

Joint Declaration of Intent

for promotion of Best Available Techniques (BAT) not entailing excessive cost

between



Gujarat Pollution Control Board

Paryavaran Bhavan, Sector-10A, Gandhinagar-382010.

and



German Federal Environment Agency (Umweltbundesamt - UBA)

Wörlitzer Platz 1, 06844 Dessau-Roßlau, Germany.

and



Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH

Indo-German Environment Partnership (IGEP) Programme

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1. Background

The ongoing Indo German Bilateral Development Cooperation has “urban and industrial environmental policy & management” as one of priority areas of cooperation. The Indo German Environment Partnership (IGEP) Programme forms a part of this priority area, under which technical cooperation is being provided to the identified Indian partner organisations by the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH, on behalf of the German Ministry for Economic Cooperation and Development (BMZ). The IGEP Programme is implemented jointly by the Ministry of Environment and Forests (MoEF) of the Government of India and GIZ. GIZ is providing technical cooperation to various identified partner agencies on the identified core topics.

The German Federal Environment Agency (Umweltbundesamt - UBA) is engaged in the European information exchange on Best Available Techniques and the elaboration and revision of Best Available Techniques (BAT) Reference Documents, known as BREF documents, which can support industries, policy makers and regulators in addressing environmental concerns with regard to the relevant industries, thereby improving their environmental performance and consequently limiting pollutant discharges and other impacts on the environment. The Best Available Technique (BAT) describes the environmental standard that industrial installations in the European Union (EU) have to apply in order to get the required operation permit. It means, BAT provides most advanced stage of production techniques and their methods of operation, which can be implemented in a particular industrial sector under economically, and technically viable conditions, and which provide the most effective protection of the environment as a whole.

A joint workshop held on Best Available Techniques in March 23, 2012 in New Delhi by GIZ and UBA, in cooperation with CPCB, the Ministry of Environment & Forests of the Government of India and the Federation of Indian Chambers of Commerce & Industry (FICCI). From the deliberations of the workshop, it was seen that the EU BAT reference documents have, in general, relevance for India. The relevance and usefulness of the BREF documents for India was brought out particularly for:

- Using as a reference document for checking potential solutions for addressing environmental problems from an industry or sector , or for setting standards,
- Using for benchmarking the improvement needs in different sectors,
- Consultation/dialogue with stakeholders on possible improvements,
- Attempting to develop an Implementation Plan or Action Plan for cost-efficient environmental improvement in the identified industry sectors, and
- Modifying the existing COINDS documents of CPCB or coming up with new BREF documents for India integrating the cost aspects and technologies/techniques relevant for India without entailing excessive cost (BATNEEC) so as to keep pace with targeted economic growth of the country.

Towards the effort to improve environmental performance by industries, UBA, in cooperation with GIZ (IGEP) has come forward to extend its support to the identified Indian partners to cater to the following industry sectors:



- Textiles sector;
- Pulp & paper sector;
- Iron & steel sector;
- Waste incineration in waste management [including waste incineration, waste-to-energy plants, and co-processing of RDF (refuse derived fuels)];
- Recycling sector (including end-of-life vehicles) and
- Others, as may be identified from time to time.

The support from UBA would be beneficial to the ongoing IGEP Programme and will particularly cater to the Sustainable Industrial Development component. Under the Sustainable Industrial Development component, Gujarat is one of the states where there is focus of activities, particularly to showcase pilot examples and initiate capacity building measures for replication/up-scaling of the successful examples related to textiles and pulp & paper sectors. To kick start the cooperation with UBA, the activities will now be initiated in Gujarat with the Gujarat Pollution Control Board on identified sectors and the UBA support will eventually be extended to other sectors and other Indian partners.

GPCB, GIZ and UBA express their interest to work together through the present Joint Declaration of Intent that specifies broadly the cooperation areas.

2. The Partners Involved

2.1 Gujarat Pollution Control Board (GPCB)

The Gujarat Pollution Control Board (GPCB) was constituted by the Government of Gujarat constituted in 1974 as per the provisions under the Water (Prevention and Control of Pollution) Act, 1974. Subsequently, GPCB has been entrusted with several functions under various Central Acts and Rules for protection of environment and pollution control in the state of Gujarat. GPCB's function is to enforce the provisions of various Acts, Rules and Directives issued by the Authorities from time to time, including the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment Protection Act, 1986, the Hazardous Waste (Management and Handling) Rules, 1989 etc.

