

Manthan Adhyayan Kendra

Shripad Dharmadhikary,
Gat No. 571,
Near Swami Samarth Ashram,
Village Vithalwadi, Post Paud,
Taluka Mulshi, District Pune,
Maharashtra 412 108

Cell: 09552526472

www.manthan-india.org

Email: manthan.shripad@gmail.com

02 Jan 2017

A. K. Vidyarthi,
Central Pollution Control Board,
Government of India,
New Delhi.

Subject: Comments on the “Framework for Regulatory Control through Use of Continuous Real Time Effluent Quality & Air Emission Monitoring Data”

Dear A.K. Vidyarthi,

We write to you on behalf of Manthan Adhyayan Kendra, a group studying water and energy issues in the context of equitable, just and sustainable development. In particular, Manthan has been studying in detail issues related to coal and water pollution since last several years. The details about Manthan and the undersigned can be found on our website.

Please find below our comments on the above mentioned “Framework for Regulatory Control through Use of Continuous Real Time Effluent Quality & Air Emission Monitoring Data”.

OVERALL COMMENTS

- There is no provision for transparency, independent verification and monitoring, and no role for local affected communities in this protocol. We urge that mechanisms should be put in place to ensure all the three. We would like to suggest that the entire data from the CEMS (Continuous Effluent/Emission Monitoring System), all the alerts generated, the actions by industry, the actions by regulators and the subsequent reports should be available publicly. In particular, they should be available online for public access, as well as through other means which can help access by local communities. This will ensure that local people are informed about what is happening. This will create the space for independent verification and monitoring by concerned citizens, affected communities and civil society groups.
- The alerts protocol as proposed has role and opportunity for action only for regulators and industries, but no role or space for local communities or civil society organisations. This should be changed.

- A proper mechanism should be established to obtain comments and suggestions of local communities, independent experts and civil society groups for all alerts and related actions. The mechanism must ensure that industry will consider and reply to such comments and suggestions.
- The information about the precise locations of (a) emission and effluent discharge points of industries under consideration and (b) the CEMS monitoring instruments/points, with their Lat/Long – GPS coordinates, should be made publicly available and in particular displayed on MoEFCC, CPCB, Industry websites and at the gate of Industry. This will allow independent verification and corroboration of the alerts (or their absence) with the help of on ground visual and other observations where possible.

SPECIFIC COMMENTS

- The repetitions of a Yellow alert trigger an Orange or higher alert only after 36 occurrence in a 30 day period. This can create a problem in case of internet failure / power connectivity failure/sensor error. This failure over 4 hours triggers a yellow alert. However, the subsequent repetitions of a Yellow alert trigger an Orange or higher alert only after 36 occurrence in a 30 day period. This can potentially allow a daily internet failure/power connectivity failure / sensor error for 4 hours to pass without a higher alert for months in absence of other yellow alerts. This creates a possibility of misusing this 4 hour window to discharge high levels of pollutants. We therefore suggest that if a Yellow Alert for internet failure / power connectivity failure/sensor error for 4 hours is triggered twice in a moving 7 day period or four times in a moving 30 day period it should trigger an Orange alert.
- The time limit for of internet failure / power connectivity failure/sensor error for triggering a yellow alert, which is currently 4 hours, should be set in relation to the type and amount of effluents generated by individual units to ensure that this time window is not misused for discharging untreated effluents.

We hope that you will incorporate our suggestions in the final protocols.

We would be happy to provide any clarifications and further inputs on these.

Thanking you,

Sincerely,



Shripad Dharmadhikary,
JindaSandbhor

Manthan Adhyayan Kendra