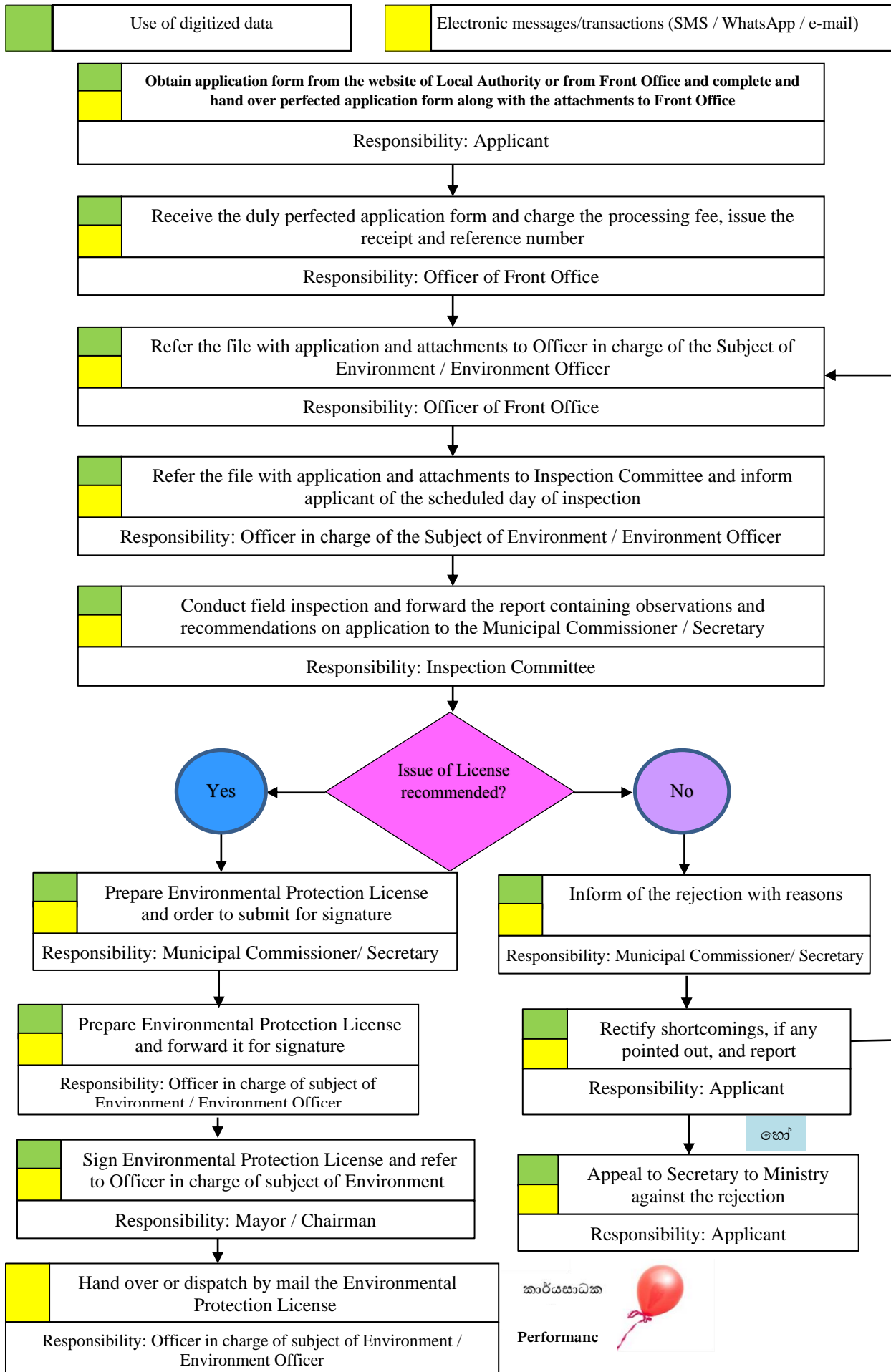


## 11. Issue of Environmental Protection Licenses – Flow Chart



## 11. Issue of Environmental Protection Licenses

### 1. Introduction

Environmental Protection Licenses (EPL) is a license to be obtained from the Central Environment Authority before the commencement of any industry or activity that may cause adverse effects to the environment in terms of the regulations made by the Minister in charge of the subject of Environment to regulate and control such industries or activities by virtue of the powers vested in the Minister under the National Environment Act, No. 47 of 1980 in order to reduce the adverse effects that may occur to the environment by certain industries or activities.