The GPCB Head Office performs activities concerning general policies and enforcement of various provisions of the Acts as well as general administration and co-ordination with other agencies. The Central Laboratory at Gandhinagar provides facilities for analysis of samples collected by some of the Regional Offices of GPCB besides being involved in development of methods for analysis of water, wastewater, gases and hazardous waste samples. The Central Laboratory is being equipped to take up R&D Programmes for developing methods of treatment of liquid and gaseous effluents. The important functions being performed by the Central Laboratory and Regional Offices include monitoring of water and air quality, effluent sampling and analysis, inspection in respect of performance of effluent treatment plants and air pollution control equipment, inspection of sites proposed for establishment of industrial projects to check the suitability of the same from the environmental point of view, guidance to the industry and other agencies, co-ordination with local bodies and industries implementation of various projects such as coastal survey, river basin studies, GEMS and



MINARS projects to check the quality of water resources, AAQM project to check ambient air quality, providing support to the Head Office in the matters relating to the finalization of NOC Consent applications and in the investigations of complaints etc.

2.2 German Federal Environment Agency (Umweltbundesamt - UBA)

The Umweltbundesamt (UBA) was founded in 1974 and is Germany's central federal authority on environmental matters under the supervision of the German Federal Ministry for the Environment, Nature Conservation and Nuclear Safety (BMU). Its key statutory mandates are, a) to provide scientific support to the Federal Government (e.g. the Federal Ministries for Environment; Health; Research; Transport, Building and Urban Affairs); b) Implementation of environmental laws (e.g. emissions trading, authorisation of chemicals, pharmaceuticals, and plant protection agents), and c) Information to the public about environmental protection.

2.3 Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH

The services delivered by the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH draw on a wealth of regional and technical expertise and tried and tested management know-how. As a federal enterprise, GIZ supports the German Government in achieving its objectives in the field of international cooperation for sustainable development. GIZ is also engaged in international education work around the globe. GIZ currently operates in more than 130 countries worldwide.

GIZ in India

Germany has been cooperating with India by providing expertise through GIZ for more than 50 years. To address India's priority of sustainable and inclusive growth, GIZ's joint efforts with the partners in India currently focus on the following areas:

- Energy - Renewable Energy and Energy Efficiency
- Sustainable Urban and Industrial Development
- Natural Resource Management
- Private Sector Development
- Social Protection
- Financial Systems Development

IGEP Programme

The Indo-German Environment Partnership (IGEP) Programme caters to the focus area of 'Sustainable Urban and Industrial Development'. The IGEP Programme aims to respond to some key challenges identified in the policy framework of the Ministry of Environment and Forests, Government of India. The overall objective of the IGEP Programme is, "Decision makers at national, state and local level use innovative solutions for the improvement of urban and industrial environmental management and for the development of an environment and climate policy that targets inclusive economic growth decoupled from resource consumption".



IGEP cooperates with public and private sectors at the national, state and local levels, including the Ministry of Environment and Forests, Ministry of Urban Development, Ministry of Housing and Urban Poverty Alleviation, Pollution Control Boards, NGOs, industry associations. IGEP supports its partners in establishing sustainable solutions for environmental infrastructure in urban and industrial areas. It focuses on:

- Up scalable pilot measures for sustainable urban and industrial environmental management and climate protection.
- Legal regulations and policy level initiatives on national, state and urban level that support the dissemination of innovative solutions for a sustainable environmental management.

IGEP has four thematic areas of work, viz. Sustainable Urban Habitat, Sustainable Industrial Development (SID), Policy for Environment & Climate and Cross cutting areas of Capacity Building, Climate Change and Gender Mainstreaming. The core topics under the SID component of the IGEP Programme include:

- Environment friendly techniques in identified industry sectors, viz. textiles, pulp & paper
- Waste water management
- Planning of new industrial parks and investment zones

The present Joint Declaration of Intent (JDI) focuses on the first core topic (industry sectors).

3. Date of Effect of this JDI

The three partners involved, viz. the Gujarat Pollution Control Board, the Umweltbundesamt (UBA) and the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH, intend to cooperate through the present Joint Declaration of Intent (JDI).

The cooperation under this JDI should begin from the date of signing of this JDI by the partners and should continue initially till 28th February 2015. The JDI can be revised, extended or terminated at any time by mutual consent of the involved partners (GPCB, UBA and GIZ).

4. Objectives and Scope of Cooperation

The overall objective of the cooperation among the three partners is to facilitate promotion of Best Available Techniques (BAT) without entailing excessive cost in various industry sectors in India so as to strengthen environmental management and pollution control in the industries in these sectors. The industry sectors, to start with, will include:

- Textile sector;
- Pulp & paper sector; and
- Others, as may be identified from time to time.

The overall scope of cooperation is:



- Exchange of knowledge and experiences, including reference documents;
- Developing customised BREF documents for India;
- Undertaking pilot measures on demonstration purpose in identified industries/sectors;
- Promoting dialogue among various stakeholders;
- Training/capacity building;
- Study trips to case examples in Germany for industry, regulatory authorities and other stakeholders; and
- Facilitate technology transfer to industries as per requirements.

