

PART 1 : SECTION (i) – GENERAL

Government Notification

National Environmental Act, No. 47 OF 1980

REGULATIONS made by the President under section 32 of the National Environmental Act, No. 47 of 1980, as amended by Act No. 56 of 1988, read with Article 44(2) of the Constitution

**R. PREMADASA
PRESIDENT**

Colombo , 08.01.1990

Regulations

1. These regulations may be cited as the National Environmental (Protection & Quality) Regulations, No 01 1990.
2. No person shall, on or after the relevant date discharge, deposit or emit waste into the environment which will cause pollution, or cause noise pollution, except:
 - (a) Under the authority of a licence issued by the Central Environmental Authority (hereinafter referred to as “the Authority”); and
 - (b) In accordance with the standards and criteria specified in Schedule I hereto:

Provided that, where a licensee who does not conform to the standards or criteria specified herein, is at the discretion of the Authority, directed to implement a programme of action within a specified period, so as to conform to the aforesaid standards and criteria and to observe certain conditions during such period such licensee shall, so long as he observes such conditions, be deemed to comply with the preceding provisions of this regulation.
3. Notwithstanding anything contained in regulation 2, the Authority may, by a direction issued under regulation 13, impose more stringent standards and criteria than those specified in Schedule 1 hereto in respect of any particular industry,

operation or process, having regard to the need to protect the receiving environment.

4. Where an activity in respect of which an application for a licence is made is not covered by the standards and criteria specified in Schedule I hereto, the Authority will decide on such application on its merits and the applicant shall comply with all such directions as may be issued to him by the Authority for the protection of the environment.
5. The licence issued under these regulations shall be known as the "Environmental Protection Licence" (hereinafter referred to as "the licence")

a. 6. (1) *An application for the licence shall be made:-*

- (a) separately, in respect of each premises at which the acts authorized by the licence are carried out:
 - (b) substantially in Form A in Schedule II hereto:
 - (c) accompanied by a receipt for the payment of the fee specified in Schedule III hereto:
 - (d) at least 30 days prior to the relevant date or to the date on which the applicant is required to have the licence, whichever is earlier.
- (2) For the purpose of these regulations "premises" means the totality of buildings and installations used separately or in combination to carry out the acts authorized by the licence.
 - (3) Every applicant shall furnish all such particulars as may be required to be stated in the aforesaid Form A and any other information that may be called for by the Authority for the purpose of deciding on the application.

7. *Every licence issued by the Authority shall be :*

- (a) in Form B in Schedule II hereto:
- (b) valid for a period of one year, subject to any suspension or cancellation of the licence under section 23D of the Act: and
- (c) renewable

8. *The Authority shall issue the licence only if it is satisfied that: -*

- (a) the licence will not be used to contravene the provisions of the Act or these regulations:
- (b) no irreversible damage or hazard to man and environment or any nuisance will result from the acts authorized by the licence:
- (c) the applicant has taken adequate steps for the protection of the environment in accordance with the requirements of the Law.

9. (1) *An application for a renewal of a licence shall be made:-*

- (a) at least on month before the date of expiry of the licence or one month before effecting any changes, alterations, or extensions to the premises at which the acts authorized by the licence are carried out, as the case may be;
 - (b) substantially in Form C in Schedule II hereto;
 - (c) accompanied by a receipt for the payment of the fee for the renewal of licence specified in Schedule III hereto.
- (2) Every applicant for a renewal of the licences shall furnish all such particulars as may be required to be stated in the aforesaid Form C and any other information that may be called for by the Authority for the purpose of deciding on the application.

10. The Authority may, before issuing an order suspending or cancelling a licence under section 23D of the Act give due the holder of the licence an opportunity to show cause why such order should not be issued:

Provided that, where, since the issue of the licence, the receiving environment has been altered or changed due to natural factors or otherwise or where continued discharge, deposition or emission of waste into the environment under the licence will or could affect any beneficial use adversely, the Authority shall forthwith issue an order suspending the licence for a period to be specified in the order or cancel such licence.