.Note: i. According to the above regulations, the power to issue environmental protection licenses has been vested in the Central Environment Authority.

ii. The powers vested in the Central Environment Authority to issue an environmental protection license to be obtained for carrying on any industry specified in Annexure 01 hereof, have been delegated by the Minister to the local authorities under Section 26 of the said National Environment Act.

iii. A local authority will accept applications for the issue of environmental protection licenses only in respect of the industries mentioned in the said annexure and in respect of other industries a license issued by the Central Environment Authority should be obtained.

### 2. Applicable Legislation

- (a) National Environment Act, No. 47 of 1980; and
- (b) Regulations made by the Minister and published in the gazette until 2022.01.27 as shown in the Annexure 02 hereof.

### 3. Eligibility

- (a) Should be a person who carries on or intends to commence an industry stipulated in Annexure 01 hereof, within the limits of the local authority.
- (b) Should have fulfilled the requirements as required by the regulations made by the Minister.

### 4. Free

- (a) Application fee Rs. 200.00
- (b) Depending on the capital investment of the business, the Inspection fee charged for the process is as follows:

	Investment (Rs.)	Inspection Fee (Rs.)
01	250,000 or less	3,000.00
02	More than 250,001 up to 500,000	3,750.00
03	More than 500,001 up to 1,000,000	5,000.00
04	More than 1,000,000	10,000.00

(c) Environmental Protection License fee is Rs. 3,000.00.

## 5. Documents to be submitted

- (a) Application for EPL (can be obtained from the Front Office or from the website of the Central Environmental Authority)
- (b) Rough sketch of the route to the place of industry or business.
- (c) Details of the staff to be deployed.
- (d) A certified copy of the Business Registration
- (e) A copy of the deed of the land where the business is carried on
- (f) If the person who carries on the industry/business does not own the land, the agreement entered into with the owner, if any, or a certified copy of the consent letter of the owner
- (g) A certified copy of the approved survey plan of the land
- (h) Approved building plan and the Certificate of Conformity of the relevant place.

Note: 1. The building in which the industry is carried out should be purpose built and the approved building plan and certificate of Conformity mentioned above should be in accordance therewith.

2. In the renewal of the EPL the documents mentioned at (d), (e), (f), (g), and (h) need not be submitted.

## 6. Application Procedure

Procedure	Duration	Responsibility
Obtain application form from either the website of the local authority or from the Front Office, duly complete and handover to Front Office together with necessary annexures	Before commencing the industry or before the expiry of validity of the EPL obtained earlier	Applicant
Receive application with relevant annexures, charge processing fee and issue receipt and tracking number to applicant	Immediately upon receiving application	Officer of Front Office
Forward the file containing application with annexures to Officer in charge of the subject of Environment/ Environment Officer	Immediately upon receiving application	Officer of Front Office

<b>Procedure</b>	<b>Duration</b>	<b>Responsibility</b>
Refer the file containing application with annexures to Inspection Committee and inform applicant the date of the scheduled field inspection	Immediately upon receiving application	Officer in charge of the subject of Environment/ Environment Officer
Conduct the field inspection and forward the report containing observations and recommendations to Municipal Commissioner/Secretary	Before the lapse of 7 days from receiving application	Inspection Committee
Issue orders to prepare the EPL	Within 2 days from receiving the report containing observations and recommendations	Municipal Commissioner/Secretary
Prepare EPL and submit for signature	Immediately upon receiving orders	Officer in charge of the subject of Environment/ Environment Officer
Sign the EPL	On the day the EPL is received	Municipal Commissioner/Secretary
Hand over EPL to applicant or dispatch it by post	On the day itself or the following day the signed EPL is received	Officer in charge of the subject of Environment/ Environment Officer

- Note: 1. At the time of receiving the application, the accuracy thereof should be checked. Necessary instructions should be given to rectify shortcomings if any, and accept or reject the application.
2. Composition of the Inspection Committee: - Engineer/ Secretary, Public Health Inspector, Technical Officer, and Environment Officer
3. In the renewal of the EPL, approved building plan and Certificate of Conformity are not necessary.

**7. When the Environment Technical Committee does not recommend the application,**

<b>Procedure</b>	<b>Duration</b>	<b>Responsibility</b>
When the application not recommended, inform applicant of the reasons for rejection and of the requirements to be fulfilled for reconsideration	Within 2 days from receiving the report with recommendations	Municipal Commissioner/Secretary
Report the fulfilment of requirements		Applicant
Follow rest of the procedure at paragraph 6		

**8. Appeal procedure when the issue of EPL is rejected:**

<b>Procedure</b>	<b>Duration</b>	<b>Responsibility</b>
Make appeal to Secretary, Ministry in charge of the subject of Environment	Before the lapse of 30 days from receiving the rejection notice	Applicant
Hear the appeal	Within 7 days from receiving the appeal	Secretary, Ministry in charge of the subject of Environment
Issue the determination about the appeal		Secretary, Ministry in charge of the subject of Environment

Note: Section 23 E of the National Environment Act, No. 47 of 1980 provides for making appeals. The determination of the Secretary, Ministry in charge of the subject of Environment regarding the appeal is final.

