

**MINUTES OF THE FOURTH MEETING OF THE STATE LEVEL
MONITORING COMMITTEE CONSTITUTED BY THE HON'BLE
NATIONAL GREEN TRIBUNAL HELD ON 08TH MAY 2019 AT HOTEL
CHAITHRAM, THIRUVANANTHAPURAM**

SLMC/KER/MNTS-4/2019

Present

1. Justice A.V. Ramakrishna Pillai, Chairman, SLMC
2. Smt. Sreekala. S, Member Secretary, SLMC (Member Secretary, KSPCB)
3. Sri. T. K. Jose IAS, Member, SLMC (Additional Chief Secretary, Local Self Government Department)
4. Dr. Usha Titus IAS, Member, SLMC (Principal Secretary, Environment Department)
5. Dr. Rajan Khobragade, Principal Secretary, Health and Family Welfare Department, duly authorized by the Additional Chief Secretary, Health and Family Welfare Department.

Participation:-

1. Smt. Soumini Jain, Mayor, Cochin Municipal Corporation
2. Sri. T.J. Vinod Deputy Mayor, Cochin Municipal Corporation
3. Smt. Shiny Antony Health Chairperson, Kalamassery Municipality
4. Dr. Ajit Haridas, Chairman , Kerala State Pollution Control Board
5. Sri. R. Subash, Deputy Secretary, Water Resources Department & Nodal Officer, SLMC
6. Smt. Minimol D., Deputy Secretary, Local Self Government Department & Nodal Officer, SLMC
7. Smt. Saritha D. Deputy Secretary, Health & Family Welfare Department & Nodal Officer, SLMC
8. Sri. Thrideep Kumar M.P., Environmental Engineer, KSPCB & Nodal Officer, SLMC
9. Sri. Vinayan K.P. Secretary, Cochin Corporation
10. Sri. B. Anilkumar, Secretary, Kalamassery Municipality
11. Dr. R.Ajayakumar Varma, Executive Director, Suchitwa Mission
12. Dr. Ummuselma, Joint Director (Health), Department of Urban Affairs
13. Smt. Sindhu L, Special Secretary, LSGD

14. Sri. P. Kesavan Nair MD, Clean Kerala Company Limited
15. Sri. Abdul Bashier K.A. Member (V.P.G.P)
16. Adv. Varghese K. Paul, Council for the petitioner
17. Sri. Titus.H, Environmental Engineer, Kochi Corporation
18. Sri. C.Thomas Joshi, HS, Kochi Corporation
19. Sri. Kiran Surya.K.T, Environmental Engineer, Kochi Corporation
20. Sri. Renju.R.Pillai, Senior Consultant (Design),Suchitwa Mission.
21. Sri. Baburajan P.K., Chief Environmental Engineer , KSPCB, HO
- 22.Sri. Bajju M. A., Chief Environmental Engineer , Regional Office, KSPCB
23. Dr. Sheela A. M., Senior Environmental Engineer, Head Office, KSPCB
- 24.Smt. Mini Mary Sam, Environmental Engineer, KSPCB,DO-1,EKM
25. Smt. P.B. Sreelakshmy, Environmental Engineer, KSPCB,ESC, Eloor
26. Smt. Resmi.R.Russel, Assistant Engineer, KSPCB
27. Smt. Aaisha Jabeen, Assistant Engineer, KSPCB
- 28.Smt. Soumya.M.Das, Assistant Engineer, KSPCB
29. Sri. Blessen Thomas, System Analyst , KSPCB

The Chairman welcomed all members and other participants.

Appearance on permission

1. Mr.Varghese Paul, Advocate, High Court of Kerala, the learned Counsel for the applicants in O.A.No.533/18 and connected cases pending before the National Green Tribunal.
2. Member of Vadavucode - Puthencruz Grama Panchayath, the applicant in one of the aforesaid O.As.

AGENDA ITEMS DISCUSSED

1. Approval of minutes of the third meeting of SLMC

The minutes of the third meeting of the SLMC held on 06/04/2019 was approved.

2. Issues relating to O.A. No. 533/2018, 534/2018 & 535/2018 on Brahmapuram Solid Waste Yard, Ernakulam

Adv.Varghese K. Paul, the learned Counsel appearing for the applicant in O.A.No.533, 534 & 535 of 2018 before the Hon'ble NGT was present in the meeting along with the Member VPGP who is the applicant in one of the aforesaid



OAs to share their views on the Brahmapuram issue. The main issues raised by them before the SLMC are as follows:

