



F. No. CP-20/33/2021-UPC-II-HO-CPCB-HO

Date: 19.04.2023

Sub: Directions under Section 5 of Environment (Protection) Act, 1986 to Registered Brand owners for fulfilling their EPR Obligations on the Centralized EPR Portal.

Whereas, the Ministry of Environment, Forest and Climate Change (MoEF&CC) has notified Plastic Waste Management Rules, 2016, in exercise of powers conferred under sections 3, 6, & 25 of the Environment (Protection) Act, 1986 vide Notification No. G.S.R 320 (E) dated March 18, 2016;

Whereas, Guidelines for Extended Producers Responsibility for Plastic Packaging were notified by MoEF&CC on February 16, 2022 in Schedule II of the 4th amendment of Plastic Waste Management Rules, 2016;

Whereas, as per section 10.1 of the above guidelines, '*The Producers, Importers & Brand-Owners shall have to register through the online centralized portal developed by Central Pollution Control Board. The certificate of registration shall be issued using the portal*';

Whereas, as per section 11.1 of the above guidelines, '*All plastic waste processors shall have to register with concerned State Pollution Control Board or Pollution Control Committee in accordance with provision 13(3) of Plastic Waste Management Rules, 2016 on the centralized portal developed by Central Pollution Control Board. Central Pollution Control Board shall lay down uniform procedure for registration within three months of the publication of these guidelines*';

Whereas, as per section 11.5 of the above guidelines, '*Only plastic waste processors registered under Plastic Waste Management Rules, 2016, as amended, shall provide certificates for plastic waste processing, except in case of use of plastic waste in road construction. In case where plastic waste is used in road construction the Producers, Importers & Brand-Owners shall provide a self-declaration certificate in pro forma developed by Central Pollution Control Board. The certificate provided by only registered plastic waste processors shall be considered for fulfilment of Extended Producer Responsibility obligations by Producers, Importers & Brand-Owners*';

Whereas, as per section 11.6 of the above guidelines, '*The pro forma for the certificate shall be developed by Central Pollution Control Board. In no case, the amount of plastic packaging waste recycled by the enterprise shall be more than installed capacity of the enterprise. The certificates will be for plastic packaging category-wise and shall include GST data of the enterprise*';

Whereas, as per section 11.7 of the above guidelines, '*The certificate for plastic packaging waste provided by registered plastic waste processors shall be in the name of registered Producers, Importers & Brand-Owners or Local authorities, as applicable, based upon agreed modalities. Central Pollution Control Board will develop mechanism for issuance of such certificate on the centralized portal*';

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Whereas, CPCB has developed the Centralized EPR Portal for registration of Producers, Importers and Brand owners (PIBOs) and Plastic Waste Processors (PWPs) that has been formerly launched by Hon'ble MEF on April 05, 2022.

Whereas, CPCB has launched the Module to facilitate provision of Generation & Transfer of EPR Certificates by PWPs on the EPR Portal on November 19, 2022.

Whereas, CPCB has developed the Guidance manual for operating Centralized EPR Portal including generation & transfer of EPR certificates from PWPs to PIBOs.

Whereas, training sessions for operating EPR Portal have been conducted for all registered PIBOs /PWPs and other stakeholders since its launch.

Whereas, as on date, a total of 1821 no. of PWPs have been registered on the portal with cumulative EPR processing capacity of 168 Lacs TPA;

Whereas, contact details of Registered PWPs along with their category wise processing capacity is available on the national dashboard.

Whereas, as per Notice dated April 03, 2023 issued by CPCB, the PWPs can generate certificates based on sales in 2022-23 till April 30, 2023.

Whereas, as per section 10.6 of the above guidelines, *'The Producers, Importers & Brand-Owners shall file annual returns on the plastic packaging waste collected and processed towards fulfilling obligations under Extended Producer Responsibility with the Central Pollution Control Board or concerned State Pollution Control Board or Pollution Control Committee as per pro forma prescribed by Central Pollution Control Board by the 30th June of the next financial year.'*

Now therefore, in view of above and in exercise of the powers vested under Section 5 of EPA, following directions are issued for compliance:

- a. All Brand Owners are required to engage with the registered PWPs (information available on the national dashboard) for procurement of EPR certificates generated through the Centralized EPR portal to ensure that the EPR obligations are fulfilled as per provisions of EPR Guidelines within the stipulated timeframe. Information related to PWPs not generating/transferring EPR Certificates through EPR Portal is to be brought to notice of CPCB.

It may be noted that Environment Compensation, as applicable, shall be levied on PIBOs with respect to non-fulfilment of their Extended Producer Responsibility targets, responsibilities and obligations in accordance with EPR Guidelines.

MTC 19/4/23
(Tanmay Kumar)
Chairman


To,

All Registered Brand Owners