**List of industries to which the Central Environment Authority has been vested issue powers to issue Environmental Protection Licenses under Section 26 of the National Environment Act No. 47 of 1980.**

1. All Vehicle Fueling Stations (Liquid Petroleum and Liquefied Petroleum Gases)
  2. Candle manufacturing industries employing 10 or more workers.
  3. Coconut oil extraction industries employing 10 or more but less than 25 workers.
  4. Industries manufacturing non-alcoholic beverages employing 10 or more but less than 25 workers.
  5. Dry process rice mills.
  6. Grinding mills with monthly production capacity less than 1,000 kg.
  7. Smoke leaf drying industries
  8. Cinnamon fumigation industries with a production capacity of 500 kg or more in one process with sulfur fumigation.
  9. Edible salt packing and processing industries.
  10. Tea factories other than instant tea factories
  11. Concrete Precast Industries
  12. Cement Block Stone Manufacturing Industries
  13. Lime Kilns with a production capacity of less than 20 MT per day
  14. Industries manufacturing plaster of Paris or ceramics manufacturing employing less than 25 workers.
  15. All Spindle Milling Industries
  16. Tile and brick industries
  17. Excavation carried out using manpower and explosives less than a production capacity of 600 cubic meters per month by blasting one borehole at a time.
  18. Sawmills or wood processing industries or sawmills using Boron treatment with a sawing capacity of less than 50 cubic meters per day
  19. Carpentry industries using multipurpose machines or wood related industries employing more than 5 but less than 25 workers.
  20. Hotels, guest houses and inns with more than 5 and less than 20 rooms
  21. Garages carrying out repairs and maintenance of vehicles other than garages carrying out repair, maintenance and installation of air conditioners of vehicles or garages carrying out spray painting works
  22. Repair, maintenance and installation of refrigerators and air conditioners
  23. Vehicle servicing and non-serviced container terminals
  24. All electrical or electronic goods repair shops employing 10 or more workers
  25. Presses and type printing machines not involving lead smelting
- 
1. Chemical/fertilizer/ pesticides (insecticides, fungicides, weedicides etc.) manufacturing or formulating industries.
  2. Soaps, detergents, softeners or any other cleansing preparations manufacturing industries having a production capacity of 1,000 kg per day or more.

3. Synthetic rubber, natural rubber manufacturing or processing or rubber based industries or ribbed smoke rubber sheet manufacturing industries having a production capacity of 100 kg per day or more.
4. Oil (mineral oil or petroleum) refineries.
5. Coal storage yards having a storage capacity of 5,000 tons or more or industries involved in manufacturing coal based chemical products or coal processing.
6. Activated carbon or carbon black manufacturing industries.
7. Dye and dye intermediates manufacturing or formulating industries.
8. Paints (emulsion or enamel), inks, pigments, varnish, polish manufacturing or formulating industries.
9. Petrochemical (basic or intermediates) manufacturing or formulating industries.
10. Industrial gas manufacturing or processing or refilling industries.
11. Asphalt plants.
12. All types of tyres or tubes manufacturing industries.
13. Industries involved in manufacturing or reconditioning of batteries.
14. Industries using asbestos fibers as a raw material.
15. Textile Processing (including bleaching, dyeing, printing) industries or garment washing industries or textile sand blasting industries.
16. Tanneries or leather processing or finishing industries having wet process operations.
17. Fermentation industries (distilleries, breweries etc.).
18. Instant tea or coffee processing industries.
19. Industries involved in surface treatment of metal or plastic including electroplating, galvanizing and powder coating industries.
20. Iron and steel mills excluding blacksmith workshops.
21. Non-ferrous metal processing or extracting industries including secondary processes, smelting and recovery of metals.
22. Cement industries (clinker grinding or manufacturing or repacking).
23. Glass manufacturing industries with glass melting.
24. Ceramic industries where 25 or more workers are employed.
25. Mechanized mining activities with multi bore hole blasting.
26. Automobile or three wheeler or motor bicycles or bicycles manufacturing industries.
27. Electrical power generating utilities excluding standby generators and hydro or solar or wind power plants.
28. Paper and pulp manufacturing industries excluding handmade paper and paper based ornaments.
29. Common waste treatment and management facilities located outside or inside of the industrial zones/industrial estates/ export processing zones.