- (1) Waste transportation in the city is in uncovered vehicles causing spillage of waste and leachate especially in steep slopes causing environmental pollution.
- (2) Un segregated waste is deposited in the wetland coming within the Coastal Regulation Zone. The waste so deposited include electronic wastes also.
- (3) Wetland is filled with plastic waste in spite of the prohibition of reclamation of wetland.
- (4) Leachate from the dumping yard reaches directly to the Kadambrayar.
- (5) Several loads of septage are brought to the treatment plant which is beyond its capacity, thereby causing percolation of septage to Kadambrayar, as well as to nearby water sources including wells in the dwelling house.
- (6) During the fire hazard happened recently smoke spread to a radius of nearly 10km causing air pollution. Study has to be conducted by NIIST on the damage caused due to the burning of waste.
- (7) A panchayath road leading to the lake is closed by the Corporation
- (8) Stray dogs which are attracted to the dumping yard on account of bio-waste, are causing menace in the locality.

After hearing the grievances of the learned Counsel as well as the petitioner, the Corporation of Kochi was asked by the Chairman, SLMC to give specific replies to the grievances projected above and to explain the action taken by them in this regard.

It was informed by the Hon'ble Mayor, Kochi Corporation that action has already been initiated to ensure segregation of waste at source. Log books have been provided to the vehicles carrying waste. It was informed that 390-400 TPD of waste reaches the yard daily. It was further pointed out that directions were given to modify trucks providing top cover and tank for collecting the leachate. The proposals received for the disposal of legacy waste were forwarded to the Kerala State Pollution Control Board for advice. As part of strengthening the security system, five additional security men were deployed. Three 5 HP pumps were fixed near the southern boundary for pumping water to the dump yard to control the heat generated and to prevent further chances of fire. Wastes on the southern side were cleared so as to



form roads providing easy access in case of emergency. Two cameras have been installed for surveillance. Action is being taken to install more number of cameras. The use of personal protective equipments among the workers has been enforced. The proposal for bio-mining would be placed in the next Council. Sheet piling was already done in order to prevent discharge of leachate into the Kadambayar. Environmental clearance is awaited for the installation of 'waste to energy' plant.

The Environmental Engineer Kochi Corporation made a detailed power point presentation supporting the statements of Hon'ble Mayor.

The Chairman, SLMC pointed out the likelihood of aggravating the percolation of leachate into Kadambayar during rainy season. As the entire waste is kept on the open ground, it may cause serious environmental issues, it was pointed out. The inadequacy of the present leachate drains and leachate collection facilities provided were also pointed out by the Chairman and the immediate need to rectify those defects were stressed. If the aforesaid remedial measures are not likely to be completed before the on set of next monsoon, the possibility of transportation of collected leachate to other treatment plants in the district has to be explored; it was advised.

The Additional Chief Secretary Local Self Government opined that significant progress in waste management has to be made by the Kochi Corporation. It was also pointed out that the progress report submitted by the Corporation is vague and it was insisted that the same be specific. The information gathered by the ACS that wastes are being dumped on the side of the Bypass Road, inspite of the declaration of the same as Zero Waste Road was shared in the meeting. Therefore, frequent inspection by the squad was insisted.

The Chairman, Kerala State Pollution Control Board informed that the STP at Elamkulam was found to be not working during the inspection on 07/05/2019. Machines were not working. Mayor, Cochi Municipal Corporation stated that pumping station near Maharaja's College is working only from 9 am to 5 pm, and hence STP machinery is operated by KWA only during daytime.

The following resolutions were taken in the matter.

- (1) Necessary action shall be taken to ensure 100% segregation of wastes before reaching the Brahmapuram Plant **within 40 days.**



- (2) Three more roads ie, Subash Chandrabose Road, K B Jacob Road, and BOT Bridge to Alexander Parambithara Road shall be made 'Zero Waste Road'.
- (3) Heavy fining/ more surveillance cameras/strict squad mechanism shall be in place to prevent waste dumping on roads.
- (4) Bid documents shall be submitted to the Kerala State Pollution Control Board, Head Office for evaluation.
- (5) Use of personal protective equipments by the health workers shall be enforced.
- (6) As an initiative, part of dumping site (10m x 10m) shall be segregated by engaging ex-service men society to determine composition at dump site. Bio-mining of legacy waste shall be done involving technical expert.
- (7) The windrow compost plant shall be properly enclosed and protected with sufficient roofing, before rainy season.
- (8) Modification in the leachate drain shall be scientifically done and temporary leachate treatment plant shall be made operational immediately. If the aforesaid remedial measures are not likely to be completed before the coming monsoon, the leachate collected shall be transmitted to the leachate treatment plant at Willington Island which is reportedly working properly.
- (9) Time bound proposal shall be submitted to KSPCB for permanent solution relating to leachate treatment.
- (10) Instruction has to be given to the contractor, to remove the manure (compost) from the site at the earliest.
- (11) Sewage generated in the city and its present disposal are to be got assessed by the Kerala Water Authority. Time bound action plan for sewage treatment has to be submitted by Kerala Water Authority. Corporation shall make request in this regard to the Water Authority on the strength of this direction.
- (12) Proper working of STP at Elamkulam has to be ensured by Kerala Water Authority. The Corporation shall ensure compliance without delay.

