classification</b> certificate as obtained from CMDA/ DTCP/LPA.
10	<b>Auditor's Certificate</b> with break up details for the proposed Gross fixed Assets duly certified by a Chartered Accountant in the prescribed format.
11	<b>Consent fee under Water and Air Acts</b> payable to the Board.
12	<b>Ground water clearance</b> obtained from the competent Authority(If applicable).
13	<b>Sewage Treatment Plant(STP)</b> proposal which must contain details of design characteristics of sewage, treatment methodology, mode of disposal, design criteria for various units, detailed drawing of STP and its layout, diagram showing the hydraulic profile and mode of disposal of treated sewage and its adequacy(If

	applicable).
14	<b>Effluent Treatment Plant (ETP)</b> proposal which must contain details including breakup quantity of water requirement with sources, breakup quantity of trade effluent, sources of trade effluent, characteristics of wastewater, treatment methodology, mode of disposal, design criteria for various units, detailed drawing of ETP and its layout, diagram showing the hydraulic profile and mode of disposal of treated effluent and its adequacy (If applicable).
15	<b>Air pollution control (APC) measures</b> proposal which must contain the details regarding fuels used, sources of emission, characteristics, concentration and quality of pollutant, proposal along with design criteria and drawing for the proposed APC measures, adequacy of APC measures and stack, odour/noise causing operations and its specific odour/noise control measures(If applicable).
16	In case of hazardous chemicals used as raw materials, the <b>Material Safety Data Sheets (MSDS)</b> should be enclosed for each and every item. If the quantity of the hazardous chemicals handled is more than the threshold limit, the unit shall furnish any one or combination of the following documents as required under the MSIHC Rules (If applicable).: <b>Risk assessment report/Onsite emergency preparedness plan/Off site emergency preparedness plan.</b>
17	In case of <b>transport of hazardous chemicals</b> , details of chemicals transported, method of transport and its safety measures (If applicable).
18	Industries attracting EIA Notification shall submit <b>Environmental Clearance</b> obtained from the MOEF/SEIAA along with the Environmental Impact Assessment Report (If applicable).
19	<b>CRZ clearance</b> obtained from the competent Authority (If applicable).

## 2. 'CTO-after CTE-Water' and 'CTO-after CTE-Air'

Sl No	Enclosures to be accompanied
1	A covering <b>requisition letter</b> stating the status of the industry and activities clearly.
2	<b>Compliance statement on the CTE special conditions</b> stipulated under Water



	& Air Acts
3	<b>Auditor's Certificate</b> with break up details for the actual Gross fixed Assets (final cost) duly certified by a Chartered Accountant in the prescribed format.
4	<b>Photographs of the provided measures</b> of ETP/APC/ other compliances of conditions (If applicable).
5	<b>Compliance statement on the EC conditions</b> stipulated under EP Act (If applicable).
6	<b>Agreement with Common TSD/ CBMWTF</b> (If applicable).

### 3. 'CTO-direct-Water' and 'CTO-direct-Air'

Sl No	Enclosures to be accompanied
1	A covering <b>requisition letter</b> stating the status of the industry and activities clearly.
2	Copy of <b>sale Deed /Lease Deed</b> or any other relevant documents as proof to ensure possession of the site/factory for which application is made by the applicant.
3	Copy of <b>Memorandum of Articles</b> in case of Public/Private sectors <b>or registered partnership deed</b> in case of partnership company
4	<b>Layout plan</b> showing the location of various process equipments, utilities like boiler, generator etc, effluent treatment plant, outlet location, non-hazardous and hazardous waste storage yard.
5	<b>Topo sketch</b> showing the distance of water bodies, roads, existing/proposed residential areas, agricultural lands, important religious locations, educational institutions, ancient monuments, archeological places and other sensitive areas for 1 KM. radius from the units.
6	Detailed <b>manufacturing process</b> for each product along with detailed process flow chart.
7	Details of <b>Water Balance and wastewater balance</b> for process.
8	Details of <b>Material balance</b> for each products and process
9	<b>Land use classification</b> certificate as obtained from CMDA / DTCP/LPA

