DRAFT RULES

MoEFCC publishes draft Remediation of Contaminated Sites Rules, 2024

S.O. 3550(E) proposes rules to identify, assess and remediate contaminated sites, with the responsible person liable for remediation costs.

S.O. 3550(E), DATED August 21, 2024, publishes the draft Remediation of Contaminated Sites Rules, 2024 of the Ministry of Environment, Forest and Climate Change. Its preamble states that areas contaminated by toxic and hazardous substances pose a risk to human health and environment, and that a number of probable and confirmed contaminated sites have already been identified by the Ministry. The rules would come into force from the date of their publication in the official Gazette.

THE CHANGE

Proposed: new rules for identifying, assessing and remediating sites contaminated by hazardous substances, with a Central Remediation Committee and liability on the responsible person for remediation costs.

KEY FACTS

TYPE
Draft rules

S.O. NUMBER
S.O. 3550(E)

DATED
August 21, 2024

APPLIES FROM
Proposed: from the date of their publication in the official Gazette (rule 1(2) of the draft)

REFERENCES

S.O. 3550(E)

CG-DL-E-22082024-256547

MoEFCC publishes draft Remediation of Contaminated Sites Rules, 2024

S.O. 3550(E) · August 21, 2024

S.O. 3550(E), dated August 21, 2024, publishes the draft Remediation of Contaminated Sites Rules, 2024 of the Ministry of Environment, Forest and Climate Change. Its preamble states that areas contaminated by toxic and hazardous substances pose a risk to human health and environment, and that a number of probable and confirmed contaminated sites have already been identified by the Ministry. The rules would come into force from the date of their publication in the official Gazette.

The draft sets out a sequence. Urban local bodies and district level Panchayati Raj Institutions list suspected contaminated sites; a preliminary site assessment marks a site probable where contaminants are above the screening level; a detailed site investigation confirms it where the level is equal to or more than the response level. A Central Remediation Committee, chaired by the Chairman of the Central Pollution Control Board, decides on confirmation and approves remediation plans. A probable or confirmed site is marked in the land records, and its land use, ownership or activities cannot change without the Committee's permission.

The responsible person is absolutely, retroactively, and jointly and severally liable for remediation costs, which Schedule III lists. Investigation costs would be met first from the Environmental Relief Fund under the Public Liability Insurance Act, 1991 and the State Government, and recouped from the responsible person within 3 months once identified; orphan sites are funded the same way. Environmental compensation for not depositing the remediation cost on time would be double the amount of remediation cost that was to be deposited.

The notice invites objections or suggestions within 60 days from the date of publication of this notification in the Gazette. S.O. 3401(E) of July 24, 2025, the Environment Protection (Management of Contaminated Sites) Rules, 2025, cites this draft.

The notification (F. No. 12/4/2024 -HSM) appears in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii), No. 3234, dated August 21, 2024; the e-Gazette put it online on August 22, 2024.

S.O. number	S.O. 3550(E)
Dated	August 21, 2024
Put online	August 22, 2024
Gazette ID	CG-DL-E-22082024-256547
Rule	Other waste rules

Type	Draft rules
What it does	Proposed: new rules for identifying, assessing and remediating sites contaminated by hazardous substances, with a Central Remediation Committee and liability on the responsible person for remediation costs.
Applies from	Proposed: from the date of their publication in the official Gazette (rule 1(2) of the draft)
Comments	Closing date October 20, 2024, worked out: 60 days from August 21, 2024, the day S.O. 3401(E) says copies were made public
Made final by	S.O. 3401(E) of July 24, 2025
Conditions	• Any objection or suggestion within the period of 60 days from the date of publication of this notification in the Gazette (the notice's words), to the Secretary, Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Ali Ganj, Jor Bagh Road, New Delhi 110003, or by email to sohsmd-mef@gov.in. • Closing date, worked out (not printed): October 20, 2024, counted from the issue date, August 21, 2024; October 21, 2024, counted from the publish date, August 22, 2024. • S.O. 3401(E) of July 24, 2025, the Environment Protection (Management of Contaminated Sites) Rules, 2025, cites this draft and records that its copies were made available to the public on August 21, 2024.
Applies to	Sites contaminated by hazardous substances and the persons responsible for them; urban local bodies, district level Panchayati Raj Institutions, industrial development authorities and industries, State Governments, and the State and Central Pollution Control Boards.
Issued under	Section 3, 6, 8 and Section 25 of the Environment (Protection) Act, 1986 (29 of 1986) read with Rule 5(1), 5(3)(a), 5(13)(1) and 5(13)(2)(i) of the Environment (Protection) Rules, 1986
Signed by	NARESH PAL GANGWAR, Addl. Secy.

The notification, entry by entry

Entry	Text
Rule 1: Short title and commencement	These rules may be called the Remediation of Contaminated Sites Rules, 2024. They shall come into force from the date of their publication in the official Gazette.