30. Ship building industries and repairing industries including mechanically removing of rust.
31. All harbours excluding fishery harbours 3
2. All international airports.
33. Any activity/ industry not included in Part A of the Schedule which discharges wastewater at the capacity of 40 cubic meters per day or more in its production process.

Annexure 02

08. Reference to Gazette Notifications containing regulations made under the National Environment Act No. 47 of 1980

#	Gazette No.	Date	Section of the Act	Remarks
01	772 / 22	1993. 06. 24	23y	Project Approving State Agencies Amendment: - Gazette No 1104 / 22 of 1995. 11. 05
02	850 / 4	1994. 12. 20	23w	National Environmental (Ambient Air Quality) Regulations Amendments: - Gazette No 1562 / 22 of 2008. 08. 15 - Gazette No 1309 / 20 of 2003. 10. 10
03	850 / 4	1994. 12. 20	32	National Environmental (Ambient Air Quality) Regulations
04	850 / 4	1994. 12. 20	23e	National Environmental (Appeal Procedure) 1994 Regulations
05	859 / 14	1995. 02. 23	23y	List of Project Approving Agencies
06	1104 / 22	1995. 11. 05	23w	Project Approving Agencies Amendments: - Gazette No 772 / 22 of 1993. 06. 24 - Gazette No 1108 / 12 of 1999. 11. 29
07	924 / 12	1996. 05. 23	23p, 23q and 23r	National Environmental (Noise Control) Regulations No.1 1996 Amendments: - Gazette No 973 / 7 of 1997. 04. 30
08	973 / 7	1997. 04. 30	23p and 23q	National Environmental (Noise Control) Regulations No.1 1997 Amendments: - Gazette No. 924 / 12 of 1996. 05. 23
09	1108 / 12	1999. 11. 29		Rectification of Gazette No. 1104 / 22 of 1995. 11. 05
10	1159 / 22	2000. 11. 22	23a	Activities requiring a license Amendments: - Gazette No. 1533 / 16 of 2008. 01. 25 has been repealed by this notification



#	Gazette No.	Date	Section of the Act	Remarks
11	1283 / 19	2003. 04. 10	10 (a) (a) and (g) and 32 (2) (w)	National environmental (upper Kotmale Power Project - Supervision) Regulations No. 1 of 2003
12	1295 / 11	2003. 06. 30	23j & 23k	National Environmental (Air, Fuel and Vehicle Importation Standards) Regulations No 01 2003 Amendments: - Gazette No. 1562 / 22 of 2008. 08. 15
13	1309 / 20	2003. 10. 10	23w	National Environmental (Ambient Air Quality) Regulations
14	1373 / 6	2004. 12. 29	23y	Amendments to the List of Project Approving Agencies
15	1466 / 5	2006. 10. 10	23w	Prohibition of the manufacture of polythene of less than twenty (20) microns Amendments: - this notification was repealed by the Gazette No. 2034 / 33 of 2017. 09. 01
16	1466 / 26	2006. 10. 13	24c and 24d	Declaration of Muthurajawela Environmental Protection Zone Amendments:- Gazette No. 2090 / 11 of 2018. 09. 25
17	1487 / 10	2007. 03. 05	24c and 24d	Declaration of Muthurajawela Environmental Protection Zone Amendments:- Gazette No. 2090 / 11 of 2018. 09. 25
18	1507 / 9	2007. 07. 23	24c and 24d	Declaration of Knuckles Environmental Protection Zone
19	1533 / 16	2008. 01. 25	23a	Activities requiring a license
20	1534 / 18	2008. 02. 01	23a & 23b	National Environmental (protection and Standards) Regulations No. 1 of 2008
21	1557 / 14	2008. 07. 09	23j & 23k	Amendments to National Environmental (Air Emission, Fuel and Vehicle Importation Standards) Regulations, No. 1 of 2003 Amendments to Gazette No. 1295 / 11 of 2003. 06. 30
22	1560 / 26	2008. 08. 01	24c & 24d	Declaration of Maragala mountains Environmental Protection Zone
23	1562 / 22	2008. 08. 15	32	National Environmental (Ambient Air Quality) Regulations Amendments to Gazette No. 850 / 4 of 1994. 12. 20
24	1598 / 21	2009. 04. 24	24c & 24d	Declaration of Walawwewatta wathurana Environmental Protection Zone
25	1627 / 19	2009. 11. 10	32 (2) (h)	National Environmental (Municipal Solid Waste) Regulations, No. 1 of 2009.

