

Environment Protection (Management of Contaminated Sites) Rules, 2025

The Union government has enacted the Environment Protection (Management of Contaminated Sites) Rules, 2025, establishing a legal framework to address chemically contaminated sites by requiring their cleanup by the party responsible for the pollution. The rules cover identification, assessment, and remediation, are based on the Environment (Protection) Act, 1986, and apply to historical hazardous waste sites, defining a clear, time-bound process and specifying which chemicals and situations are within their scope.

Purpose and Framework

- **Legal Basis:** The rules are established under the Environment (Protection) Act, 1986.
- **Objective:** To provide the first legal framework for identifying, assessing, and remediating chemically contaminated sites across India.
- **Polluter Pays Principle:** The framework ensures that the responsible party bears the cost of remediation.

Identification and assessment

- **Reporting of sites:** Local and district administrations must submit half-yearly reports on suspected contaminated sites to the State Pollution Control Board (SPCB) or a designated authority.
- **Phased assessment:** The SPCB conducts a preliminary assessment within 90 days of receiving the report. If contamination is likely, a more detailed survey is initiated within another 90 days.
- **Confirmation of contamination:** A site is officially declared "contaminated" if it contains any of 189 specific hazardous chemicals, as listed in the Hazardous Waste Rules, 2016, above safe limits.
- **Centralized online portal:** The Central Pollution Control Board (CPCB) will develop an online portal to track the status of contaminated sites and provide public access to information.

Accountability and remediation

- **"Polluter Pays" principle:** The rules are based on the principle that the person or entity responsible for the contamination must bear the full cost of cleaning it up.
- **"Responsible person" mechanism:** A "responsible person"—which can be an individual, company, or entity—is held strictly liable for the environmental damage. They must bear all costs associated with risk assessment, cleanup, and post-remediation monitoring.
- **Remediation plan:** The responsible person must prepare a site-specific remediation plan, which must be approved by the SPCB. The plan will outline cleanup technologies and financial assurances.
- **Government funding:** If the polluter cannot be identified or lacks the resources for the cleanup, the central and state governments can fund the remediation. The costs can be drawn from the Environmental Relief Fund and the Environmental Compensation Pool.

Scope and exclusions

- They apply to sites impacted by hazardous substances (soil, water, sediments) that pose risk to human health or environment.
- **Exclusions**
 - Radioactive waste (governed under atomic energy laws)
 - Contamination from mining operations
 - Marine oil spills or oily pollution at sea
 - Solid waste dump sites (municipal/solid waste)

Timeline

- Identification & Reporting: District administrations submit biannual reports.
- Preliminary Assessment: Completed within 90 days.
- Detailed Survey: Completed within 90 days of the preliminary assessment.
- Identification of Responsible Party: The SPCB must identify the responsible entity within 90 days.

The cost sharing mechanism

- For Himalayan / Northeastern States: 90% Centre : 10% State
- For other States: 60% Centre : 40% State
- For Union Territories: 100% Centre funding.

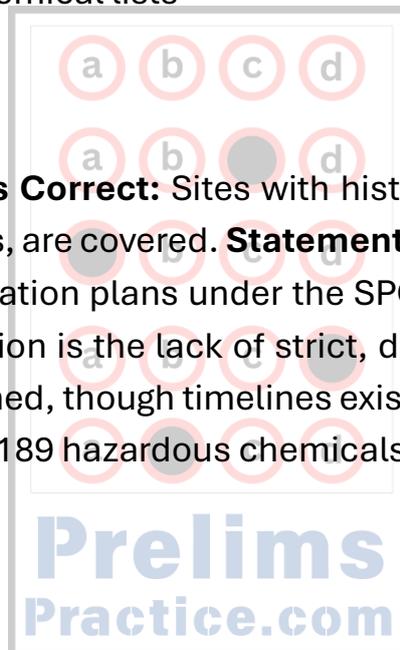
Practice Questions:

1. With reference to the Environment Protection (Management of Contaminated Sites) Rules, 2025, which of the following statements is INCORRECT?

- a) The rules define 'contaminated sites' as locations with historical hazardous waste dumping, including old landfills and spill sites
- b) A 'reference organisation' is tasked with preparing the remediation plan for confirmed sites
- c) The rules establish strict, legally binding deadlines for completing remediation activities for all identified sites
- d) The Central Pollution Control Board (CPCB) plays a role in verifying contamination levels using specific chemical lists

Answer: c

Explanation: Statement (a) is Correct: Sites with historical hazardous waste, like old landfills, spill sites, and dumps, are covered. **Statement (b) is Correct:** Expert 'reference organisations' develop remediation plans under the SPCB's oversight. **Statement (c) is Incorrect:** A significant omission is the lack of strict, defined deadlines for completing clean-up once a site is confirmed, though timelines exist for assessment. **Statement (d) is Correct:** SPCBs use lists of 189 hazardous chemicals and defined response levels for assessment.



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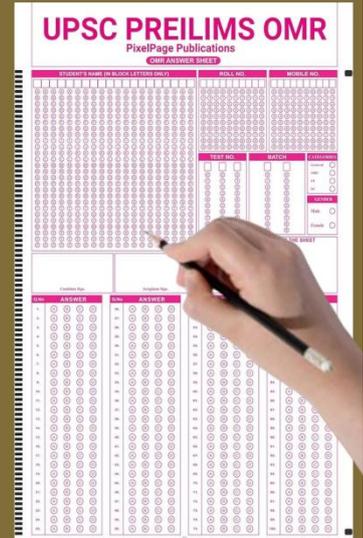
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