

GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

LOK SABHA
UNSTARRED QUESTION NO. 46
TO BE ANSWERED ON 20.07.2026

Management of Spent Pot Lining

46. SHRI BRIJMOHAN AGRAWAL;

Will the Minister of ENVIRONMENT, FOREST AND CLIMATE CHANGE be pleased to state:

- (a) the details of specific enforcement actions taken by the Government against the illegal mixing of toxic Spent Pot Lining (SPL) with commercial coal for unregulated sales to industrial units;
- (b) the measures put in place by the Government to reconcile the severe public health risks from toxic waste diversion with the Environmental, Social and Governance (ESG) compliance reports submitted by aluminium sector under the Environment Protection Act, 1986;
- (c) the details of audits ensuring that licensed cement kilns safely extract hazards from SPL under Hazardous and Other Wastes (Management & Transboundary Movement) Rules (HWMR) 2016, along with the total number of violations recorded during the last five years;
- (d) the mechanism adopted by the Government to enforce Extended Producer Responsibility (EPR) on aluminium producers when their contracted third-party vendors fail to neutralize toxic components before commercial reuse; and
- (e) the steps taken by the Government to ensure that aluminium producers protect nearby communities, uphold their fundamental right to a clean environment?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE
(SHRI KIRTI VARDHAN SINGH)

(a) & (b) The Government has notified the Hazardous and Other Wastes (Management and Transboundary Movement) (HOWM) Rules, 2016 in supersession of the Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2008 under the Environment (Protection) Act, 1986, which provide a comprehensive regulatory framework for environmentally sound management of hazardous wastes, including Spent Pot Lining (SPL). SPL, generated during production of primary and secondary aluminium is categorized as a hazardous waste under Item 11.2 of Schedule-I of the HOWM Rules, 2016. The Rules do not permit the use or sale of SPL as commercial coal or its mixing with coal for supply to industrial units. SPL is required to be managed through authorized recyclers, pre-processors, co-processors, actual users or Treatment, Storage and Disposal Facilities (TSDFs), as applicable, and its movement is regulated through the prescribed manifest system.

As per Rule 21 and Schedule VII of the HOWM Rules, 2016, State Pollution Control Boards (SPCBs)/Pollution Control Committees (PCCs) are entrusted with responsibility to Monitor Compliance of Various provision of these rules and take Action against violations of these rules. Wherever violations are noticed, actions are taken by the concerned authorities under the provisions of the Environment (Protection) Act, 1986 and the Rules made thereunder, including issuance of directions, closure, environmental compensation, penalties and prosecution, as applicable.

As per Rule 5.(2) of the HOWM Rule, 2016, as amended in 2020, responsibility for recognition, registration, skill development, annual monitoring and to ensure safety and health of workers involved in the generation, handling, collection, reception, treatment, transport, storage, reuse, recycling, recovery, pre-processing, utilization including co-processing and disposal of hazardous waste has been entrusted upon the State Government and its agencies.

(c) Under the HOWM Rules, 2016, utilisation of hazardous wastes, including SPL, in licensed cement kilns for co-processing is permitted only after obtaining authorisation from the concerned SPCB/PCC based on the Standard Operating Procedures (SOPs)/guidelines issued by the Central Pollution Control Board (CPCB). SPCBs/PCCs ensure compliance through site inspections at the time of grant and renewal of authorisation, verification of compliance with authorisation conditions, consent conditions and prescribed emission standards under the Environment (Protection) Rules, 1986, while CPCB issues guidelines and carries out monitoring as required under the Rules. Monitoring of compliance and enforcement action, including recording of violations relating to co-processing of SPL in cement kilns, is carried out by the concerned SPCBs/PCCs under the HOWM Rules, 2016. Information on such violations is maintained by the respective SPCB/PCC, and no centralized database is maintained by the Ministry.

(d) Ministry has notified environmental standards for aluminium plants (refinery and smelters) *vide* notification No. G.S.R. 482(E) dated 21st July, 2025. Ministry has further notified the Hazardous and Other Wastes (Management and Transboundary Movement) Amendment Rules, 2025 on 1st July, 2025, introducing Extended Producer Responsibility (EPR) for Scrap of Non-Ferrous Metals, with effect from 1st April, 2026. The Rules establish a comprehensive regulatory framework for the environmentally sound collection, transportation, refurbishment and recycling of scrap of non-ferrous metals, namely aluminium, copper, zinc and their alloys, covering producers, manufacturers, collection agents, refurbishers, recyclers and bulk consumers. The Rules mandate registration of all stakeholders on the CPCB portal, prescribe recycling targets for producers through the EPR mechanism, require manufacturers to ensure utilisation of recycled non-ferrous metals, provide for generation and trading of EPR certificates by registered recyclers, and require maintenance of records and filing of returns to facilitate digital tracking, monitoring and enforcement of compliance.

(e) Aluminium producers generating hazardous waste are required to obtain authorization from the concerned SPCBs/PCCs, comply with the prescribed waste management hierarchy, maintain records of hazardous waste generated and managed, submit annual returns, and dispose of hazardous waste only through authorized recyclers, co-processors or TSDFs, as applicable. The SPCBs/PCCs monitor compliance through inspections and enforcement under the applicable environmental laws. These measures are aimed at preventing environmental contamination, ensuring safe management of hazardous wastes, and protecting nearby communities by securing their right to a clean and healthy environment.
