

5TH QUARTERLY
ACTION TAKEN REPORT
(AS ON 31.01.2005)
ON THE
DIRECTIVES OF THE SUPREME COURT OF
INDIA
IN THE MATTER OF W.P. (C) NO. 657 OF 1995
DATED OCTOBER 14, 2003.

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MAHARASHTRA POLLUTION CONTROL BOARD
Kalptaru Point, Sion Circle, Sion (East)
Mumbai 400 022

January 31, 2005

MAHARASHTRA POLLUTION CONTROL BOARD

Subject: 5th QUARTERLY ACTION TAKEN REPORT as on January 31, 2005

Reference: Orders of the Hon'ble Supreme Court of India, dated 14.10.2003 regarding management of hazardous wastes.

1.0 Background

The Hon'ble Supreme Court of India is considering a public interest litigation regarding management of hazardous wastes in India vide Civil Writ Petition no. 657 of 1995. The Court considered various recommendations contained in the report of the High Powered Committee, appointed under the chairmanship of Prof. M.G.K.Menon, and issued a detailed order dated 14.10.2003 directing all the concerned authorities to take follow up actions in a time bound manner on those directives. Further, the Court also appointed a Monitoring Committee, under the Chairmanship of Dr. G. Thyagarajan, Former Director, CSIR, to oversee the compliance of the directives issued. The Monitoring Committee is required to submit quarterly report to the Court regarding actions taken by the concerned authorities.

First quarterly Action Taken Report was submitted by Maharashtra Pollution Control Board (MPCB) on 31.01.2004. The 2nd quarterly Action Taken Report, as on 30th April 2004, was submitted in the 2nd week of May 2004. The 3rd quarterly Action Taken Report was submitted in the 2nd week of August 2004 and the 4th quarterly Action Taken Report presenting actions taken during the period August to October, 2004 was submitted in the 2nd week of November 2004.

The Action Taken Reports submitted by Maharashtra Pollution Control Board have been placed on the website of the Board (<http://mpcb.mah.nic.in>).

The strong and exemplary actions taken by the Maharashtra Pollution Control Board to streamline the enforcement of Hazardous waste Rules and the compliance of the Hon'ble Supreme Court of India directives in the state have been appreciated by the Chairman, Supreme Court Monitoring Committee as reported in the 4th ATR.

This is the 5th quarterly Action Taken Report which presents the actions taken by MPCB during the period November, 2004 to January, 2005 on the directives of the Apex Court regarding Management of Hazardous wastes in Maharashtra State.

2.0 Chronology of the Actions Taken since November 1, 2004

3.11.2004	Participation as a Member of the Expert group in the workshop on E-Waste Management at CPCB Delhi
8.11.2004	Review meeting at Regional office Raigad on the hazardous waste management and the directions of the SCMC on visit to Mahad
9.11.2004	Publication of a journal Paryavaran Sevak in Marathi for creation of environmental awareness in local language
14.11.2004	Inauguration of the film "Chakachak" made for creation of environmental awareness among the children regarding management of wastes held at the National Film Archive Auditorium, Pune. MPCB has financially supported this venture.
18.11.2004	Review meeting on HW management taken by Chief Secretary, Govt. of Maharashtra
19.11.2004	Meeting to review the performance of the CETP established at Patalganga Rasayani Industrial Area by PRIA
20.11.2004	Discussions on the e-waste management in Mumbai
20.11.2004	Review meeting on HW management at Taloja Industrial area, Taloja MIDC
21.11.2004	Foundation Stone laying ceremony of the new building of MPCB central Laboratory, Mahape, Navi Mumbai at the hands of Union Agriculture Minister. This is a part of institutional strengthening efforts.
24.11.2004	CRISIL meeting at AILSG on the preparation of the model tender documents on the waste management in the State
26.11.2004	Training workshop on Bio medical waste management at Tata Memorial Hospital Mumbai The participation included the medical professionals, and health department officials
30.11.2004	Meeting with MSEB, Technical Division and Chief Engineer on the disposal of waste oil/used oil in accordance with the Apex Court directives.
1.12.2004	Meeting with MIDC Taloja Industries to review the HW management and compliance of the directives of SCMC
2.12.2004	Review meeting on the activities of MPCB taken by Minister for Environment Govt. of Maharashtra. This covered hazardous waste management in Maharashtra.
3.12.2004	Meeting with Airport Authority of India regarding disposal of hazardous cargo lying at their premises in Sahar, Mumbai
6.12.2004	ICMA Chemical Emergencies workshop at Mumbai which covered the emergency situations during transportation and disposal of the HWs

9.12.2004	Secured Landfills and Environment management Conference held at Indian Institute of Technology, Mumbai
10.12.2004	Meeting organized by M/s Asian Paints on Coatings : Health & Wealth to discuss the HW management in the paint industry
21.12.2004	Participation in the training Program on Industrial Hazardous Waste Management at CPCB Delhi as a part of institutional strengthening measure.
23.12.2004	Meeting to review the HW and CETP management at the MIDC Kurkumbh Industrial area
28.12.2004	Meeting at MPCB regarding pollution problem of Waldhuni Nalla at Ulhasnagar and the HW management issues of the industries in this industrial area.
6.01.2005	Visit to M/s Golden Chemicals, Dahisar to get first hand information on the hazardous waste being stored at this closed industry as per the complaint made by Mumbai based activist and report the facts to the Ministry
11.1.2005	SCMC meeting to review the compliance of the directives given by SCMC in its meetings in June, 2004, August, 2004 and December, 2004. The minutes are annexed as Annexure- I
13.01.2005	Visit to Dombivali CETP to review its performance of CETP, disposal of accumulated sludge and the removal of the illegal waste dumps in Dombivali industrial area by MIDC
14.01.2005	Visit to TTC CETP to review its performance of CETP, disposal of accumulated sludge and the removal of the illegal waste dumps in TTC industrial area by MIDC
15.01.2005	Visit to Lote Parshuram CETP to review its performance of CETP, disposal of accumulated sludge and the removal of the illegal waste dumps in the industrial area by MIDC
18.01.2005	Visit to Talaja CETP to review its performance of CETP, disposal of accumulated sludge and the removal of the illegal waste dumps in Talaja industrial area by MIDC.
20.1.2005	Discussion with Chairman Goa SPCB on the establishment of Joint TSDF in Southern Maharashtra as suggested by SCMC during their visits to Maharashtra and Goa,

