

F. No. IA-J-11013/23/2021-IA-II(I) [E151411]
Government of India
Ministry of Environment, Forest and Climate Change
(Impact Assessment Division)

Indira Paryavaran Bhawan
Jor Bagh Road, Aliganj
New Delhi - 110003
Dated: 24th May, 2022

OFFICE MEMORANDUM

Subject: Applicability of the provisions of EIA Notification, 2006 for manufacturing and utilization of Polyurethane Foam - regarding.

The matter regarding applicability of provisions of EIA Notification, 2006 for manufacturing of Polyurethane Foam, was deliberated in the Expert Appraisal Committee (Industry-III) in its meetings held on 22-23 February, 2021 in the Ministry. The Committee noted that 'manufacturing of Polyurethane foam' requires prior environmental clearance (EC), as it is covered under item 5 (f) 'Synthetic organic chemical industry' of the schedule to the EIA Notification, 2006. However, any further utilization of Polyurethane foam as a raw material/further application doesn't require EC.

2. Based on the recommendations of the Expert Appraisal Committee (EAC), Industry-III, the Ministry had issued clarification letter dated 11th March 2021 stating that the manufacturing of Polyurethane foam requires prior environmental clearance.

3. Subsequently, the Ministry received a request from the Indian Polyurethane Association (IPUA) for clarifying the applicability of EIA Notification 2006 for manufacturing of Polyurethane Foam inter-alia stating that PUF is erroneously interpreted and thereby scientifically untenable on account of the nature of the ingredients used and the end-products generated. They also submitted that polyurethane foam cannot be considered a 'synthetic organic chemical' falling under Entry 5(f).


4. The matter was referred back to the Industry-III sector to re-examine the matter. The Industry-III sector based on the recommendations of the concerned EAC, observed that manufacturing of Polyurethane foam may come under Schedule 5(f) of the EIA Notification, 2006, however, it does not fall directly under broad categorization of synthetic organic chemicals as given in the Technical Guidance Manual for Synthetic Organic Chemicals and may fall under "Other Synthetic Organic Chemicals".

5. The matter was also referred to the EAC (Industry-II) to take a view on the matter. After detailed discussions on the matters related to environmental pollution, various balances i.e. emissions, effluents from the processes involved and Ozone depleting substances, if any, the EAC decided that Polyurethane manufacturing does not require Environmental Clearance and the project proponent can operate the existing/proposed facilities after obtaining requisite consents from State Pollution Control Board and other agencies as applicable.

6. The views of CPCB that the activity is categorized as an Orange Category Industry were also taken into consideration. Based on the recommendations received from the EACs and views of CPCB, the matter has been further examined in the Ministry. Based on the examination, it has emerged that manufacturing of foam does not fall clearly under any of the activities listed in the schedule of EIA 2006 and it is also not explicitly mentioned under 5 (f) of EIA, 2006 i.e. Synthetic Organic Chemical in Technical Guidance Manual (TGM) of Ministry. The said activity has relatively low pollution potential and the activity falls in orange category as per CPCB categorization unlike synthetic organic chemical industries which fall in red category. It is also noted that isolated storage and handling of hazardous chemicals has already been excluded from the ambit of EIA Notification 2006 vide Notification dated 13th June 2019.

7. After taking into account all facts, followed by due deliberation, it is hereby clarified that manufacturing of Polyurethane foam shall not require prior EC and shall continue to be regulated as per the consent mechanism under the Air and Water Acts. It is also clarified that any further utilization of Polyurethane foam as a raw material/further application shall not require prior EC under the provisions of EIA Notification, 2006. However, the manufacturing of chemicals to be used as raw materials for manufacturing of foam shall attract the provisions of EIA Notification 2006, as applicable.

8. This is issued in supersession of earlier clarifications and with the approval of the Competent Authority.


(Sundar Ramanathan) 24/7/22
Scientist 'E'

To

1. Chairman, Central Pollution Control Board (CPCB).
2. Chairman of all the Expert Appraisal Committees
3. Chairperson/Member Secretaries of all the SEIAAs/SEACs
4. All the Officers of I.A. Division
5. Chairpersons/ Member Secretaries of all SPCBs/UTPCCs

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