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An assessment of environmental law enforcement of high and medium polluting industries in the Western Province

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The Environmental Protection License (EPL) is the main legal tool in Sri Lanka for pollution control. An EPL is issued under section 23B of National Environmental Act and it is implemented by Central Environment Authority (CEA) and local authorities. The present study investigates the effectiveness of the EPL scheme in controlling pollution of high and medium polluting industries in the Western Province and suggests measures to improve the situation.

Data were collected from 31 randomly selected high and medium polluting industries. Secondary data available at the CEA on EPL applications, complaints received, and information pertaining to violation of legal requirement, and the information on remedial actions taken by the industries were the main sources of information. In addition, data on energy usage, waste generation and employment rates were collected. The data were analyzed in order to identify the degree of compliance with the standards for individual parameters tested.

The results revealed that of the 31 industries selected, only nine industries complied with all the effluent standards specified in the EPL. Eight industries did not comply with the standards. Thirteen industries were located in inappropriate sites. Temperature was the only parameter that was within the approved levels for all industries. The environmental parameters were significantly different among the three groups. Reasons for high non-compliance were wide ranging from technical to social issues. The role of economic instruments such as waste water discharge fee namely Load-based scheme and local subsidiary schemes that could change the industry behaviour is also discussed.