

AGENDA ITEMS FOR 83rd MEETING OF THE TECHNICAL REVIEW COMMITTEE
(TRC)

Date: 28th December, 2023

Time: 4:00 PM onwards

Venue: Through Video Conferencing

Agenda 1. Representation from Tyre and Rubber Recyclers Association of India (TRRAI) for amendment in grant of permission of import of 50,000 MT/Annum of used tyre scrap for M/s Finster Black Private for manufacturing of recovered carbon black.

In 76th Meeting of TRC, the committee after detailed deliberation upon the issue recommended that the permission for import of 50000 MT of Used tyre scrap in baled/multicut form for production of Recovered Carbon Black (RCB) which will replace the virgin Carbon Black in manufacturing Industry, may be granted initially for a period of 3 years on pilot basis with following conditions to be levied while granting permission:

- i) The process should be result in a yield of RCB comparable to the yields being obtained in other well established plants for manufacture of RCB. 100% of the RCB produced by the units should be sold to manufacturer for replacing the virgin carbon black. The recovered other byproducts during the process should conform to relevant specifications and no part of the recovered carbon should go for energy recovery or any other use or to landfill.
- ii) The units should have commensurate electricity consumption.
- iii) The sale to the manufacturing units shall be verified through GST paid and other supporting evidence.
- iv) The permission will be issued only after verification from CPCB which will be carried out annually.
- v) Fresh Investment of minimum Rs. 25 crore from 1.4.2022 onwards.
- vi) Minimum land area of 5 acres of the unit.
- vii) The process should be completely automated and environment friendly with zero emission of carbon black particle in environment.
- viii) The RCB end product should be in the form of granule to check the dispersion in the environment.
- ix) Whole process of production of RCB form waste/scrap tyre should be completed in the same premises.

The above recommendation of TRC was approved by the competent authority in the Ministry. Subsequent to the above decision, TRRAI vide letter dated 6th April, 2023 has raised their concerns on the recommendations of TRC and requested Ministry to revisit the decision of TRC w.r.t. to the following points: -

- (i) Fresh Investment of minimum Rs. 25 crores from 1.4.2022 onwards.
- (ii) Minimum land area of 5 acres of the unit.
- (iii) Whole process of production of RCB form waste/scrap tyre should be competed in the same premises.

TRRAI has further requested that no permission for import of waste tyre for production of Recovered Carbon Black (RCB) should be granted till the decision on the above points.

The matter was then discussed in 78th & 82nd meeting of TRC. *In 82nd TRC meeting held on 8th November, 2023, after detailed deliberation on the issue the committee was of the opinion that TRRAI may provide the following details with proper justification if dilution is required in above policy:*

- *The minimum investment required for production of RCB subject to capacity processing along with capital investment*
- *Minimum land area required for such investment*
- *Quality of RCB being produced as per ASTM standard*
- *Demand of RCB with list of end users to assess the demand for import of waste tyre.*
- *The details of existing RCB manufacturers.*

TRRAI has submitted the reply vide email dated 24th November, 2023. **Accordingly, the matter is placed before the TRC for deliberation/decision.**

Agenda 2. Matter related to implementation of Hazardous and other waste (Management and Transboundary Movement) Rules, 2016 – referred by Central Pollution Control Board (CPCB) - reg.

CPCB informed that a meeting with operators of Common Hazardous Waste Treatment, Storage and Disposal Facilities (TSDF) was held on 23rd August, 2022 to discuss issues related to effective operation and maintenance of TSDFs. Thereafter, a meeting with SPCBs/PCCs was held on 1st November, 2022 to discuss the suggestions and comments received during the meetings with operators of TSDFs. The key issues are as follows:

- a) One time registration to the units exempted from authorization, so as to track hazardous waste even in small quantities [Rule 6.(1A)]
- b) Extension in time period for storage of hazardous waste by small generators (beyond 90 days). [Rule 8.(1)]
- c) Provision for the generation and reporting of incidental hazardous waste not specified in authorization. [Rule 6 and Form 2]
- d) Provision for the registration of Collection Centers which receives domestic hazardous waste in ULBs [New provision at Rule 6]
- e) Inclusion of residues generated from concentration or evaporation of industrial wastewater in Schedule I [at Sl. No. 35] of the Rules.
- f) Inclusion of Escrow account (as per the MoEF&CC O.M. dated 16/04/2009) for the post closure monitoring of the CHWTSDFs and occupiers of captive SLFs [Rule 16.(4) and Rule 21 – Schedule VII- (4)]

CPCB has requested that these issues may be referred to TRC for deliberation and recommendation.

