STATUTORY COMPLIANCE · 04

Consent for Operation (CFO)

Consent for Operation enquiries for operational facilities and their environmental consent requirements.

Consent for Operation (CFO) Process under SPCB/PCC

The Consent for Operation (CFO), also referred to as Consent to Operate (CTO), is granted to industrial facilities prior to commencing their operations. This permission is required under section 25/26 of the Water Act of 1974 and section 21 of the Air Act of 1981 for industries that have the potential to pollute the air and water.

These industries must apply for a Pollution No Objection Certificate from their respective State Pollution Control Board (SPCB) or Pollution Control Committee (PCC). Before starting their intended operations, industries in the green, orange, and red categories need to obtain a pre-operation NOC.

However, some State Pollution Control Boards have a list of exempted categories (white category) of industries that do not require consent and can operate in any area within the state, if they receive site clearance from the local authority. Once the industrial unit is established and equipped with the necessary pollution control devices, the applicant must obtain a consent to operate (CTO/CFO) for the unit.

Since this consent is granted for a specific period, it needs to be renewed periodically. Industrial units are responsible for ensuring timely renewal of the NOC and complying with the terms and post-compliances specified by the Board for their specific unit.

Consent for Operation (CFO) Approval Procedure

Stage 1	Online Application: Submission and Consent Fee Payment through OCMMS. To streamline the consent management and monitoring process and facilitate ease of doing business, states have implemented the Online Consent Management and Monitoring System (OCMMS). This system allows for the submission of applications for fresh Consent to Establish (CTE) and Consent for Operation (CFO), as well as their renewal. In addition to the Pollution NOC, specific units handling plastic waste, electronic waste (E-waste), hazardous waste, biomedical waste, etc., require authorization from the relevant State Pollution Control Board (SPCB) or Pollution Control Committee (PCC).
Stage 2	Application Scrutiny: The application is scrutinized by a section officer who then forwards it to a supervising officer (Senior Scientific Officer/Scientific Officer/Environmental Engineer) for examination. The supervising officer may provide recommendations if necessary.

Stage 3	Site Inspection: The Board assigns an inspecting officer who will visit the site after scheduling an appropriate appointment. During the visit, the officer, who is an expert in the field, inspects the entire facility in the presence of the owner or an authorized representative. The officer gathers information, conducts sample analysis of the trade effluent, and prepares an inspection report along with recommendations.
Stage 4	Issuance/Rejection of Consent for Operation (CFO): Based on the recommendations of the inspecting officer and addressing any concerns raised during the inspection, the Chairman or Member Secretary of the concerned Pollution Control Board grants or rejects the Consent for Operation. This decision is made in accordance with the delegation of powers within the Board.

Document Required for Consent for Operation (CFO)

Under Air Act

- Index/Site Plan
- Topographical Map
- Detailed layout plan depicting various processes and point sources of emissions, as well as the position of stacks and chimneys
- Process Flow Sheet
- Latest analysis report
- Details of air pollution control devices provided or proposed
- Ambient Air Quality Report (if available)
- Copy of Consent to Establish (CFE) along with implementation details for specified conditions
- List of raw materials with their monthly quantity (in metric tons)
- Material Safety Data Sheet (MSDS) for chemical industries

Under Water Act

- Details of water pollution control devices provided or proposed
- Manufacturing process flow diagram illustrating the input and output in terms of products and waste generated
- Site map indicating the location of the site
- Site clearance obtained from the local authority
- Breakdown of water usage and water balance
- Boiler and steam generation certificate
- List of raw materials with their monthly quantity (in metric tons)
- Third-party analysis report for wastewater analysis

Requirement of Consent for Operation

Once the site construction is completed and the entrepreneur has installed all the necessary waste management and pollution control equipment according to the applicable standards, they can proceed to apply for the Consent for Operation (CFO). It is important to note that the application process takes around 30 days, so the unit should consider this timeframe when planning their application submission.

Validity of Consent for Operation (CFO) from SPCB

Projects	Validity Period
Red Category (Large, Medium, Small & Micro-scale units)	5 years
Orange Category (Large, Medium, & Small scale)	10 years
Orange Category (Micro-scale)	10 years
Green Category (Large scale)	15 Years
Green Category (Medium scale)	15 Years
Green Category (Micro & Small scale)	15 Years

How Can MLC Assist You?

End-to-End Assistance

Owing to our extensive experience of over ten years in the field of licensing and compliance...

Expert Legal Guidance

MLC provides a complete range of support services for Consent for Operation...

Best in Class Client Support

Our dedicated support team ensures that our clients are kept up to date with the latest guidelines...

Frequently Asked Questions

Q. What is the consent to operate under the Pollution Control Board?

The approval from the Board's authority for the release of effluent (sewage or trade effluent) into a stream, well, sewer, or land, or for the emission of air pollutants into the atmosphere.

Q. What is consent in Pollution Control Board?

The Consent to Establish is the initial clearance required, while the Consent to Operate is obtained once the industry, plant, or process has been set up in compliance with the necessary pollution control systems.

Q. What is the consent to operate under the air Prevention and Control of pollution Act 1981?

Any industry, operation, process, or its extension or addition, that has the potential to release sewerage or trade effluent into the environment or emit air pollution into the atmosphere must obtain the necessary consent.

Q. What is the consent to operate under the water Prevention and Control of pollution Act 1974?

Without obtaining prior consent from the State Board, it is prohibited for any individual to establish or operate an industrial plant within an air pollution control area.

Q. How to get consent to establishment from Pollution Control Board?

To obtain consent to establish and operate, the procedure requires submitting of an application to the relevant State Pollution Control Board through the online portal which is to be accompanied by the necessary documents and scrutiny fees as specified by the Board.

Q. What is the consent to establish for pollution control board?

The approval of the Board's authority for releasing sewage or trade effluent into a stream, well, sewer, or land, or for emitting air pollutants into the atmosphere.

Q. What is CTO consent to operate?

The Consent to Operate (CTO) Certificate is a No Objection Certificate (NOC) issued by the Pollution Control Board of each respective state, allowing a business to operate after obtaining approval for the Consent to Establish (CTE).

Q. What is CTE approval?

The Consent to Establish (CTE), also referred to as the CTE, is the required authorization from the relevant authority to establish or conduct any manufacturing industries.

Q. What is CFO consent for operation?

As per the CFO consent for operation, businesses with the potential to pollute the air and water are required to apply for this Pollution NOC at their local State Pollution Control Board (SPCB) or Pollution Control Committee.

Useful details to share when you enquire

- Business activity, site location and ownership details
- Existing applications, permissions and supporting records
- The registration or approval you need to discuss

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