#	Gazette No.	Date	Section of the Act	Remarks
26	1634 / 23	2009. 12. 30	24c & 24d	Declaration of Bolgoda Environmental Protection Zone
27	1641 / 28	2010. 02. 17	24c & 24d	Declaration of Hanthana Environmental Protection Zone
28	1738 / 37	2011. 12. 29	23Q	National Environmental (Vehicle Horns) Regulations, No. 1 of 2011
29	1887 / 20	2014. 11. 05	23j & 23k	National Environmental (Air Emission, Fuel and Vehicle Importation Standards) Regulations, No. 1 of 2003 Amendments:- Gazette No. 1295 / 11 of 2003. 06. 30 and Gazette No. 1557 / 14 of 2008. 07. 09
30	1895 / 43	2015. 01. 02	23j & 23k	Rectification of National Environmental (Air Emission, Fuel and Vehicle Importation Standards) Regulations, No. 1 of 2003
31	2024 / 6	2017. 06. 19	24c & 24d	Declaration of Waratenna Hakkinda Environmental Protection Zone
32	2034 / 33	2017. 09. 01	23w	Prohibition of the manufacture of polythene of less than twenty (20) microns Amendments:- these regulations repealed the regulations of the Gazette No. 1466 / 5 of 2006. 10. 10
33	2034 / 34	2017. 09. 01	23w	Prohibition of the manufacture of polythene food wrappers for in country use
34	2034 / 35	2017. 09. 01	23w	Prohibition of the manufacture of polyethylene sacks of higher thickness
35	2034 / 36	2017. 09. 01	23j & 23k	National Environmental (Prohibition of open burning of refuse and other combustible matters inclusive of plastics) Regulations No. 1 of 2017
36	2034 / 37	2017. 09. 01	23w	Prohibition of the use of all forms of polyethylene, polypropylene, polyethylene products or polypropylene products as decoration in political, social, religious, national, cultural or any other event or occasion
37	2034 / 38	2017. 09. 01	23w	Prohibition of the manufacture of food containers, plates, cups and spoons from expanded polystyrene for in country use
38	2075 / 15	2018. 06. 11	24c & 24d	Declaration of Pansalatenna-Maussawa Environmental Protection Zone

#	Gazette No.	Date	Section of the Act	Remarks
39	2079 / 42	2018. 07. 12	23j & 23k	National Environmental (Air Emission, Fuel and Vehicle Importation Standards) Regulations, No. 1 of 2003 Amendments:- Gazette No. 1295 / 11 of 2003. 06. 30
40	2083 / 3	2018. 08. 06	23j & 23k	National Environmental (Air Emission, Fuel and Vehicle Importation Standards) Regulations, No. 1 of 2003 Amendments:- Gazette No. 1295 / 11 of 2003. 06. 30
41	2090 / 11	2018. 09. 25	24c & 24d	Declaration of Muthurajawela Environmental Protection Zone Amendments:- Gazette No. 1466 / 26 of 2006. 10. 13
42	2126 / 36	2019. 06. 05	23i, 23j & 23k	National Environmental (Stationary Sources Emission Control) Regulations, No. 01 of 2019.
43	2148 / 19	2019. 11. 05	32 (2) (o)	Control of Bill Boards and Hoardings (Visual Pollution) Regulations No. 01 of 2019
44	2148 / 20	2019. 11. 05	23g and 32	National Environmental (Ambient Water Quality) Regulations, No. 01 of 2019.
45	2211 / 50	2021. 01. 21	32	National Environmental (Plastic Material Identification Standards) Regulations No. 01 of 2021.
46	2211 / 51	2021. 01. 21	23w (1) (a)	Prohibition of polyethylene terephthalate (PET) or polyvinyl chloride (PVC) material for packing agrochemicals
47	2237 / 7	2021. 07. 19	24c & 24d	Declaration of Talangama Environmental Protection Zone Amendment: - Gazette No. 1487 / 10 of 2007. 05. 05
48	2247 / 32	2021. 10. 01	24c & 24d	Declaration of Talangama and Gregory Lake Environmental Protection Zones Amendment to regulation on Gregory lake Environmental Protection Zone by gazette No. 1487 / 10 of 2007. 03. 05
49	2264 / 17	2022. 01. 27	23a & 23b	Amendments to National Environmental (Protection and Quality) Regulations, No. 1 of 2008
50	2264 / 18	2022. 01. 27	23a	Prescribed activities involve or result in discharging, depositing or emitting waste into the environment for which a license is required