3.0 Closure of defaulting industries

As directed by the Hon'ble Supreme Court of India, it was decided that industries identified as per Hazardous Wastes (M. &H.) Rules, 1989 shall be considered for issuance of closure directions. As reported in the earlier ATRs as per 1989 Rules, 3427 units were identified as HW generators in Maharashtra. A fresh assessment is also being carried out to confirm the presence of any additional HW generating units in Maharashtra which is not reported earlier.

As per the directives of Hon'ble Supreme Court of India, action was initiated against the industries who did not possess authorizations and also those who were not complying with the conditions of the authorization granted to them by MPCB. The status in terms of closure directions issued by MPCB and withdrawal of those directions in respect of industries who have complied with the orders of the Apex Court and MPCB is as under:

Category	Action by MPCB
Total no. of industries operating without Authorization / not complying with Authorization Conditions: closure directions issued till date.	823
No. of industries now complying with the directions and hence the closure directions withdrawn.	621
No. of industries closed for non compliance / electric supply disconnected.	18
No. of unit found to be closed for various reasons.	76
No of industries who have been granted permission to store the HWs due to TSDF distance criteria	108
No. of units who have become member of CHWTSDF as on 31 st Jan.2005.	Taloja: 1721 TTC: 910

The actions viz. issuance of directions to HW generating units, levy of fines etc. is being continued so that the industries are compelled to take the HWs lying in their premises to the common TSDF at Taloja or TTC.

Establishment of new TSDF at Butibori (Nagpur) and Ranjangaon (Pune) are also in the initial stages of development and EIA studies on these TSDFs in progress. Besides, in the areas where no TSDFs are available, the industries have been permitted to store the hazardous wastes. Wherever possible, the industries have been directed to carry out on-site disposal (by recycling) or incineration (only if the incineration facility is available) or sale

the wastes to registered recyclers who possess EST and ESM facilities and are authorized by CPCB to receive the wastes for recycling/ re-refining or the incineration.

Two CHWTSDFs have been established in Maharashtra state. These are at TTC and Taloja industrial areas, respectively, which are within a reasonable distance of about 100 km from the of the location of the majority of HW generating units in 7 districts near Mumbai-Thane.

The incineration facility is a part of the TSDF at Taloja. The first cell of the TSDF was commissioned in November 2002 and the Incinerator has become operational in November 2004.

In case of the industries located in Nagpur, Aurangabad, Amravati, Kolhapur, Pune & Nashik districts, where the distance from CHWTSDF is more than 100 km, it was decided to permit them to store the Hazardous wastes on-site till CHWTSDF is established by MIDC for those regions. In this regard, MIDC has signed agreements on 13/08/2004 with the operators for CHWTSDF, who have been qualified to establish such facilities at Butibori (for Nagpur/ Amravati regions), Ranjangaon (Pune/Kolhapur regions)

TSDF Sites

Sr. No.	Location	Capacity	Status
1	Taloja, Raigad	SLF: 120000 TPY Incinerator: 2.0TPH	Operational (2002) Incinerator is commissioned in November 2004.
2	TTC, New Mumbai	SLF: 10000 TPY	Operational (2004). First cell had been commissioned in Jan. 2004.
3	Buti Bori (Nagpur)	SLF:50000 TPY Incinerator: 2.0 TPH	The letter of Award for Buti Bori TSDF has been issued in June, 2004. The EIA of site is being carried out through Regional Research Laboratory, Govt. of India by the project proponents After completion of EIA & public hearing the site notification will be issued accordingly by MIDC which is a Nodal agency appointed by the

Sr. No.	Location	Capacity	Status
			State Government for this purposes..
4	Ranjangaon (Pune)	SLF: 50000 TPY Incinerator: 2.0 TPH	The EIA of site is being carried out through Regional Research Laboratory , Govt. of India, by the project proponents After completion of EIA & public hearing the site notification will be issued accordingly by MIDC.
5	Shendre (Aurangabad)	SLF: 50000 TPY Incinerator: 3.0 TPH	RFP was invited by MIDC and it is under scrutiny. After discussion with Expert committee final decision will be taken by MIDC
6	Mahad	Incinerator: 3.0 TPH	RFP was invited and is under scrutiny. After discussion with Expert committee final decision will be taken by MIDC.

Establishment of a common landfill site at MIDC Lote-Parshuram

SCMC during their visit to Goa state noticed that hazardous waste generated from industry is not sufficient enough requiring the establishment of a separate CHWTSDF for Goa. SCMC directed to explore the possibility to set up a joint landfill site at MIDC Lote-Parshuram or any any other suitable place to cater to the HW disposal needs of the industries in Goa and Southern Maharashtra. Chief Minister Goa has also made a request to Chief Minister, Maharashtra to agree to such joint TSDF development. The issues are being examined by MIDC which is anodal agency for the development of infrastructure for the disposal of HWs. The matter was also discussed with Chairman Goa SPCB when he visited MPCB on January 20, 2005. The letter sent by MPCB to MIDC to take action on the request of Goa state is annexed as **Annexure- II**

4.0 Removal of hazardous wastes from illegal dump sites

The Hon'ble Supreme Court has directed that illegal and /or unauthorized dumping of hazardous wastes shall be lifted and sent to secured landfill (TSDF). In this regard, MPCB has adopted a three pronged approach to ensure the compliance of the directives of the Apex Court.