The matter was last discussed in 82nd TRC meeting held on 8th November, 2023. The committee deliberated upon the above issues vis-à-vis comments/suggestion given by CPCB and has given recommendation w.r.t. point b), d) & e) and felt that on the below points more discussion is required for considered view/decision:

a) One time registration to the units exempted from authorization, so as to track hazardous waste even in small quantities [Rule 6.(1A)]

Issues: Rules 6.(1A) exempts authorization of hazardous waste generating industries which does not require CTE/CTO under Water Act, 1974 & Air Act 1981, such industries can handover hazardous waste to authorized waste collector. However, there is no provision for accounting the waste being generated and handled by such exempted occupiers. As per rules 18 & 19, the sender of hazardous and other waste is required to have an authorization and to provide manifest for movement of the waste, which is not possible in case of exempted units.

Representative of CPCB during discussion request the committee that for incidental generation of such wastes there would be one time authorization from concerned SPCBs/PCCs as per norms so that authorized TSDF accept it, yet the entities like medical colleges, hospitals etc. having expired chemicals or reactors etc. is just handling it over to authorized collection centers or set up by TSDF without any proper record and again the record keeping is not maintained during the handling.

Proposal of CPCB: In view, CPCB proposes that HOWM Rules, 2016 may incorporate provisions so that such exempted entities may be get registered on the Hazardous Waste Tracking Portal developed by CPCB for reporting the quantity of hazardous waste generated and handed over to the waste collector.

c) Provision for the generation and reporting of incidental hazardous waste not specified in authorization. [Rule 6 and Form 2]

Issue: CPCB observed that the industries are facing difficulty in reporting and management of hazardous wastes generated in their premises, which are not listed in their authorization. Sometimes hazardous wastes other than those listed in authorization are generated due to unforeseen conditions such as fire, natural calamity, chemical spill, etc. including the hazardous waste inadvertently missed out while granting authorization by SPCBs.

Proposal of CPCB: CPCB proposes to Amend Form 2 of HOW Rules, 2016 by incorporating a general condition that *‘any hazardous waste not listed in authorization granted by SPCB, But generated due to unforeseen conditions such as fire, natural calamity, chemical spill etc. including the hazardous waste not identified while granting authorization, may be sent to operator of the facility or actual user and the records of the same shall be maintained in Form 3 and reported while filing annual reports in Form 4’*.

f) Inclusion of Escrow account (as per the MoEF&CC O.M. dated 16/04/2009) for the post closure monitoring of the CHWTSDFs and occupiers of captive SLFs [Rule 16(4) and Rule 21 – Schedule VII- (4)]

CPCB referring to MOEF&CC O.M. issued vide dated 16/04/2009 directed for opening of Escrow Account wherein 5 % of Annual Turnover of Landfilable waste will be deposited to cater the expenditure involved in post closure period of SLFs such as monitoring and any contingency measures that may require due to failure of SLFs. Accordingly, CPCB has directed all SPCBs to ensure compliance of the same and accordingly the TSDFs have opened the Escrow Account and charging the generators for disposal of their wastes. The collected amount is being deposited annually in Recurring Fixed Deposits of Escrow Account. Further, as per said OM after successful completion of 30 years of post-closure phase, the balance amount in Escrow Accounts be transferred back to Operator of the facility.

Issues: common TSDF operators have raised that the interest accumulated in Escrow Account may be utilized for monitoring and maintenance of few closed cells of SLFs prior to closure of remaining cells of SLFs. The TSDF claims that SLFs are usually designed with Active life of 25 years, and SLF cells are operated & closed in phased manner, hence, requested usage of escrow account prior to closure of all cells. Further, SPCBs informed that there is non-uniformity in calculation of Annual Escrow Fund (for example: Annual Turnover in some States is calculated based on cost of landfilling alone excluding the cost of landfilling alone excluding the cost of transportation and handling).