11. (1) Any applicant for a licence who is aggrieved by the refusal of the Authority to grant a licence, or, any holder of a licence who is aggrieved by the suspension or cancellation of a licence or the refusal to renew a licence may, within thirty days after the date of notification of such decision to him, appeal in writing against such refusal, suspension, cancellation or refusal to renew, to the Secretary of the Ministry in-charge of the subject of Policy Planning and Implementation.
- (2) Such applicant shall be given an opportunity of making representations in person or by authorized representative in connection with his appeal.
- (3) The Secretary may set aside, vary or confirm the decision appealed from, and the Authority shall give effect to the Secretary's decision.
- (4) The decision of the Secretary shall be final and conclusive.

12. *The holder of a licence shall forthwith notify the Authority of :-*

- (a) *Any changes made or proposed to be made in the particulars furnished in connection with his application for a licence:*
- (b) Any decision to terminate any activity to which the licence relates:

and shall comply with any directions that may be issued by the Authority to prevent or mitigate environmental pollution and hazards.

13. Every applicant or every holder of a licence shall comply with any direction given by or on behalf of the Authority for the purpose of protecting the environment.
14. Every person who acts in contravention of any regulations commits an offence punishable under section 31 of the Act.
15. *In these regulations:-*

“The Act” means the National Environmental Act, No 47 of 1980 as amended by Act No. 56 of 1988.

SCHEDULE I:

GENERAL STANDARDS FOR DISCHARGE OF EFFLUENTS INTO INLAND SURFACE WATERS

NO	DETERMINANT	TOLERANCE LIMIT
1	Total Suspended Solids, mg/l,max	50
2	Particle size of total suspended solids	Shall pass sieve of aperture size 850 micro m.
3	pH value at ambient temperature	6.0 to 8.5
4	Biochemical Oxygen Demand-BOD ₅ in 5 days at 20°C, mg/l,max	30
5	Temperature of discharge	shall no exceed 40°C in any Section of the Stream within 15 m down stream from the effluent outlet.
6	Oils and greases, mg/l, max	10.0
7	Phenolic Compounds (as phenolic OH)mg/l, max	1.0
8	Cyandes as (CN) mg/l, max	0.2
9	Sulfides, mg/l, max	2.0
10	Flourides, mg/l, max	2.0
11	Total residual chlorine mg/l, max	1.0
12	Arsenic, mg/l, max	0.2
13	Cadmium total, mg/I, max	0.1
14	Chromium total, mg/l, max	0.1
15	Copper total, mg/l, max	3.0
16	Lead, total, mg/l, max	0.1
17	Mercury total, mg/l, max	0.0005
18	Nickel total, mg/l, max	3.0
19	Selenium total, mg/l, mg	0.05
20	Zinc total, mg/l, max	5.0
21	Ammoniacal nitrogen, mg/l, max	50.0
22	Pesticides	Undetectable
23	Radio active material	
	(a) Alpha emitters micro curie/ml	10 ⁻⁷
	(b) Beta-emitters micro curie/ml	10 ⁻⁸
24	Chemical Oxygen Demand (COD),	250

mg/l, max

Note 1: All efforts should be made to remove colour and unpleasant odour as far as possible.

Note 2: These values are based on dilution of effluents by at least 8 volumes of clean receiving water. If the dilution is below 8 times, the permissible limits are multiplied by 1/8 of the actual dilution.

Note 3: The above mentioned General Standards cease to apply with regard to a particular industry when industry specific standards are notified for that industry.

TOLERANCE LIMITS FOR INDUSTRIAL EFFLUENTS DISCHARGED ON LAND FOR IRRIGATION PURPOSE

No	Determinant	Tolerance Limit
1	Total dissolved solid, mg/l, max	2100
2	pH value ambient temperature	5.5 to 9.0
3	Biochemical Oxygen Demand (BOD ₅) in 5 days at 20°C, mg/l, max	250
4	Oils and grease, mg/l, max.	10.0
5	Chloride (as Cl), mg/l, max.	600
6	Sulfate (as SO ₄), mg/l, max.	1000
7	Boron (as B), mg/l, max.	2.0
8	Arsenic (as As), mg/l, max.	0.2
9	Cadmium (as Cd), mg/l, max.	2.0
10	Chromium (as Cr), mg/l, max.	1.0
11	Lead (as Pb), mg/l, max.	1.0
12	Mercury (as Hg), mg/l, max.	0.01
13	Sodium adsorption ratio, (SAR)	10 to 15
14	Residual Sodium Carbonate, mol/l, max	2.5
15	Radio active material:	
	(a) Alpha emitters, micro curie/ml	10 ⁻⁹
	(b) Beta emitters, micro curie/ml	10 ⁻⁸