4.1 The Hazardous Waste lying in the premises of Industries:

Directions were issued by MPCB to the industries, which were storing the HWs in their premises. They were directed to lift the HWs and send it to the nearest CHWTSDF immediately for treatment and disposal. Following table shows quantity of hazardous wastes received at TTC & Taloja CHWTSDFs during the period under report.

(a) Hazardous Waste Received at Taloja CHWTSDF

Sr. No.	Month	Direct disposal in SLF (MT)	Treatment and disposal in SLF (MT)	Incineration (MT)	Total (MT)
1	Nov. 04	1300	1662	505	3467
2	Dec. 04	5022	2871	673	8566
3	Jan. 05	2920	3710	432	7062
	Total	9242	8243	1610	19095

(b) Hazardous Waste Received at TTC CHWTSDF

Sr. No.	Month	Direct disposal in SLF (MT)	Treatment and disposal in SLF (MT)	Incineration (MT)	Total (MT)
1	Nov. 04	192	82	NA	274
2	Dec. 04	221	108	NA	329
3	Jan. 05	127	91	NA	218
	Total	540	281	NA	821

As reported in 4th ATR as on October 31, 2004, 25 industries were issued Proposed Directions as per Rule 16 (3) of the H.W. Rules levying the fine, for storing large quantity of HW in their premises and were directed to send the HWs to CHWTSDF, immediately. 4 industries have paid the fine to MPCB and the other industries have sought additional time and requested for a hearing in the matter. Two more industries have been issued notices for the levy of the fines as below. MPCB is taking further action in the matter on merits of each case.

Out of those 25 industries, 8 industries were issued directions for payment of fine. 3 industries had paid fine totaling Rs. 16.86/- lakh fine to MPCB, as reported. Two more industries have been issued show cause notices as per HW Rules 16 (3) as given below

Sr. No.	Name of the Industry	Approx. quantity of hazardous waste stored	Proposed levy of fine @1500/- per ton (in Rupees)
1	M/s Aarti Drugs Ltd, Tarapur	60 MT	90000/-
2	Dy. CE (Gen, O & H) Chandrapur Super Thermal Power Station, Urjanagar, Chandrapur Pin. : 442404	5305 KL	76,66,000/-

So far 4 industries have paid fine to MPCB. The other industries have sought additional time and requested for a hearing in the matter. MPCB shall take further action based on merits of each case. Instructions have been issued to the Regional officers of the Board to follow up the matter and recover the fines from the defaulting industries and take actions against the industries

On confirmation of the quantities of HWs stored by M/s. Tasc Pharmaceuticals Ltd. Karkhumb, Tal. Daund, Dist. Pune, they were directed to pay a fine of Rs. 75000 for storing HWs in the premises. The directions issued by Board dated on 1.1.2005 and 20.1.2005 are attached as **Annexure - III**

The directions issued earlier to M/s. Aarti Drugs Ltd Tarapur, Dist. Thane were further reviewed based on the exact quantities of HW found lying at their premises. The amount of fine has been proportionately reduced and accordingly fresh directions have been issued. These are attached as **Annexure- IV**.

The issuance of directives to the industries regarding the levy of fines for not taking their wastes to TSDFs has had a very positive impact on the disposal of the HWs and those industries have started sending HWs to the TSDFs, as may be seen from the figures of the wastes received by the CHWTSDFs till 31.1.2005. MPCB is also continuously monitoring the actions being taken by the industries to send the wastes to TSDFs through its field staff. The Board is taking necessary action on the recovery of the fines from the defaulter industries. It is also proposed to initiate actions against the defaulters, who are not sending their wastes to TSDFs, on the line of action recommended by SCMC against M/s. Hema Chemicals, Baroda.

4.2 Hazardous wastes lying in MIDC Industrial areas

MIDC is taking steps to lift the HW from illegal dump sites in the MIDC areas as directed by the SCMC team. SCMC had directed MIDC to lift all the waste lying in the industrial areas viz, Patalganga, Ambernath Badlapur TTC, Roha, Talaja and Dombivali and dispose it off at TSDF at Talaja.

The progress report submitted by MIDC in this regard is annexed at **Annexure-V** MIDC has also floated tenders for establishing the TDSF at Tarapur as directed by SCMC during their visit to Tarapur in June, 2004. The tender document was sent to SCMC members for their expert opinion and this was further discussed in the SCMC meeting held on 30.9.2004 in Mumbai. MPCB has already accorded permission to the proposed TSDF at Tarapur vide its letter dated 8.11.2004 which is annexed as **Annexure – VI**.

SCMC had directed MIDC to bear 50% cost of the transportation of HW from the industrial areas and remaining 50 % to be borne by the industries in those MIDC areas. Similarly for CETP, the TIMA was directed to pay 50% cost to MIDC before 31.7.2004. Meetings were held at MPCB between MIDC officials, Super Clean and TIMA to review the progress of the actions taken on the directives of SCMC. The minutes of the meetings held are annexed at **Annexure – I**.

MPCB continues to intensely monitor the 75 industries, which were issued closure notices for their failure to comply with the consent conditions and for discharging the effluent with pH 2.0 at sump no. 3 at MIDC, Tarapur. Those industries were allowed to re-start their operations after each industry submitted a Bank guarantee of Rs. 25,000 to MPCB along with an undertaking that lapse on part of any industry, who contribute effluent to sump no. 3 at CETP MIDC Tarapur, will result in forfeiting of all the 75 Bank guarantees given by all the industries. The situation continues to be fully under control due to stricter vigilance by MPCB in Tarapur MIDC.

A Local Area Environment Committee has been appointed by MPCB to monitor the compliance of the directives. This committee continues to play an important role in the control of pollution due to CETP at MIDC Tarapur. Since the formation of LAEC, the pH at sump no. 3 continues to be within the range of 5.5 to 9.0, as per the MPCB's conditions of consent given to Tarapur, CETP. The Terms of reference of the LAEC, drafted by MPCB, were appreciated by Chairman SCMC. A mail received from Chairman SCMC is annexed as **Annexure –VII**.

