OUR OBJECTIVE

Our aim in requiring industries/activities to obtain an Environmental Protection Licence, is to ensure that industries/activities which are an essential part of the development process may operate without causing undue adverse effects to the receiving environment or to human health.

CENTRAL ENVIRONMENTAL AUTHORITY

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Ministry of Policy Planning
and
Implementation

GUIDE TO OBTAINING AN ENVIRONMENTAL PROTECTION LICENCE

(1) When is it necessary to obtain an Environmental Protection Licence?

If, as a result of the operation of an industry/activity, there is:

- discharge of effluents
- deposition of wastes
- emission of smoke/gases/fumes/vapour
- emission of excessive noise/vibration

into the environment, then it is a legal requirement, that such an industry/activity shall obtain an Environmental Protection Licence.

This legal requirement is in accordance with the National Environmental Act No. 47 of 1980 and Section 23A of the National Environmental Amendment Act No. 56 of 1988. The said Section reads as follows:

"With effect from such date as may be appointed by the Minister by Order published in the gazette (hereinafter referred to as the "relevant date"), no person shall discharge, deposit or emit waste into the environment which will cause pollution except."

(a) Under the Authority of a licence issued by the Authority; and

(b) In accordance with such standards and other criteria as may be prescribed under this Act."
Accordingly, the First day of July, 1990 (01.07.1990) has been declared as the relevant date by Order published in gazette notification No. 585/9 dated 21st November, 1989.

(2) Procedure adopted to obtain an Environmental Protection Licence for a New Industry/Activity.

- Obtain an application form prepared for this purpose from the Central Environmental Authority or the relevant Local Authority.

- Fill up the application form correctly.

- Forward the perfected application form by registered post or hand deliver it to the Central Environmental Authority.

- Then, the proposed site will have to be inspected by officers of the Authority. An inspection fee will be payable to the Authority for this purpose. You will be informed of the relevant inspection fee.

- Upon payment of the inspection fee, officers of the Authority will carry out an inspection of the proposed site.

- If the Authority decides to grant approval for the industry/activity to be located at the proposed site, the conditions stipulated by the Authority in granting such approval should be strictly adhered to.

- One month prior to the commencement of operations of the industry/activity, the Central Environmental Authority will be so informed through the relevant Local Authority.
• Following a further inspection, if the Authority is satisfied that the conditions stipulated have been strictly adhered to, then an Environmental Protection Licence will be issued by the Central Environmental Authority prior to the commencement of operations of the industry/activity.

(3) Procedure adopted to obtain an Environmental Protection Licence for an existing industry/activity.

• Obtain an application form prepared for this purpose from the Central Environmental Authority or the relevant Local Authority. Perfect the application form.

• Send the perfected application form by registered post or hand deliver it to the Central Environmental Authority on or before 1st May 1990.

• Upon submission of the application, the Authority will classify the industry/activity on the basis of the nature and extent of pollution which could arise from its operation.

• On the basis of the afore-mentioned classification, licences for industries/activities falling into the high polluting category will be issued by the Central Environmental Authority and applications for those falling into the medium and low polluting categories will be referred to the relevant Local Authority for the issue of licences.

• The Local Authorities will execute such functions as afore-mentioned in accordance with the Guidelines specified by the Authority.
When licences are issued by the Central Environmental Authority the following procedure will be adopted.

— First, the industry/activity will have to be inspected by officers of the Authority, for which an inspection fee will be levied. You will be informed of the relevant fee.

— Upon payment of the relevant inspection fee, officers of the Authority will carry out an inspection of the industry/activity.

— The Authority will then make a scientific assessment of the pollutants being discharged/deposited as a result of the operation of the industry/activity and other environmental impacts that may have arisen as a consequence of its operation.

— Upon such assessment if the Authority is satisfied that the operation of the industry/activity is being carried out in accordance with standards and criteria prescribed by the Authority, a licence will be issued. A fee of Rs. 750/- will have to be paid to the Authority in order to obtain the licence.

— If the Authority is not satisfied, in any way:

— you will be intimated of a time bound programme to treat environmental pollutants so as to bring them to the standards prescribed by the Authority.

— During such period as mentioned above, you will keep the Central Environmental Authority or the relevant Local Authority, informed of the progress in the implementation of pollution control measures stipulated.
— The Authority will direct you to the relevant institutions from where the required technological guidance could be obtained for this purpose.

— Any costs of such technological guidance will have to be borne by you.

• If the Central Environmental Authority stipulates that regular monitoring of the industry is required then the licensee shall submit to the Authority on a monthly basis the required analytical reports from a laboratory registered with the Authority.

• For this purpose a list of laboratories registered with the Authority will be published shortly.

• The Central Environmental Authority reserves the right to inspect your industry/activity without prior notice.

• If on such inspections, the operations of your industry/activity are not found to be in accordance with standards stipulated by the Authority, your licence may be suspended or cancelled at the discretion of the Authority.

Annual Renewal of Licence

• One month prior to the date of expiry of the licence, an application for renewal should be submitted to the same Authority which issued the original licence.

• In case of licences issued by the Central Environmental Authority, a renewal fee of Rs. 750/- shall be paid to the Authority.