10	<b>Audited Balance sheets</b> indicating the existing Gross fixed Assets of the industry alone for the periods ending Previous financial Years (or) <b>Auditor's Certificate</b> with break up details for the Existing Gross fixed Assets for the periods ending Previous financial Years duly certified by a Chartered Accountant in the prescribed format.
11	<b>Consent fee under Water and Air Acts</b> payable to the Board.
12	<b>Ground water clearance</b> obtained from the competent Authority(If applicable).
13	<b>Sewage Treatment Plant(STP)</b> proposal which must contain details of design characteristics of sewage, treatment methodology, mode of disposal, design criteria for various units, detailed drawing of STP and its layout, diagram showing the hydraulic profile and mode of disposal of treated sewage and its adequacy(If applicable).
14	<b>Effluent Treatment Plant(ETP)</b> proposal which must contain details including breakup quantity of water requirement with sources, breakup quantity of trade effluent, sources of trade effluent, characteristics of wastewater, treatment methodology, mode of disposal, design criteria for various units, detailed drawing of ETP and its layout, diagram showing the hydraulic profile and mode of disposal of treated effluent and its adequacy(If applicable).
15	<b>Air pollution control (APC) measures</b> proposal which must contain the details regarding fuels used, sources of emission, characteristics, concentration and quality of pollutant, proposal along with design criteria and drawing for the proposed APC measures, adequacy of APC measures and stack, odour/noise causing operations and its specific odour/noise control measures(If applicable).
16	In case of hazardous chemicals used as raw materials, the <b>Material Safety Data Sheets (MSDS)</b> should be enclosed for each and every item. If the quantity of the hazardous chemicals handled is more than the threshold limit, the unit shall furnish any one or combination of the following documents as required under the <b>MSIHC Rules</b> (If applicable). <b>Risk assessment report/Onsite emergency preparedness plan/Off site emergency preparedness plan.</b>
17	In case of <b>transport of hazardous chemicals</b> , details of chemicals transported, method of transport and its safety measures (If applicable).

18	Industries attracting EIA Notification shall submit <b>Environmental Clearance</b> obtained from the MOEF/SEIAA along with the Environmental Impact Assessment Report (If applicable).
19	<b>CRZ clearance</b> obtained from the competent Authority (If applicable).

#### 4. 'CTE-Expansion-Water' and 'CTE-Expansion-Air'

Sl No	Enclosures to be accompanied
1	A covering <b>requisition letter</b> stating the status of the industry and Expansion activities clearly.
2	Detailed <b>manufacturing process</b> for each product along with detailed process flow chart.
3	Details of <b>Water Balance and waste water balance</b> for process.
4	Details of <b>Material balance</b> for each products and process
5	<b>Audited Balance sheets</b> indicating the <b>existing</b> Gross fixed Assets of the industry alone shall be enclosed and <b>Auditor's Certificate</b> with break up details for the <b>proposed</b> Gross fixed Assets duly certified by a Chartered Accountant in the prescribed format with existing and Proposed Expansion costs.
6	<b>Comparison statement</b> of the existing and expansion activities proposed in the prescribed format.
7	<b>Consent fee under Water and Air Acts</b> payable to the Board.
8	Copy of <b>sale Deed /Lease Deed</b> or any other relevant documents as proof to ensure possession of the site/factory for which application is made by the applicant <b>if any change due to Expansion.</b>
9	Copy of <b>Memorandum of Articles</b> in case of Public/Private sectors <b>or registered partnership deed</b> in case of partnership company <b>if any change due to Expansion.</b>
10	<b>Layout plan</b> showing the location of various process equipments, utilities like boiler, generator etc, effluent treatment plant, outlet location, non-hazardous and hazardous waste storage yard <b>if any change due to Expansion.</b>
12	<b>Land use classification</b> certificate as obtained from CMDA / DTCP/LPA <b>if any,</b>