SCMC team that had visited Maharashtra during June, 2004 had given directions to MIDC and also directed them to submit the compliance report on those directions. The compliance has also been reviewed by SCMC in the meeting held on 11.01.2005 and the minutes of the meeting are annexed at **Annexure – I**.

(a) CETP sludge:

CETPs in the MIDC areas are one of the major sources of H.W. generation, in the form of ETP sludge. As per the information gathered by SCMC visiting team in June, 2004, the quantum of the HWs. lying in MIDC, CETP sumps at different industrial areas is as follows:

Sr. No.	Name of Industrial Area	Qty. of H.W. (M.T.) Approx.
1	Mahad	1747
2	Roha	200
4	Taloja	200
5	Badlapur	15
6	Ambernath	25
7	Dombivali (I & II)	210
8	TTC, Thane Belapur	200
9	Patalganga	200
	Total	2797

The issue of ETP sludge was also discussed in the SCMC the work has since commenced The sludge at TTC MIDC is completed, Roha work started, Tarapur to be completed by 31.1.2005 and all work at all meeting held on 21.10.2004 and MIDC was directed to make a visit to all the CETPs mentioned in the table above and submit the compliance on the ETP sludge disposal before 31.10.2004. MIDC had sought an extension of time up to December to lift the sludge from the CETPs, as reported in 4th ATR . SCMC had directed MIDC to physically examine the compliance on the disposal of the CETP sludge to TSDF at Taloja and submit a report to SCMC on 31.10.2004 before the extension of the time can be considered. MIDC was not able to complete the task of lifting the HWs in the above industrial areas as directed by SCMC. This was further reviewed by SCMC on January 11, 2005 at its meeting in Mumbai. The minutes of this meeting are annexed as **Annexure - I**. MIDC has reported that the lifting of sludge from the MIDC Collection sumps has been accorded sanction in June 2004 and other places shall be completed by 30.4.2004. Transportation and disposal of sludge from Mahad sump has started from 17.1.2005 and is expected to be completed by 31.3.2005. The progress report submitted by MIDC after SCMC review meeting held on 11.1.2005 is annexed as **Annexure - I**.

(b) Illegal dump sites:

Besides, there are plots in MIDC areas, mentioned below, which were earmarked for the disposal of solid non-hazardous wastes. However, these plots, over a period of time, have now become the illegal dump sites for hazardous waste due to incessant dumping of the HWs and non-HWs at those sites. Lack of vigilance by MIDC is the another reason for non-conforming use of those plots for unabated disposal of wastes by the industries.

There are also some closed units in MIDC area. The premises of such units are being used for illegally dumping hazardous waste. The information on approximate quantities of the illegal HWs dumps is as follows:

Sr. No.	MIDC area	Illegal dump (Approx. Qty., MT)
1.	MIDC, TTC (A & EL Block)	200
2.	MIDC, TTC (C Block)	100
3.	MIDC, Dombivali	180
4.	MIDC, Dombivali Phase-II	30
5.	MIDC, Ambernath (Chikhloli & Morivali)	17
6.	MIDC, Ambernath	08
7.	MIDC, Badlapur	15
8.	MIDC, Tarapur	40,000
9.	MIDC, Patalganga	200
10.	MIDC, Roha	200
	Total	40950

The operations of removal of the illegal waste dumps got delayed to extended monsoon in those areas. However, MIDC has started lifting and disposing off the illegal HW dump by industries inside MIDC area to TSDF at Taloja from 10th Jan. 2005 and three areas i.e. Ambernath, Patalganga and Roha has been cleared up till now. The work is in progress at Dombivli. It is reported that MIDC has lifted 614 MT of hazardous waste from Dombivali so far and work is in progress. MIDC confirms that it shall clean up all the illegal HWs dumps in MIDC areas by March 31, 2005. MIDC has to evolve an appropriate vigilance mechanism to stop the further dumping of the HWs by the industries in their industrial areas.

About 1.5 lakh MT of hazardous waste (approx) are lying at a dump site in Tarapur MIDC industrial area. MIDC has decided to carry out the on-site rehabilitation of this illegal HW dump. MIDC has prepared a proposal in consultation with NEERI. MIDC has floated a Tender for development of secured landfill on plot no. OS-10 & 11 in MIDC Tarapur. MPCB has given approval to double HDPE liner for secured engineered hazardous waste landfill cell at OS-10 & 11 in MIDC Tarapur on 08.11.2004 (**Annexure - VI**) SCMC has directed that the secured land fill establishment work at Tarapur shall be completed by MIDC on and before 15th May 2005. MIDC has agreed to adhere to this deadline. MPCB is closely watching the progress of this work through its Regional office and the Local Area Environment Committee.

In case of M/s Mishal Zinc Ltd. at Lote Industrial Area, MIDC had issued a show cause notice for termination of land lease agreement with the company and public auction of Zinc ash lying at their closed unit at Lote. It is reported that M/s Mishal Zinc has taken a loan of Rs. 57 Crores from Dena Bank, Mumbai and additional loan of Rs. 9 Crores from SBI, Malad Branch, Mumbai. There are difficulties in auctioning the zinc ash lying in that unit.

MIDC has also taken samples of the material to decide if this is hazardous in nature. The issue had come up for discussion at the SCMC meeting held on 11.1.2005 at Mumbai. Considering the legal issues involved in the case, MIDC has requested SCMC additional time up to April 30, 2005 to complete legal documentation and formalities to take further necessary action regarding the disposal of the material lying at the premises of M/s Mishal Zinc Ltd , Lote.

4.3 H.W. lying outside MIDC area:

As mentioned in the earlier ATRs submitted by MPCB, the possibilities were explored to outsource the work on identification and quantification of the illegal H.W. dump sites outside MIDC areas. Accordingly, the offers were invited from the reputed consultants for this work.

However, considering the difficult nature of this work, MPCB at the instance of SCMC decided to explore the possibilities of using the professional services of National Remote Sensing Agency, Hyderabad.