Also resolved that a local inspection of the Brahmapuram site be conducted during the second half of May 2019.



3. Discussion on waste disposal and management of Kalamassery Municipality

The Chairman, SLMC informed that even after repeated directions regarding waste management from the Kerala State Pollution Control Board, the Kalamassery Municipality has not taken any earnest step to implement those directions. Also, they have not provided adequate leachate treatment facility. No proper segregation of waste is being carried out. The waste water from the Kalamassery Market, sewage from Kalamassery Township, leachate from the waste dumping yard etc., reaches Periyar. This is the cause of fish kill observed recently in Periyar.

The Additional Chief Secretary, Local Self Government pointed out that the reply submitted by the Kalamassery Municipality to the notice issued by the Kerala State Pollution Control Board is not proper. Hence time bound action plan has to be submitted to Kerala State Pollution Control Board within 7 days.

The following resolution were taken in the meeting:

- (1) Kalamassery Municipality shall give specific reply to the notice issued by the Kerala State Pollution Control Board within 7 days.
- (2) Specific and detailed time bound action plan has to be submitted by the Municipality to the Kerala State Pollution Control Board, within 7 days.
- (3) Mechanized system shall be adopted for the disposal of legacy waste.
- (4) Heavy fining/ surveillance cameras/ strict squad are to be implemented to prevent waste dumping on roads.
- (5) Segregation of wastes at source shall be insisted up on.
- (6) The waste transporting vehicles are to be provided with adequate cover, leachate collection tank and logbook.
- (7) Adequate personal protective equipments shall be provided to workers and they should be compelled to wear the same.
- (8) The deposit of wastes on roads and other public places has to be prohibited
- (9) Haritha Karma Sena has to be deployed for the door to door collection.
- (10) The report on the action taken shall be submitted to the SLMC before next meeting.



4. Discussion with respect to order in E.A.No. 13/2019 in O.A.No. 247/2019 regarding Plastic Action Plan

The Hon'ble NGT vide order dated 12/03/2019 in EA No. 13/2019 directed the State to furnish report in terms of Rule 13 to the Central Pollution Control Board on or before 30.04.2019. The Chairiman, KSPCB has stated that, in compliance of the aforesaid order, the action plan has been submitted by the Kerala State Pollution Control Board to the Central Pollution Control Board. A copy of the same was produced before the SLMC which is appended as **Annexure-A** to these minutes. It was also submitted that a Technical Committee was constituted by the Government to list out the plastic products/items that need to be brought into the ambit of complete ban and the Committee has submitted its report to the Government.

The following resolution were taken in the meeting:

- 1) Urgent necessary action has to be taken by the State to ensure compliance reports in terms of Rule 13. Their respective action plans in compliance of Plastic Waste Management Rules 2016 be prepared and furnished to CPCB as per the Hon'ble NGT Order dated 12.03.2019 in O.A no 247 of 2017.
- 2) The report of the Technical Committee shall be obtained by the KSPCB and the same shall be placed before the next meeting of the SLMC.

(5) Discussions with respect to O.A no 710 of 2017 regarding Bio Medical Waste Management Rules 2016

The Chairman SLMC directed the Health Department to constitute an Advisory Committee under the chairmanship of the respective Health Secretary to oversee the implementation of the rules in the State and to advice any improvements as per section 11 of the Bio Medical Waste Management Rule 2016. Chairman, SLMC also mentioned about the constitution of the District Level Monitoring Committee in the districts. The Principal Secretary, Health & Family Welfare Department agreed to constitute the aforesaid Committees as per the Bio Medical Waste Management Rule 2016.

The Chairman, KSPCB informed about the improper segregation of bio-medical wastes done by the Kottayam Medical College. The Chairman, SLMC

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directed the Health Department to take necessary action to comply with the norms laid down under the Rules to ensure scientific segregation and handling of bio-medical waste. The Principal Secretary, Health & Family Welfare Department informed the Committee that he would look into the matter and give necessary directions to avoid complaints in future.

The following resolution were taken in the meeting:

- 1) Constitution of Advisory Committee and District Level Monitoring Committee in the districts as per the Bio Medical Waste Management Rules, 2016 shall be done by the Health and Family Welfare Department.
- 2) Necessary directions shall be issued by the Health and Family Welfare Department to the Health Care Facilities (HCFs) to comply with the norms laid down under the Rules to ensure scientific segregation and handling of bio medical waste. Appropriate action shall be taken against the defaulters.
- 3) Urgent necessary action has to be taken by the State to prepare action plan in compliance with BMW Rules, 2016 and the same be furnished to CPCB as per the Order of the Hon'ble NGT in O.A No 710 of 2017 dated 12/03/2019.
- 4) As the BMW Rules, 2016 provides for bringing veterinary hospitals to the ambit of the Board, the Additional Chief Secretary, Animal Husbandry Department has to be invited for next meeting.