TOLERANCE LIMITS FOR INDUSTRIAL AND DOMESTIC EFFLUENTS DISCHARGED INTO MARINE COASTAL AREAS

NO	DETERMINANT	TOLERANCE LIMIT
1	Total Suspended Solids, mg/l, max.	
	(a) For process waste waters	150
	(b) For cooling water effluents	Total suspended matter content of influent cooling

		water plus 10
2	Particle size of –	
	(a) Floatable Solids, max	3 mm
	(b) Settlable solids, max	850 micro m.
3	pH range at ambient temperature	6.0 – 8.5
4	Biochemical Oxygen Demand (BOD ₅) in 5 days at 20°C, mg/l, max	100
5	Temperature, max	45°C at the point of discharge
6	Oils and grease, mg/l, max.	20
7	Residual Chlorine, mg/l, max	1.0
8	Ammonical Nitrogen mg/l, max.	50.0
9	Chemical Oxygen Demand (COD) mg/l, max	250
10	Phenolic compounds (as phenolic OH)mg/l, max.	5.0
11	Cyanides (as CN) mg/l, max	0.2
12	Sulfides (as S), mg/l, max	5.0
13	Fluorides (as F), mg/l, max.	15
14	Arsenic (as As) mg/l, max.	0.2
15	Cadmium (as Cd) Total, mg/l, max.	2.0
16	Chromium (as Cr) Total, mg/l, max.	1.0
17	Copper (as Cu) total, mg/l, max.	3.0
18	Lead (as Pb) total. Mg/l, max.	1.0
19	Mercury (as HG) total, mg/l, max.	0.01
20	Nickel (as Ni) total, mg/l, max.	5.0
21	Selenium (as Se) total, mg/l, max.	0.05
22	Zinc (as Zn) total, mg/l, max.	5.0
23	Radio active material	
	(a) Alpha emitters, micro curie/ml, max	10 ⁻⁸
	(b) Beta emitters, micro curie/ml, max	10 ⁻⁷
24	Organo – Phosphorus compounds	1.0
25	Chlorinated hydrocarbons (as Cl), mg/l, max.	0.02

Note 1: All efforts should be made to remove colour and unpleasant odour as far as practicable.

Note 2: These values are based on dilution of effluents by at least 8 volumes of clean receiving water. If the dilution is below 8 times, the permissible limits are multiplied by 1/8 of the actual dilution.

**TOLERANCE LIMITS FOR
EFFLUENTS FROM RUBBER FACTORIES
DISCHARGED INTO INLAND SURFACE WATERS**

NO	DETERMINANT	TOLERANCE LIMIT
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	Type I Factories*	Type II Factories**
1 pH value at ambient temperature	6.5 to 8.5	6.5 to 8.5
2 Total suspended solids, mg/l, max	100	100
3 Total solids, mg/l, max	1500	1000
4 Biochemical Oxygen Demand (BOD ₅) in 5 days at 20°C, mg/l, max	60	50
5 Chemical Oxygen Demand(COD) mg/l, max	400	400
6 Total Nitrogen, mg/l, max	300	60
7 Ammoniacal Nitrogen, mg/l,max	300	40
8 Sulfides, mg/l, max	2.0	2.0

*Type I Factories - Latex Concentrate

**Type II Factories - Standard Lanka Rubber; Crepe Rubber and Ribbed Smoked Sheets

Note I: All efforts should be made to remove colour and unpleasant odour as far as practicable

Note II: These values are based on dilution of effluents by a least 8 volumes of clean receiving water. If the dilution is below 8 times, the permissible limits are multiplied by 1/8 of the actual dilution.