Accordingly, MPCB received a technical and financial proposal from NRSA Hyderabad to conduct such a study for the first time in the country in Thane district to begin with. MPCB has in principle agreed to bear the cost of Rs. 4.42 lakhs for the study of illegal dump sites using the satellite imageries. MoU has been signed and the funds are being released to NRSA. The work on the project is expected to begin shortly in Thane district of Maharashtra.

The Regional Officers of the Board have been directed in the review meetings taken by Member Secretary as reported in the chronology to take actions against the industries who were still not complying with orders of the Apex Court on sending the wastes to TSDFs.

Airport Authority of India, Mumbai had raised a serious concern about disposal of the unclaimed / uncleared hazardous chemical goods lying in the go-down at Cargo complex, Sahar disposal unit CSI Airport, Mumbai. MoEF had also directed MPCB to review the matter and submit the report on this issue. Accordingly a meeting was held at the AAI Cargo Complex, Sahar on 03.12.2004 and a decision has been taken to send the unclaimed/uncleared hazardous goods for disposal at CHWTSDF Taloja. AAI has been directed to obtain necessary authorization under Hazardous Waste (M&H) Rules, 2003. Mumbai Waste Management Ltd. were also directed to lift the above hazardous goods from the AAI go-downs and dispose it at the TSDF. A report in this regard has been sent to MoEF and accordingly AAI has been directed to take further necessary action in the matter in compliance of the Apex Court directives. The letter dated 24.12.2004 sent to AAI is annexed as **Annexure - VIII**.

There was a complaint against M/s. Golden Chemical Pvt. Ltd., Dahisar, Mumbai that the industry was storing huge quantities of hazardous wastes in the their premises and that yellow colored liquid discharge was

coming out as leachate from this waste. The complaint was filed by Dr. P.R. Arun, Senior officer, (Environmental Rights), India Center for Human Rights and Law, Mumbai which was also sent to SCMC and was received by MPCB from MoEF for urgent necessary action and submission of the report on the possible illegal hazardous waste dump in the factory premises. M/s Golden Chemicals Ltd. possess a valid consent granted by MPCB which is valid up to 31.12.2005 for manufacturing of various chrome products. The company is closed and has since declared a lock out from February, 2003 which has been duly approved Labour Commissioner, Govt. of Maharashtra. Industry has thus ceased operating from November, 2002 onwards. However, the industry continues to store unprocessed raw material, semi finished products; wastes generated from manufacturing activities and accumulated dirt over the last several years. The industry was visited by MPCB officers on 29.12.2004. The industry was directed to appear before the Board for hearing in the matter. Comprehensive directions under the Environment (Protection) Act, 1986 read with Rules 4, 4A, 8A, 8B and 16 (3) of the Hazardous Waste (M & H) Rules, 1989 (as amended on 2003) were issued to the industry on 4.1.2005 **(Annexure- IX)** for proper disposal of hazardous waste/contaminated waste lying in the industry premises to CHWTSDF within a period of 15 days along with bank Guarantee of Rs. 50, 00,000/-. Further the board has also directed on 12.01.2005 to M/s Mumbai Waste Management Ltd, Taloja to dispose off above estimated waste of 30000 MT in secured landfill after giving pre-treatment to waste with lying lime waste of the industry **(Annexure- X)**.

Although the industry has conveyed their inability to pay bank guarantee amount due to declaration of NPA account of industry by bankers, the work on disposal of accumulated hazardous waste lying in industry premises, has started and the industry has paid Rs. 3,00,000/- as advance payment to CHWTSDF at Taloja on 13.01.2005. The clean up work is under progress.

Similarly direction also issued under the provision of the Environment (Protection) Act, 1986 read with Rules 4, 4A, 8A, 8B and 16 (3) of the Hazardous Waste (M & H) Rules, 1989 (as amended on 2003) to M/s. Tasc Pharmaceutical Ltd. Daund, Pune and M/s. Aarti Drugs Ltd. Tarapur on 1.1.2005 **(Annexure- III & IV)**.

5.0 Clean technology for re-refining/recycling of used oil/ waste oil

The Hon'ble Supreme Court had directed that re-refining/ recycling of used oil/waste oil shall be done only through application of clean technology. As per Rule 21 of the HW (M&H) Rules, 1989, and its amendments, it is mandatory for all industries engaged in recycling /re-refining of the waste/used oil to use only clean technology for re-refining and reuse/recycling activities within six months from the date of publication of amendment rules on May 21, 2003 failing which the registration of such units shall cease to be valid. Further, the SPCBs are required to submit compliance report on this issue within three months to Central Pollution Control Board.

MPCB had issued Public Notice in the leading news papers for the information of all concerned regarding provisions under the rules and the Apex Court directives in this regard. MPCB has suspended all the authorizations of defaulting units. Member Secretary has appointed an Expert Committee for verification of compliance in terms of adoption of clean technology in the process of re-refining and recycling. The committee consists of experts from University Department of Chemical Technology of Mumbai University, Central Pollution Control Board, Industry Association, M.P.C. Board Member and Regional Officer (HQ), MPCB. The Committee has started functioning.

Both the ports viz. JNPT/ MbPT have been directed to auction/sale the waste oil/used oil and other wastes listed in Schedule 4 only to the actual users / recyclers registered with CPCB.

The Ministry of Environment and Forests Govt. of India has further amended the HW Rules, 1989 w.e.f. from 19.7.2004 vide notification no. S.O. No. 826(E). An extension of six months has been granted under those revised rules to the recyclers/ re-refiners to set up the EST/ESM within 6 months i.e. up to 31.12.2004. MPCB is monitoring the progress in this matter with such industrial units that are operating in Maharashtra so that they set up the required EST/ESM facilities on or before 31.12.2004. Further instructions in this regard are awaited from CPCB/ MoEF.

Hon'ble Supreme Court of India has issued directions on 5.1.2005 regarding the disposal of the waste oil/ used oil lying in the containers at JNPT. Accordingly JNPT and the Customs Department have been informed to take urgent necessary action on the disposal of the waste oil/ used oil lying at JNPT and comply with the directives of the Apex Court (**Annexure - XI**).