5. Expected Outcome

- Capacities of identified stakeholders should be strengthened in terms of knowledge and skills of the involved staff that are mandated with facilitating environmental improvements in industries.
- Knowledgebase should be strengthened in India using BREF documents as well as exchange of knowledge and experiences from Germany.
- Customised BREF documents should be developed for India for identified industry sectors.
- Pilot measures should be demonstrated in identified industries/sectors.
- Dialogue should be promoted among various stakeholders and voluntary commitments are promoted.
- Increased knowledge of industry, regulatory authorities and other stakeholders on BAT for facilitating improvements in industries.

6. Status of the Joint Declaration of Intent

This JDI between the partners, has no legal binding and financial commitments on any of the partners. In the event of implementation of training programmes, organizing of events such as conferences and round tables, organising of delegation visits etc. that involve finances/budget, arrangements should be made between the three partners.

Each partner acknowledges not to indemnify the interests or cause any harm in any manner to any other partner involved.

7. Main Roles of the Partners

7.1 Gujarat Pollution Control Board (GPCB)

1. GPCB should play an active role in promoting environment friendly techniques, not entailing extra costs, in the identified industry sectors viz. Textile sector, and Pulp &



paper sector, in Gujarat so as to strengthen environmental management and pollution control in the industries in these sectors.

2. GPCB should play a facilitator role for demonstration of pilot measures in the identified industries from the identified sectors (textiles and pulp & paper).
3. GPCB should strategise and take measures for up-scaling/replication of the successful case examples for promotion of environment friendly techniques/technologies in the identified industry sectors (viz. textiles, pulp & paper) so as to strengthen environmental management and pollution control in the industries in these sectors in Gujarat.
4. GPCB should promote dialogue among various stakeholders in Gujarat on BAT in relevant meetings, workshops, conferences etc., and should disseminate the relevant information on BATneec.
5. GPCB should make its staff available for training of trainers (ToT) programmes conducted under the cooperation and replicate the training programmes amongst the other staff of GPCB as well as, wherever possible, the other stakeholders.
6. GPCB should provide inputs while developing customised BREF documents are developed for India for identified industry sectors (textiles and pulp & paper).

7.2 Umweltbundesamt (German Federal Environment Agency - UBA)

1. UBA should exchange knowledge and experiences, including BAT reference documents for various sectors with GPCB, CII, FICCI and other stakeholders. This includes participating in relevant stakeholder dialogues, meetings, workshops and conferences in Gujarat/India, and should disseminate the relevant information on BAT.
2. UBA should make available technical experts for supporting training/capacity building of stakeholders, and shall facilitate study trips to case examples in Germany for industry, regulatory authorities and other stakeholders as may become necessary.
3. UBA should provide technical advisory inputs for the pilot work/demonstration work in the selected industries from textiles and pulp & paper sectors in Gujarat. This includes providing advisory inputs on identified specific technical issues related to specific process steps in the industries participating in the pilot work. UBA should also support technology transfer to industries as per requirements, wherever necessary in cooperation with the relevant German/European public/private sector.
4. UBA should provide technical and advisory inputs for developing customised BREF documents for the identified industry sectors, viz. textiles and pulp & paper.
5. UBA should depute resource persons for the training programmes organised for the officials of GPCB, industries participating in the pilot work and other relevant stakeholders (SPCBs, CPCB etc.).



7.4 Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH

1. GIZ should act as a bridge between GPCB, industry, industrial associations and UBA, and facilitate cooperation.
2. GIZ should initiate activities for promotion of BATNEEC in the identified industry sectors (viz. textiles, pulp & paper) under the ongoing IGEP Programme. This includes undertaking of pilot work in partnership with industries and other stakeholders for demonstration of environment friendly techniques/technologies in the identified industry sectors (viz. textiles, pulp & paper) and strengthening environmental management and pollution control in the industries.
3. GIZ, under the IGEP Programme, should support in developing customised BREF documents for the identified industry sectors, viz. viz. textiles, pulp & paper.
4. GIZ should organise training programmes for GPCB, industries participating in the pilot work and other relevant stakeholders (SPCBs, CPCB, CII, FICCI etc.).
5. GIZ should promote dialogue among the industries (textiles and pulp & paper sector) in Gujarat, and wherever possible at national level, on BAT and BATNEEC in relevant meetings, workshops, conferences etc.

Signed by,


[Dr. K.U. Mistry]
Chairman


[Mr. Jochen
Flasbarth]
President


[Mr. Stefan Helming]
Country Director



Gujarat Pollution Control Board



Umweltbundesamt
(UBA)



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