**TOLERANCE LIMITS FOR
EFFLUENTS FROM TEXTILE INDUSTRY
DISCHARGED INTO INLAND SURFACE WATERS**

NO	DETERMINANT	TOLERANCE LIMIT
1	pH value at ambient temperature	6.5 to 8.5
2	Temperature, °C/cm max	40 measured at site of sampling
3	Total suspended solids, mg/l, max	50
4	Biochemical Oxygen Demand (BOD ₅) in 5 days at 20°C, mg/l, max	60
5	Chemical Oxygen Demand(COD) mg/l, max	250
6	Oils and grease, mg/l, max.	10.0
7	Phenolic compounds (as phenolic OH), mg/l, max.	1.0
8	Sulfides, mg/l, max	2.0
9	Chromium total, mg/l, max	2.0
10	Hexavalent chromium, mg/l, max.	0.5
11	Copper, total, mg/l, max.	3.0
12	Zinc total, mg/l, max.	5.0
13	Ammoniacal nitrogen, mg/l, max.	60
14	Chloride (as Cl) mg/l, max.	70

Note I: All efforts should be made to remove colour and unpleasant odour as far as practicable.

Note II: These values are based on dilution of effluents by at least 8 volumes of clean receiving water. If the dilution is below 8 times, the permissible limits are multiplied by 1/8 of the actual dilution.

TOLERANCE LIMITS FOR EFFLUENTS FROM TANNING INDUSTRY

NO	DETERMINANT	TOLERANCE LIMITS FOR EFFLUENT	
		<i>Discharged into Inland Surface Waters</i>	<i>Discharged into Marine Coastal Areas</i>
1	pH value at ambient temperature	5.5 to 9.0	5.5 to 9.0
2	Total suspended solids, mg/l, max	100	150
3	Biochemical Oxygen Demand (BOD ₅) in 5 days at 20°C, mg/l, max	60	100
4	Chemical Oxygen Demand(COD) mg/l, max	250	300
5	Alkalinity (as CaCO ₃), mg/l,max.	750	Not applicable
6	Chloride (as Cl), mg/ l, max.	1000	Not applicable
7	Hexavalent chromium, mg/l, max.	0.5	0.5
8	Chromium total, mg/l, max	2.0	2.0
9	Oils and grease, mg/l, max.	10.0	20.0
10	Phenolic compounds (as phenolic OH), mg/l, max.	1.0	5.0
11	Sulfides, mg/l, max	2.0	5.0

Note I: All efforts should be made to remove colour and unpleasant odour as far as practicable.

Note II: These values are based on dilution of effluents by a least 8 volumes of clean receiving water. If the dilution is below 8 times, the permissible limits are multiplied by 1/8 of the actual dilution.

SCHEDULE II

Form A

National Environmental Act, No 47 of 1980

ENVIRONMENTAL PROTECTION LICENCE APPLICATION

Application No:
Date :

Sector: _____
Category: _____

Name of Industry:

Type of Industry: /Manufacture/Assembly/Formulation/Repacking/
Processing/other (specify)

Name of Applicant:

Postal : Address
Telephone No :

1.-1 GENERAL DESCRIPTION OF INDUSTRY

1.1 Nature of Industry:

1.2 Location of Industry:

(Location map and a clear route sketch with land marks to the site to be annexed.)

Address:

1.3 Name of local authority:

1.4 Is the site within an approved Industrial Zone?;

1.5 Amount of Capital Investment:

Local:

Foreign:

1.6 Date of commencement of operation:

1.7 No. of Shifts/Day and Times:

1.8 No. of Workers in Each Shift:

1.9 A List of permits obtained from Local or State Authorities permitting the Establishment and Operation of the Industry.

(Please attach photocopies):

	Name	Date of Issue	Date of Expiry
(a)
(b)
(c)
(d)
(e)

1.10 Land use of the area within 5 km radius – Residential / Commercial / Agricultural / Open Space / Public area / Marshy lands / salt Marshy Land/ Mangrove / Natural Reserve/Other (specify):

1.11 List of existing industries/Institutions / Agricultural land within 2 km radius:

1.12 Land available for treatment plan:

2. MANUFACTURING PROCESS

2.1. List of main manufactured products and capacities:

2.2. List of by – products:

2.3. Process Details:

2.3.1. A brief description of the processes used (attach process flow diagram):

2.3.2. Raw materials used:
(State item wise quantity /day at all stages of manufacture)

2.3.3. Chemical used:

Chemical Name	Trade Name	Quantity/Day \ (in kg)
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2.3.4. Precautionary measures adopted in the transport and handling of any hazardous/toxic/flammable/explosive material:

2.3.5. Storage facilities for hazardous/toxic/flammable/explosive materials:

2.3.6. Do you have adequate fire fighting equipment?

2.3.7. If so, details of such equipment:

3. WATER

3.1 Water – Requirement

Processing	:	m ³ /day
Cooling	:	m ³ /day
Washing	:	m ³ /day
Domestic	:	m ³ /day

3.2 Source of water

1. Public Supply
2. Ground Water (Wells, springs)
3. Surface water (Stream, river)

3.3 Total daily discharge: m³/day:

3.4 Method of discharge : Open Channel/Pipeline/Covered Drains/Other:

3.5 Final point of discharge of waste water : Agricultural land / Marshy land/Sewer/Lake/River/Ela/Estuary/Sea/Other

3.6 What other specific toxic substances are discharged” (Specify nature and concentration –eg; Inorganics and Organics including Pesticides, Organic Chlorine Compounds, Heavy Metals etc.)

3.7 Methods of treatment of Waste Water (Diagrams of Treatment Process to be included):

3.8 Methods adopted for recording characteristics of waste water before and after treatment:

3.9 Give details of water recycling, if any:

4. SOLID WASTE

4.1 Type and Nature of Solid Wastes:

4.2 Total quantity of solid waste – kg/day:

4.3 Methods of disposal of solid wastes – Municipal collection System/Land Fill/Incineration / Composting/Sold/Recycle:

5. ATMOSPHERIC EMISSIONS

Is there emission to the atmosphere: Yes/No – if “Yes” complete the following:

5.1 Possible emissions:

- a. Oxides of Nitrogen –
- b. Oxides of Sulphur –
- c. Dust and Soot –
- d. Any other –

5.2 No. of Stacks/Chimneys:
Height:

6. Does your industry cause Odour prot
Source:
Method of abatement:

7. NOISE POLLUTION

7.1 Does your industry cause noise pollution : Yes/No

7.2 If “Yes”, source:

Method of abatement:

8. ENERGY REQUIREMENTS

8.1 Total Energy Consumption:

- a. In-plant generation:
- b. Public supply:

8.2 Details of Machinery used in the Industry and their Horse Power Ratings:

8.3 Types of Fuel Used:

- a. Purpose:
- b. Daily consumption:

9. RECYCLING/REUSE

8.1 Possible salvage of any waste material for reuse:
Specify:

10. EXPANSION OF INDUSTRY

Describe your plans for future expansion of the industry. State whether proposed expansion will alter the manufacturing process, raw material usage and finished products.

I hereby certify that the particulars furnished by me in this application are true and correct. I am aware that if any particulars herein are found to be false or incorrect, my application will be refused and the licence, if issued, will be cancelled.

.....

Date

.....

Signature of Applicant

ADDITIONAL INFORMATION REQUIRED FROM CHEMICAL INDUSTRIES

Detailed information on the following has to be provided:

1. A site map extending ¼ mile beyond the boundaries of the property depicting the facility, the discharge points for effluents, wells, springs and other surface water bodies and drinking water wells.
2. A description of the procedures, structures and equipment used at the facility to:
 - i. Prevent hazards in transport and unloading operations of chemicals:
 - ii. Prevent undue exposure of personnel to chemicals (protective clothing etc.)
3. A description of
 - i. Precautions to prevent accidental fires resulting from storage of chemicals,
 - ii. Available fire fighting equipment,
 - iii. Training of personnel in fire fighting.
4. A description of storage system for bulk chemicals prior to use in the industrial process
5. A description of recovery methods of used chemicals, if any.

FOR OFFICIAL USE ONLY

Licence Application No.....

Sector ()

Category ()

1. Date of receipt of application:.....
2. Reference Plans, Reports and other documents received:
3. If any additional information was requested, details of such requests:
4. If the observation of any other Agency was requested, details of such requests:
5. Whether a Licence is granted: Yes / No
6. If a Licence is granted:-
 - a. No. of the Licence:
 - b. Date of Licence :
 - c. Validity period :
 - d. Date of expiry :
 - e. Conditions attached (if any):
7. If Licence is refused, reasons for refusal:

.....