6.0 Inventorization

MPCB has employed a novel approach to carry out the inventorization of the HWs as directed by the Apex Court. It is a stupendous task to carry out re-inventorization of HWs since there are a large number of units generating the HWs spread over several industrial areas in the state. The data / information available in the application of the industries for consent/authorization as well as authorization issued by the Board are being examined by a group of expert chemical engineers. Accordingly, the quantity of hazardous waste generated by the industry is being worked out keeping in view the manufacturing process, quantity of raw materials used, quantity of the finished products produced and other aspects of mass balancing. This approach was found to be practical to get fairly accurate information on the H.W. generation by a particular industry.

The re-inventorization work in respect of five Regions of Navi Mumbai, Pune, Nagpur, Thane and Aurangabad has been completed. The summary results of this exercise in respect of Thane and Aurangabad are annexed are annexed as **Annexure - XII**

A committee headed by Member Secretary has been constituted vide orders dated 18.8.2004 to authenticate the findings of the studies on re-inventorization of the HWs.

The estimated quantities of the HWs in Navi Mumbai, Pune, Nagpur, Thane and Aurangabad regions in Maharashtra is given in the table below.

Sr. No.	Disposal Method	New Mumbai MT/Year	Pune MT/Year	Nagpur MT/Year	Thane MT/Year	Aurangabad MT/Year
1.	Secure Landfill	43210	38584	55854	45608	7393
2.	Incineration	50772	12829	11220	6826	1847
3.	Sale / Recycling	14745	15716	43626	22734	17509
	Total	108727	67129	112700	75168	26749

The work on inventorization for the remaining six regions is in progress and is expected to be completed by June, 2005. SCMC has been requested for additional time to complete this work (**Annexure – XIII**).

7.0 Implementation of HWs Transportation guidelines

According to the Hon'ble court's order, transportation of hazardous wastes is to be done strictly as per Rule 7 of the Hazardous Waste (M.&H.) Rules 2003 and the guidelines issued by Central Pollution Control Board in that regard. In compliance with the orders of the Apex Court, MPCB issued directions to all hazardous waste generators, auctioneers, buyers, sellers, transporters and all other concerned involved in the transportation of hazardous wastes that they must comply with the CPCB guidelines, failing which MPCB shall initiate legal action under the Environment (Protection) Act, 1986. Further, pending verification of the compliance of the guidelines, MPCB revoked authorizations issued to transporters of hazardous wastes. A Public Notice was issued to this effect by MPCB in leading news papers which appeared twice with a gap of one week in December, 2003.

In response to the above public notice, 28 H.W. Transporters applied for authorization under the revised HWs transportation guidelines. The applications have been processed and the conditional authorizations have been granted to these transporters. The list of authorized transporters is annexed at **Annexure - XIV**.

MPCB is periodically organizing the campaigns through its Regional offices to create awareness among the transporters and is also monitoring the compliance of the conditions imposed in the authorizations issued to them.

8.0 Show cause notices to Auctioneers

As per Hazardous Waste Rules, waste oil/used oil and other waste listed in schedule IV are required to sale or auction only to those recyclers registered with CPCB possessing EST and ESM in order to regulate the auction of such materials in the State, show cause notices were issued to 17 no. of auctioneers / bulk consumers selling the wastes.

Ministry of Environment and Forests, Govt. of India has issued a notification {No. S.O.826 (E)} dated 19.7.2004 amending the HW (M.&H.)Rules, 1989. These rules permit the re-refiners and recyclers to file compliance report on adoption of one of the technologies mentioned in the sub rule (1) of Rule 19 of the HW Rules on or before 31.12.2004. Accordingly the cases pertaining to this directive of the Apex court are being looked in to afresh and decisions taken in accordance with the revised rules.

M/s.Bharat Oil Co.(India), Gaziabad, Uttar Pradesh had lifted waste oil from BEST, Mumbai, MSEB STPS, Chandrapur and Western Coal Field, Chandrapur, although they had no authorization to do so. MPCB had informed the industries and the above mentioned oil reprocessing company not to lift the oil from Maharashtra without obtaining valid NOC from MPCB. Since the lifting of oil and participation in the auctions in Maharashtra was stopped by

MPCB, M/s.Bharat Oil Co.(India) had filed a petition in the Mumbai High Court.

The Hon'ble High Court of Judicature at Mumbai Bench upheld actions taken by MPCB and has directed the petitioner to obtain NOC from MPCB and further directed MPCB to grant such NOC within a period of 4 weeks. The petition was disposed off by the Hon'ble High Court on 18/1/2005. This is a landmark judgement in favour of the actions taken by MPCB on M/s Bharat Oil Co.(India) Ltd. The petitioner has now approached MPCB for the NOC and the same is under consideration. The certified copy of the orders of Hon'ble Court is awaited. A copy of the letter informing the decision of the Hon'ble Court is annexed as **Annexure – XV**.

MSEB, Super Thermal Power Station was issued a show cause notice for levy of the fine for various defaults on part of MSEB. This also included waste oil storage and its disposal by auction. The directions issued to MSEB are annexed as **Annexure – XVI**.

Show cause notices were also issued to BEST Undertaking, MCGM, Mumbai, Maharashtra State Road Transport Corporation, Mumbai and its regional depots in the State for disposal of the used oil/ waste oil in conformity with the directives of the Supreme Court of India. These are collectively annexed as **Annexure - XVII**

Hon'ble Supreme Court of India has heard the matter concerning the containers lying at JNPT, MbPT and the Container Freight Stations in Navi-Mumbai. These containers are containing used oil/ waste oil imported from abroad and has not been claimed by the importers. The Hon'ble Court has given orders regarding the actions to be taken by all concerned on the disposal of the oil. The orders of Apex court have been communicated to all concerned vide letter dated 28.1.2005 which is annexed as **Annexure – XI**.