6) General Discussion

The Chairman SLMC directed that copies of reports by various departments be forwarded to the e-mail id : chairman.slmckerala@gmail.com with copy to the Kerala State Pollution Control Board (to the e-mail id; slmckerala2019@gmail.com).

The Chairman, SLMC thanked all the participants. The meeting concluded at 4.45pm.


CHAIRMAN

**ACTION PLAN FOR COMPLIANCE OF PLASTIC WASTE MANAGEMENT RULES,
2016 BY KERALA STATE POLLUTION CONTROL BOARD**

	Activity	Timeline	Action
1.	Establishing system of EPR responsibility, collection of used bottles/multilayer cartons.	1 month	1.1 Seminar with brand owners/producers. 1.2 Establish collection centers at major retail outlets. 1.3 Deposit refund schemes to incentivize return of used containers.
2.	Identification of producers/recyclers/manufacturer who have not carried out EPR as per Rule 13 of the Plastic Waste Management Rules, 2016 and initiate action against violators.	31-7-2019	2.1 Collection of data from GST department 2.2 Check whether producers/recycler/manufacturers have submitted action plan endorsed by the Secretary, in charge of Urban Development as per Rule 13(6) of the Plastic Waste Management Rules, 2016 2.3 Issue of notice in case of violation
3.	Inventorisation of plastic manufacturers, producers, brand owners, recyclers of plastic products The quantification of plastic used for road tarring and given to registered recyclers is to be done	31-7-2019	3.1 Letter to Industries Department for the list of all manufacturers, and producers of plastic products/ plastic raw materials 3.2 Letter to GST department for the list of plastic producers/brand owners in the State 3.3 Collection of data from recyclers, producers/brand owners in the State
4.	Submission of annual report for the period 2018-19	Every person engaged in recycling or processing of plastic waste to local bodies by 30-4-2019 to SPCB	4.1 Collection of data from recycler or re-processor and from local bodies and to submit compiled data 4.2 Submission of compiled data to Central Pollution Control Board

		Local body to SPCB by 30-6-2019	
		SPCB to CPCB by 31-7-2019	
5.	Take steps to prevent the entry of plastic carry bags less than 50 microns to Kerala from other states	31-8-2019	5.1 Address concerned bodies to prevent the entry of carry bags less than 50 microns to enter through checkpost 5.2 Address all local bodies to take action against shops in case of non compliance
6.	Identification of plastic manufacturers/producer s/brand owners those who have not applied/obtained authorization from the Board and initiate action against violators	31-8-2019	6.1 Issue of legal notice and notice for environmental compensation to industries which have not applied/obtained authorization 6.2 Submit the list of such units and report the action taken
7.	Identification of brand owners/producers/importers who have not carried out EPR as per Rule 9 of the Plastic Waste Management Rules, 2016 and initiate action against violators	31-8-2019	7.1 Check whether producers/brand owners/importers have submitted action plan as per Rule9 by those who have obtained/ renewed consent to operate 7.2 Issue of notice in case of violation 7.3 Submission of report to HO
8.	Monitoring the compliance of conditions of consent to brand owners/producers/importers and initiate action against violators	31-11-2019	8.1 Issue of notice to units in case of violation of rules 8.2 Submission of report to HO
9.	Monitoring the compliance of conditions of registration to producers/recyclers/man	31-10-2019	9.1 Issue of notice to units in case of violation of rules 9.2 Submission of report to HO

	ufacturers and initiate action against violators Checking on marking and labeling as per Rule 11 of the Plastic Waste Management Rules		
10.	Monitoring on the use of plastic waste for road tarring and by registered recyclers and check the quantity and monitor the process Monitor the arrangements made for the collection, storage, transfer for processing	31-11-2019	10.1 Check whether the plastic waste is used for road tarring by local bodies 10.2 Check whether any accumulation of plastic wastes in MCFs, RRFs, 10.3 Check whether the plastic waste is transferred to registered recyclers.
11.	There shall not be open burning of plastic wastes	31-8-2019	11.1 If open burning is noticed, issue notice to the concerned 11.2 Report progress to HO
12.	Awareness programmes on EPR authorisation	31-5-2019	12.1 Collection of details namely name, address and e-mail ID of producers/manufacture/brand owners from GST department 12.2 Chart out programme schedule for the workshop

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