Signature and Designation of
Authorized Officer

.....
Date

FORM B

**NATIONAL ENVIRONMENTAL ACT. NO 47 OF 1980
ENVIRONMENTAL PROTECTION LICENCE ISSUED UNDER SECTION 23 B**

M/s of Situated within the area of authority of the Pradeshiya Sabha / Municipal Council / Urban Council of is / are hereby authorized to discharge / deposit effluents waste and /or emit noise/vibrations/air emissions which may arise as a result of the operation of the said industry/process, in accordance with the standards and criteria prescribed by the National Environmental (Protection and Quality) Regulations No. 1 of 1990.

This licence shall be in force from To unless it is earlier cancelled or suspended.

This licence is subject to the general terms and conditions stated overleaf AND to the additional terms and conditions stated below.

- 1.
- 2.
- 3.
- 4.

.....
Chairman
Central Environmental Authority.

.....
Date

GENERAL TERMS AND CONDITIONS

1. The Licence shall be valid for one year from the date of issue. An application for renewal of the Licence should be at least one (01) month prior to the date of expiry of the Licence.
2. The holder of the Licence shall permit the Director General or any other officer duly authorized in writing by him at any time to enter the premises in respect of which the Licence is issued to examine and inspect any equipment or industrial plant; and
 - (a) to take samples of any pollutants that are emitted, discharged or deposited from or by such equipment or industrial plant;
 - (b) to examine books, records or documents relating to the performance or use of such equipment or industrial plant or relating to the emission, discharge or deposition from such industrial plant;
 - (c) to take photographs of such equipment or industrial plants as he considers necessary or make copies of any books, records or documents seen in the course of such examination : and
 - (d) to take samples of any fuel, substance or material used, in such trade, industry or process carried on in or on such premises.
3. The holder of the Licence shall comply with any requirement communicated from time to time by the Authority as regards:
 - (a) the use of any techniques or installations in the production process, handling and storage of goods, material, fuel and waste products with a view to minimizing environmental pollution and hazards; and

- (b) any additional technical measures for preventing or mitigating environmental pollution and hazards.
4. The holder of the Licence shall ensure that monitoring of environmental pollution or other acts that the Authority considers necessary to protect the environment, including the following are done:
- (a) measurements, calculation, registration of samples to determine actual level of pollution and risk of exposure;
 - (b) recording and sorting of data and reporting to the Authority;
 - (c) issuing written instructions to persons employed with regard to handling of hazardous material and installations to protect the environment;
 - (d) assigning duties and responsibilities to management and staff with regard to protection of the environment; and
 - (e) ensuring that persons referred to in © above, and charged with duties and responsibilities referred to in (d) above are properly qualified persons.
5. This Licence is valid only for the type and nature of the industry/process/operation as stated in the preliminary application and to the information submitted by the Licencee.
6. Any alteration or extension made to the industry, process or operation should be indicated forthwith to the Authority.

.....
Chairman
Central Environmental Authority

.....
Date

FORM C

APPLICATION FOR RENEWAL OF ENVIRONMENTAL PROTECTION LICENCE

Application No :

Date :

Sector : _____

Category: _____

-
1. Name and location of Industry:
 2. Name and address of applicant:
 3. Previous Licence No:
 - 3.1 Issued on
 - 3.2 Valid until
 4. Any changes/alterations/expansions of the industry since last licence was issued – (give details):
 5. State if manufacturing process/raw material usage/finished products have been altered in any way?
 6. Details of monitoring reports submitted to the Central Environmental Authority during the year:
 7. Any other additional information:

I hereby certify that the particulars furnished by me in this application are true and correct. I am aware that if any particulars herein are found to be false or incorrect, my application will be refused and the licence if issued will be cancelled.

.....
Signature of Applicant

.....
Date

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1. Was licence renewed - Yes/No
2. If renewed
 - No. of licence
 - Date of licence

Validity period
Date of expiry
Conditions attached (if any)

3. If renewal of licence is refused reasons for refusal:

.....
Signature and Designation of
Authorized Officer

.....
Date

**SCHEDULE III
LICENSING FEE**

A fee Rs 750/- will be levied in respect of each application for the issue of the Environmental Protection Licence.

RENEWAL FEE

A fee of Rs. 750 will be levied in respect of each application for the renewal of the licence.