9.0 Strengthening of MPCB

MPCB has taken various actions for institutional strengthening as directed by the Apex Court. Details of the actions taken are as under:

Sr. No.	Item	Status
1	Procurement of instruments for strengthening infrastructure of laboratories (a) Air Pollution= 1.24 Cr. (approx.) (b) Water Pollution=2.28 Cr. (approx.)	Equipment procurement has been completed
2	Work study by CRISIL for need assessment of institutional strengthening. Total Value: Rs. 30.2 lakhs To be completed in 2 months.	The work is completed. CRISIL submitted a Draft report which is being examined
3	e-governance/ Computerization (a) SRS Study and (b) Preparation of RFP Total Value: Rs. 8.0 Lakhs To be completed in 2 months.	LoI is issued. Draft agreement for supply and services is being finalized
4	H.W. Inventorization	Work for remaining 6 regions is in progress. Likely to be completed by June, 2005. SCMC is requested to allow additional time
5	Purchase of premises at Kalyan, Nanded and Mumbai to augment space requirement.	Actions completed.
6.	Procurement of vehicles for surveillance, inventory etc.	Proposal submitted to the State Government for approval. The proposal is currently deferred and additional details were sought by the Government. The old vehicles (10 nos.) have been auctioned. Permission of the Govt. has been sought for replacement of the auctioned vehicles.

MoEF has communicated a sanction of Rs. 45 lakhs for appointing the staff viz. Junior Research Fellows (3) Data Entry Operator (1) and Field Assistants (3) for the work on the Hazardous waste management in Maharashtra. An amount of Rs. 11.00 lakhs has been received as the first installment from the ministry as per the Apex Court directives. The capacity building project also includes purchase of equipment like Computer, printer and photocopying machine. The actions on filling up of the posts and purchase of the equipments sanctioned by the Ministry have been completed. No further installments of the grant in aid on this project have not been received from the Ministry.

10.0 Awareness programme

Programme for mass awareness, public participation and information dissemination are taken up. Print & electronic media and NGOs are also involved.

Periodically, notices are being issued in the print media to inform the actions that are necessary for compliance of directives of the Apex court. A Public Relation Officer has been specially appointed on a contract basis for co-ordination of activities and establishment of rapport with press, electronic and audio visual media. The web-site of MPCB has been re-launched and updated continuously. The details given in this ATR and the previous ATRs submitted by MPCB to SCMC have been put on the website for the benefit of the public and in compliance of the Right of Information Act.

Consequent upon the discovery of the explosives in the imported steel scrap and an explosion at the steel factory at Ghaziabad, Uttar Pradesh, MPCB had alerted its Regional Officers to check the steel factories in Maharashtra using the imported scrap as raw material. Letters were also sent to JNPT and MbPT directing them to inform MPCB about any suspicious or contaminated steel scrap landing at these ports. A Public notice was also issued inviting the attention of the importers and users of such scrap that they should not under any circumstances violate the HW Rules.

MPCB has decided to support a private initiative to publish a Marathi magazine "Paryavaran Sevak" dedicated to creation of environmental awareness in local language. Till date four issues of this magazine have been published.

MPCB has issued public notice in the newspapers throughout the state that illegal dumping of hazardous chemical containing empty containers/drums/plastic bags shall be treated as an offence and industries, traders, re-users, recyclers have been directed to carry out disposal of such goods in a scientific manner so as to avoid health hazard to human health as well as animals in the state of Maharashtra. The press note dated 9.12.2004 is annexed as **Annexure- XVIII**.

MPCB has noticed that the industries are not submitting the Environmental Statements as required under the E(P)Act 1986. Therefore, a public notice was issued in the leading newspapers on 29/12/2004. It is annexed as **Annexure – XIX**.

11.0 Rehabilitation of dump sites

The work on identification of illegal dumpsites outside MIDC is being out-sourced to NRSA, as mentioned in the earlier part of this report. The study is expected to commence soon. Based on the outcome of this study for Thane district, rehabilitation plan for the illegal waste HW dumpsites, as may be identified by NRSA, shall be prepared by MPCB.

This study would focus on Thane district and it may be extended to other areas based on the findings of the pilot study. The results of the study shall also be made available to CPCB, as directed by the Apex Court, to prepare the National Rehabilitation plan for the illegal HWs dumpsites.

MIDC has prepared a proposal in consultation with NEERI, Nagpur to rehabilitate the illegal hazardous waste dumpsite at MIDC, Tarapur industrial area. Approximate quantity of hazardous waste at this site is about 1.5 lakhs MT. This consists of mostly ETP sludge, ash etc. accumulated over a period of about 10 years or so. The issues pertaining to rehabilitation of this dumpsite have been reviewed by SCMC in its meetings held in Maharashtra and accordingly MIDC has agreed to complete this work by 31.5.2005. The compliance is being regularly monitored by MPCB.

12.0 Display of information regarding authorization

Directions are issued to industries for display of information regarding authorization granted. Public Notice to this effect has been issued through leading news papers in the State directing all concerned to ensure compliance of the court orders.

The SCMC team had also issued directions that setting up of the display boards by the industries must be ensured by MPCB. So far 2210 industries have reported compliance of this directive. Some of the industries are closed due to various reasons. The efforts were stepped up to ensure the compliance by the remaining industries. SCMC had also directed MIDC to put up display boards at the illegal dumpsites so that industries do not resort to dumping of the wastes at those places. The directives of SCMC have been complied with as reported by MIDC.

13.0 Ship-breaking

The ship breaking activity in Maharashtra is limited at Lakri Bunder and Powder Works Bunder at Darukhana in Mumbai Port Trust Area. MbPT has earmarked 19 plots for ship breaking activity in Mumbai as mentioned in 2nd ATR submitted by MPCB to the Ministry. MbPT has assured that the number of plots, for ship breaking in their area, shall not be increased in future. Besides, there is no regular allotment of plots to the ship breakers, as is being done in Alang, Gujarat, where the area is under the control of Gujarat Maritime Board. The plots are given to the ship breakers on arrival of the ship for breaking. Generally, smaller ships arrive at Mumbai for breaking. The authorizations have been granted to 27 ship breakers who operate in MbPT area.