Proposal of CPCB:

1. May consider inclusion of Escrow account (as per the MOEF & CC O.M dated 16/04/2009) for post closure monitoring of the CHWTSDFs and occupiers of captive SLFs under Rules 16 (4) and Rule 21 – Schedule vii- (4).
2. Escrow charges to be levied based on Annual Turnover of landfill able waste including cost of transportation, handling and disposal.
3. Since, the escrow amount is being collected from generators of wastes and there Is a possibility of adverse impact by closed SLF even beyond 30 years of post – closure period, CPCB and SPCB are of the view that unspent escrow amount, after completion of 30 years of post – closure phase may be retained with the SPCB/ PCC to cater contingencies that may emerge thereafter, rather than leaving the unspent fund with operator of the TSDF without any liability.

Accordingly, the matter is placed before the TRC for deliberation/decision.

Agenda 3. Request for inclusion of indigenously generated Non-Hazardous Industrial Waste in the definition of “Other waste” in the Hazardous and other waste (Management and Transboundary Movement) Second Amendment Rules, 2021 and allowing its utilization thereof in Waste-to-Energy Projects – representation by M/s Abellon Cleanenergy Limited, Ahmedabad, Gujarat- reg

M/s Abellon Cleanenergy Limited, Ahmedabad, Gujarat has stated that as per Hazardous and other waste (Management and Transboundary Movement) Second Amendment Rules, 2021 “other wastes” means wastes specified in Part B and Part D of SCHEDULE III for the purpose of import and export and include such indigenously produced wastes as may be notified from time to time, due to that they are facing problem in usage of indigenous non-hazardous “other- waste” in Waste to energy projects. They have requested the following:

- i. To notify indigenously produced wastes as listed in Schedule-III Part-B & Part-D of HWM Rules, 2016 so that the same are covered by the definition of “other wastes”
- ii. To direct CPCB to issue a clarification to SPCBs for granting consent to utilize indigenously generated non-hazardous industrial waste in Waste to energy projects having adequate emission control mechanism.
- iii. CPCB may also clarify and prescribe the procedure to be followed under the HoWM Rules, 2016, by the SPCBs while granting such consent.

The issue was last discussed in 82 TRC meeting held on 8th November, 2023 and it was decided that the matter will be further taken up in the next TRC meeting. Accordingly, the matter is placed before the TRC for deliberation/decision.

Agenda 4. Request for Import of Polysiloxane Wastage Solid, Semi-Solid or Liquid (Basel No. B3010) for manufacture of Silicone Monomers- representation by M/s Silicone International Products, Raigad, Maharashtra.

M/s Silicone International Products has stated that they are in operation since May 2003 and specialise in reprocessing off-spec Silicone streams into industrial grade medium viscosity Silicone Fluid, widely used in textile, rubber & tyre, foundry and chemical processing industries. The correct chemical name for Silicone Fluid is Dimethyl Polysiloxane (DMPS), and is organo-inorganic in nature. It is colourless liquid at ambient conditions, non-toxic, non-corrosive, non-flammable, bio-compatible, and immiscible with water. While there are very few Silicone reprocessing units in the world, they have mentioned that they are the only integrated one in India with mission is to recover over 90% Silicone present in input streams into industrial grade medium viscosity Silicone Fluid in an environmentally friendly and commercially viable way. The consumption of Silicones in India has been rising at the rate of 2X of the growth in GDP over last decade, but India’s current annual requirement of 30,000 MT falls way short of standard greenfield Chlorosilane plant capacity of 150,000 MT/year that requires handling of hazardous chemicals such as methanol, chlorine, hydrochloric acid, etc. besides huge capital investment of over USD 1 billion. This has actually hampered growth in consumption in India.

They have mentioned that they have been granted import permission till 2015. However, the item has now been moved to prohibited category under Schedule VI of HOWM Rules, 2016. The applicant has requested to shift Polysiloxane Waste (B 3010) for Reprocessing from “prohibited” to “restricted” category as before.

The matter was last discussed on 81st TRC held on 16th October, 2023, the committee deliberated upon the issue. The committee noted that Polysiloxanes waste (Solid Plastic Waste) having Basel No. B3011 falls under Schedule VI of HOWM Rules, 2016 and prohibited to import. The committee recommended that the details of the process through which this waste is generated, the sources of import and the process of recovery may be indicated. The Committee also desires to know from the applicant basis of claim that the above compound should be treated differently from other solid plastic waste prescribed under Schedule VI. Till then, the matter is deferred.

Silicon International Products has submitted the reply vide email dated 6th December, 2023. **Accordingly, the matter is placed before the TRC for deliberation/decision.**

Agenda 5. Any other item(s) with permission of the chair.
