

Self-Monitoring and Reporting by Industry Rules, 2001 (SMART)

S.R.O. 528 (1)/2001. - In exercise of the powers conferred by section 31 of the Pakistan Environmental Protection Act, 1997 (XXXIV of 1997), the Federal Government is pleased to make the following rules, namely:

1. Short title and commencement. -

- (1) These rules may be called the National Environmental Quality Standards (Self-Monitoring and Reporting by Industry) Rules, 2001.
- (2) They shall come into force at once.

2. Definitions. -

- (1) In these rules, unless there is anything repugnant in the subject or context,
 - a. "Act" means the Pakistan Environmental Protection Act, 1997 (XXXIV of 1997);
 - b. "Associated Company" and "Associated Undertaking", shall have the same meaning as defined in the Companies Ordinance, 1984 (XLVII of 1984);
 - c. "Certified Environmental Laboratory" means an environmental laboratory which has been granted certification under the Pakistan Environmental Protection Agency (Certification of Environmental Laboratories) Regulations, 2000;
 - d. "Director General" means the Director-General of the Federal Agency;
 - e. "Environmental Monitoring Report" means the report submitted by an industrial unit to the Federal Agency in respect of priority parameters;
 - f. "Industrial Unit" means any legal entity carrying on industrial activity;
 - g. "Pollution Level" means number of units per unit of production determined under the Pollution Charge for Industry (Calculation and Collection) Rules, 2001;
 - h. "Priority Parameters" means those parameters of the National Environmental Quality Standards which have been selected for purposes of submission of Environmental Monitoring Reports to the Federal Agency by an industrial unit; and
 - i. "Schedule" means the Schedule to these rules.
- (2) All other words and expressions used in these rules but not defined herein shall have the same meanings as are assigned to them in the Act.

3. Responsibility for reporting. -

All industrial units shall be responsible for correct and timely submission of Environmental Monitoring Reports to the Federal Agency.

4. Classification of industrial units. -

On the basis of the pollution level of an industrial unit, the Director-General shall classify the unit into category "A", "B" or "C" for liquid effluents, and category "A" or "B" for gaseous emissions:

Provided that till such time as the pollution level of an industrial unit is determined, it shall be classified according to the type of industry to which it belongs, as shown in Schedule I for liquid effluents and in Schedule II for gaseous emissions.

5. Category "A" Industrial Units. -

(1) An industrial unit in category "A" shall submit Environmental Monitoring Reports on monthly basis

a. in respect of liquid effluents, for priority parameters listed in column 3 of Table A of Schedule III:

Provided that during start-up or upset conditions, priority parameters mentioned in column 4 of Table A of Schedule III shall be recorded on hourly basis;

b. in respect of gaseous emissions, for priority parameters listed in Table B of Schedule III.

(2) An industrial unit in category "A" shall maintain a record of the times during which start-up and upset conditions occur, and shall mention the total time elapsed in such conditions in its monthly Environmental Monitoring Report.

6. Category "B" industrial units.-

An industrial unit in category "B" shall submit Environmental Monitoring Reports on quarterly basis -

a. in respect of liquid effluents, for priority parameters listed in Table A of Schedule IV;

b. in respect of gaseous emissions, for priority parameters listed in Table B of Schedule IV.

7. Category "C" industrial units. -

An industrial unit in category "C" shall submit Environmental Monitoring Reports on biannual basis for priority parameters in respect of liquid effluents listed in Schedule V.

8. Special Industries. -

(1) Without prejudice to the provisions of rule 4, the Director-General may classify a large industrial unit with very high pollution levels as "Special Industry".

(2) In addition to complying with the requirements of rule 5, a Special Industry shall submit Environmental Monitoring Reports for such parameters and at such frequency as the Director-General may require.

9. Environmental Monitoring Report. -

(1) An Environmental Monitoring Report shall comprise a Liquid Effluents Monitoring Report, a Gaseous Emissions Monitoring Report and a Cover Sheet which shall be in the form as set out in Forms A, B and C, respectively, of Schedule VI.

(2) All measurements of priority parameters contained in the Environmental Monitoring Report submitted by an industrial unit shall be based on test reports of a certified environmental laboratory, and attested copies of such results shall be attached with the Environmental Monitoring Report:

Provided that such certified environmental laboratories shall not be part of, or an associated company or associated undertaking of, the said industrial unit.

(3) The Gaseous Emissions Report shall cover the priority parameters listed in Schedule VII, and shall include, every two years, metal analysis of all gaseous emissions from the industrial unit.

10. Sampling, testing and analysis. -

Sampling testing and analysis of effluents, gaseous emissions and waste shall be carried out in accordance with the Environmental Samples Rules, 2001.

11. Monitoring conditions of EIA approval. -

The provisions of these rules shall be in addition to, and not in derogation of, the monitoring conditions laid down in an EIA approval.

12. Compilation, analysis and management of data. -

The Federal Agency shall compile, analyze and manage the data contained in the Environmental Monitoring Reports with the objective, *inter alia*, of enforcing the National Environmental Quality Standards and developing an environmental database.

Schedule I
(See rule 4)

Classification of Industrial Units for Liquid Effluents

1. Category "A"

1. Chlor-Alkali (Mercury Cell).
2. Chlor-Alkali (Diaphragm Cell).
3. Metal finishing and electroplating.
4. Nitrogenous fertilizer.
5. Phosphate fertilizer.
6. Pulp and paper.
7. Pesticides formulation.
8. Petroleum refining.
9. Steel industry.
10. Synthetic fiber.
11. Tanning and leather finishing.
12. Textile processing.
13. Pigments and dyes.
14. Thermal Power Plants (Oil Fired and Coal Fired).
15. Rubber products.
16. Paints, Varnishes and Lacquers.
17. Pesticides.
18. Printing.
19. Industrial chemicals.
20. Oil and Gas production.
21. Petrochemicals.
22. Combined effluent treatment.
23. Any other industry to be specified by Federal or Provincial Agency.

2. Category "B"

1. Dairy industry.
2. Fruit and vegetable processing.
3. Glass manufacturing.
4. Sugar.
5. Detergent.
6. Photographic.
7. Glue manufacture.
8. Oil and Gas exploration.
9. Thermal Power Plants (Gas Fired)
10. Vegetable oil and ghee mills.
11. Woolen mills.
12. Plastic materials and products.
13. Wood and cork products.
14. Any other industry to be specified by federal or Provincial Agency.

3. Category "C"

1. Pharmaceutical (Formulation) Industry.
2. Marble Crushing.
3. Cement.
4. Any other industry to be specified by Federal or Provincial Agency

Schedule II
(See rule 4)

Classification of Industrial Units for Gaseous Emissions

1. Category "A"

1. Cement.
2. Glass manufacturing
3. Iron and steel.
4. Nitrogenous fertilizer.
5. Phosphate fertilizer.
6. Oil and Gas production.
7. Petroleum refining.
8. Pulp and paper.
9. Thermal Power Plants (coal and oil based)
10. Boilers, ovens, furnaces and kilns (coal and oil fired)
11. Brick-Kilns (firewood and bagasse based)
12. Any other industry to be specified by Federal or Provincial Agency.

2. Category "B"

1. Sugar.
2. Textile.
3. Chloralkali plants.
4. Dairy industry.
5. Fruits and vegetables.
6. Metal finishing and electroplating.
7. Boilers, ovens, furnaces and kilns (gas-fired)
8. Any other industry to be specified by Federal or Provincial Agency.