	<b>additional land due to Expansion.</b>
<b>13</b>	<b>Ground water clearance</b> obtained from the competent Authority (If applicable).
<b>14</b>	<b>Sewage Treatment Plant(STP)</b> proposal which must contain details of design characteristics of sewage, treatment methodology, mode of disposal, design criteria for various units, detailed drawing of STP and its layout, diagram showing the hydraulic profile and mode of disposal of treated sewage and its adequacy(If applicable).
<b>15</b>	<b>Effluent Treatment Plant(ETP)</b> proposal which must contain details including breakup quantity of water requirement with sources, breakup quantity of trade effluent, sources of trade effluent, characteristics of wastewater, treatment methodology, mode of disposal, design criteria for various units, detailed drawing of ETP and its layout, diagram showing the hydraulic profile and mode of disposal of treated effluent and its adequacy(If applicable).
<b>16</b>	<b>Air pollution control (APC) measures</b> proposal which must contain the details regarding fuels used, sources of emission, characteristics, concentration and quality of pollutant, proposal along with design criteria and drawing for the proposed APC measures, adequacy of APC measures and stack, odour/noise causing operations and its specific odour/noise control measures(If applicable).
<b>17</b>	<b>In case of hazardous chemicals used as raw materials, the Material Safety Data Sheets (MSDS)</b> should be enclosed for each and every item. If the quantity of the hazardous chemicals handled is more than the threshold limit, the unit shall furnish any one or combination of the following documents as required under the <b>MSIHC Rules</b> (If applicable).: <b>Risk assessment report/Onsite emergency preparedness plan/Off site emergency preparedness plan.</b>
<b>18</b>	<b>In case of transport of hazardous chemicals</b> , details of chemicals transported, method of transport and its safety measures (If applicable).
<b>19</b>	Industries attracting EIA Notification shall submit <b>Environmental Clearance</b> obtained from the MOEF/SEIAA along with the Environmental Impact Assessment Report (If applicable).
<b>20</b>	<b>CRZ clearance</b> obtained from the competent Authority (If applicable).

#### 5. 'CTO-Expansion-Water' and 'CTO-Expansion-Air'

SI No	Enclosures to be accompanied
1	A covering <b>requisition letter</b> stating the status of the industry and Expansion activities clearly.
2	<b>Compliance statement</b> on the latest Renewal and CTE-Expansion-special conditions stipulated under Water & Air Acts
3	<b>Auditor's Certificate</b> with break up details for the actual Gross fixed Assets (final cost) duly certified by a Chartered Accountant in the prescribed format.
4	<b>Comparison statement</b> of the existing and expansion activities in the prescribed format.
5	<b>Photographs</b> of the provided measures of ETP/APC/ other compliances of conditions (If applicable).
6	<b>Agreement</b> with Common TSDF/ CBMWTF (If applicable).

#### 6. 'Renewal-Water' and 'Renewal- Air'

SI No	Enclosures to be accompanied
1	A covering <b>requisition letter</b> stating the status of the industry and activities clearly.
2	Details of production capacity, <b>actual products manufactured</b> in month wise during the previous financial year.
3	Details of <b>changes if any</b> in the quantity of <b>sewage/trade effluent</b> generated and mode of disposal of the same indicated against in the original consent order(If applicable).
4	Details of <b>changes if any</b> in the quantity of <b>emission</b> and number and height of chimney/stacks indicated against in the original consent order(If applicable).
5	Details of <b>changes if any</b> in the <b>name or in the management</b> of the company(If applicable).
6	A <b>consolidated report of analysis</b> of the treated sewage/ trade effluent samples collected by TNPCB Officials during the previous financial year (If applicable).

7	Latest reports of <b>AAQ, Stack Monitoring and Noise Level Survey</b> conducted through TNPCB lab during the previous financial year (If applicable).
8	<b>Compliance report</b> on the conditions of latest Hazardous waste Authorisation/Biomedical Waste Authorisation issued to the unit (If applicable).
9	<b>Compliance report</b> on the latest consent/renewal of consent order conditions stipulated under Water & Air Acts issued to the unit.
10	The <b>latest Audited Balance Sheet/Auditor's certificate</b> showing the Gross Fixed Assets (GFA) without depreciation of the unit in the prescribed format.
11	<b>Consent fee under Water and Air Acts</b> and water Cess fee under Water Cess Act payable to the Board.