Rule 2: Application	Remediation of sites contaminated by hazardous substances as defined in the Environment (Protection) Act, 1986 and as in the schedules of the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and the Public Liability Insurance Act 1991. Not sites contaminated by radio-active wastes, rehabilitation of abandoned mines and mining damage under the Mines and Minerals (Development and Regulation) Amendment Act, 2015, or oil spills. A site where hazardous substances are co-mingled with mining waste, bio-medical waste and municipal solid waste is covered if contamination exceeds the threshold specified in these rules.
Rule 3: Definitions	1. to 36., among them suspected, probable, confirmed and orphan contaminated sites, screening level and response levels, and absolute, retroactive, joint and several liability.
Rule 4: Central Remediation Committee	Constituted by the Central Government under the chairpersonship of Chairman, Central Pollution Control Board, with 26 listed responsibilities, among them deciding whether a site is a confirmed contaminated site, publishing it through a confirmed contaminated site notice, and granting approval of the detailed project report within 4 months from submission by the State Pollution Control Board. It meets at least once in six months and works through the online portal.
Rule 5: Responsibilities of Central Government	Constitutes the Central Remediation Committee; may recommend to the State Government the relocation of people residing in confirmed contaminated sites.
Rule 6: Responsibilities of Urban Local Bodies / District Level Panchayati Raj Institutions	Prepare the inventory of suspected contaminated sites outside industrial areas; have preliminary and detailed site assessments carried out; submit the inventory of probable contaminated sites in Form 1 within a period of one year from the date of commencement of these rules and every year thereafter by 30th June. Land authorities add a remark in the land record of probable or confirmed contaminated land, and no change of land use, ownership or activity on such a site is allowed without the permission of the Committee.
Rule 7: Responsibilities of Industrial Development Authorities and Industries	File an annual report on the sites in industrial areas and industries, categorized as suspected, probable or confirmed contaminated sites.
Rule 8: Responsibilities of State Government	Give views to the Committee on the inventories of sites, on recommending a reference organization for detailed investigation (within 90 days of receiving the inventory of probable contaminated sites) and on whether a site is confirmed contaminated (within 90 days of receiving the report); develop Public Private Partnership modalities for orphan sites; may allot remediated orphan land to beneficiaries under Pradhan Mantri Awas Yojana (PMAY); constitute a State committee within three months from the date of publication of these rules.

Rule 9: Responsibilities of State Pollution Control Board	Rank confirmed contaminated sites into a priority list within 90 days; within 90 days of the Committee's recommendation, order the Responsible person to have a remediation design and detailed project report prepared by a reference organization (Schedules I and II), the report due in not more than 6 months; take up remediation itself at the Responsible person's cost in case of slow response; issue remediation completion orders and restricted site notices; submit the annual inventory in Form 3 by the 30th day of September every year.
Rule 10: Responsibilities of Central Pollution Control Board	Publish confirmed contaminated sites on the online portal, inviting objections and suggestions; establish a contaminated site registry, with geotagging/geo-fencing, remote sensing and satellite imagery; issue guidelines on preliminary site assessment, detailed site investigation, risk based assessment and prioritization; send a consolidated review report in Form 4 to the Ministry before the 30th day of September every year.
Rule 11: Financial mechanism for remediation activities	Preliminary and detailed investigation costs may be met initially from the Environmental Relief Fund under the Public Liability Insurance Act, 1991 and the State Government, shared 90% Central and 10% State for North Eastern & Himalayan States, 60% and 40% for other States, and 100% Central for Union Territories; recouped from the responsible person within 3 months once identified. For orphan sites, the land may be auctioned upon remediation, or remediation may be done through a Public Private Partnership Model.
Rule 12: Liability of responsible person	The responsible person is absolutely, retroactively, and jointly and severally liable for remediation costs (Schedule III), whether incurred on or off the confirmed contaminated site, and is not exempted because the contamination occurred before the Act or the substances were not notified at the time.
Rule 13: Voluntary remediation	A person may apply to the Committee for voluntary remediation of a site not yet categorized as probable or confirmed contaminated or under investigation, showing sufficient capacity to pay; the Committee may recommend approval to the Central Government.
Rule 14: Environmental Compensation	Levied on responsible persons not depositing the remediation cost on time, and for false information or forged documents; it will be double the amount of remediation cost that was to be deposited. Levied by the State Pollution Control Board; if it does not act in sixty days, the Central Pollution Control Board issues directions.
Schedule I [see Rule 9(6)]: Preparation of Remediation Design	Fieldwork and laboratory testing, site specific risk assessment, remediation objectives and options, and a health and safety plan; online monitoring systems at the contaminated sites.
Schedule II [see Rule 9(6)]: Preparation of Detailed Project Report	Investigations, remediation options with indicative cost and timeframe, and the outcome of stakeholder consultation; the basic format is prescribed by the Committee in its first meeting.
Schedule III [see Rule 12(4)]: Remediation Cost	All costs of remediation of a confirmed contaminated site, items a. to i., including third parties, investigation, remediation and post remediation measures, relocation and rehabilitation of affected persons, compensation for environmental damage, and all taxes, duties and levies.

Forms 1 to 5	Information categorizing sites as probable contaminated; annual progress report of Urban Local Bodies / District Level Panchayati Raj Institutions; annual inventory by the State Pollution Control Board; annual consolidated review report by the Central Pollution Control Board; format for reporting accident.

The notification (PDF, 2.0 MB)

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Read online: indusdesk.com/moefcc/tracker/publishes-draft-remediation-of-contaminated-sites-rules-2024-256547/