The process of issuing authorizations to ship breakers in Maharashtra has been strictly restricted and the steps have been taken to monitor the ship breaking activity as per the Apex Court directives.

Mumbai Port Trust has been directed to adhere to the directives of the Apex Court while permitting the ship breaking activity. However, no ship breaking activity was being carried out at the time of reporting.

There are no other ship breaking areas in the coastal districts of Maharashtra except the area under Mumbai Port Trust (MbPT).

The directives of the Apex Court in this regard are being strictly adhered to and enforced by MPCB. MbPT is directed to ensure that ship breaking activity does not commence unless MPCB physically confirms that the ship beached for breaking is decontaminated and all the documents are carefully verified. MPCB also monitors the ship during the breaking process and the hazardous wastes are sent to TSDFs.

14.0 Burning of hazardous and non-hazardous wastes on beaches

The directives of the Supreme Court have been communicated to the District Collectors in the coastal districts of Maharashtra and they have been directed to take the effective steps to stop burning of hazardous or non-hazardous wastes on the beaches and/or near the creeks. A public notice has been issued in the Newspapers published from the coastal districts for the knowledge of the local people that burning of hazardous and non-hazardous wastes in the coastal areas has been prohibited by the Supreme Court. The Field Officers of MPCB located in the coastal districts are also being informed to maintain vigil and report the violation for taking further legal action.

15.0 Bio-Medical Waste

The actions taken by MPCB on this aspect are reported in the 4th ATR submitted by the Board. In furtherance to the steps taken to manage the BMW in Maharashtra Regional Officers of the Board had issued 2987 show cause notices to defaulting Health Care Establishments. Up till now 970 health care establishments have applied and obtained authorization from MPCB. Those defaulter health care establishments, who have not obtained authorization under Rule and also not become member of Common Bio-Medical Waste Treatment Facility nearby area of them then Board has issued prosecution notices to such 12 hospitals, whose bed strength is more than 100 beds. The sample show cause notice is annexed as **Annexure - XX**.

Report on status of some common facilities for collection, Treatment and disposal of Bio-medical waste in Maharashtra was prepared by MPCB and submitted to SCMC.

A comprehensive proposal was prepared to manage the BMW in Greater Mumbai and presented to the Municipal Authority and the Government so that a suitable model can be adopted for creating BMW management facilities in Mumbai. Municipal Corporation of Greater Mumbai has decided to set up 3-4 Common Bio-Medical Waste Treatment facilities in Mumbai and the Tenders have been floated for the same. In this project MPCB is acting a project management consultant as per the request of MCGM and accordingly Board has accepted their request stating consultancy charges Rs.20.0 Lakhs (**Annexure- XXI**).

Board has formed an Expert Committee to prepare RFP document for bidding of development of Common Bio-Medical Waste Treatment facility in Mumbai. The tender inviting notice has been published in leading news papers on 2.11.2004 to have wide participation of bidders, apart from this RFP document is also hosted on MPCB website. The Tender evaluation process is on. The interested bidders are required to submit their offers on/or before 11.2.2005 to MPCB.

Considering the request of MCGM and existing reality of dumped bio-medical waste in Mumbai area M/s. Bhavani Travels Transportation authorization has been extended twice by MPCB for proper collection and transportation to CHWTSDF, Taloja. MCGM has also identified three more transporter to collect and transport bio-medical waste in Mumbai to CHWTSDF, Taloja. It has been decided that these three new transporters will be issued authorization co terminus with the proposed 3-4 bio-medical waste treatment facilities. Accordingly, MPCB has granted authorization for bio-medical waste transportation to them on 13.1.2005, namely, M/s. City Care Ltd., Mulund, Mumbai, M/s. Shri Sainath Enterprises Mahim, Mumbai and M/s. S.D. Shirole Transport Co., Sewri, Mumbai (BMW Transporter).

Mercury control in healthcare facilities:

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Mercury waste generated from health care establishments is not identified under Bio-Medical Waste (M & H) Rules, 1998 as mercury is already identified under schedule-II of Hazardous Waste (M & H) Amended Rules, 2003. However as suggested by CPCB directions have issued to Sub-Regional and Regional Officers of the Board on 30.12.2004, to take necessary action on mercury waste generated by health care establishments under the bio-medical waste authorization and its treatment and disposal as per the Hazardous Waste (M & H) Rules (**Annexure - XXII**)

16.0 Plastic Waste management

MPCB has issued a notification for banning the manufacture of the plastic bags which are less than 20 microns. The Regional Officers of the Board has been directed to keep a strict vigilance over the plastic bags manufacturing units located through out the State and take legal action as provided under Rules for the Recycled plastics manufacture and usage, 1999(amended 2003). Three such plastic bag manufacturing units have been prosecuted for the default.

MPCB has also issued show cause notices to defaulters, recycled plastic manufacturers for not complying under the rules as registration is not obtained from prescribed authority. As a result 09 numbers of recycled manufacturer have applied for registration by paying requisite fee to the Board and to them registration certificate is issued by the Board.

To implement use of plastic bag/ carry bag more than specified thickness for virgin plastic bag / recycled plastic bag vigilance squad set at Corporation level and taluka level with the help of local bodies and concerned department of Government of Maharashtra. During the vigilance under the said rules fine has been charged to defaulters, whole sellers and retailers. Total cumulative fine charged under the rules by Kalyan - Dombivali Municipal Corporation to defaulter wholesaler and retailer since January 2004 is Rs. 36,450/-

Board has also issued public notice in news papers on 09.12.2004 with reference to treatment and disposal of the contaminated scrap plastic / recycled plastic / plastic bag

17.0 Lead Acid Batteries

Batteries (Management and Handling) Rules, 2001 published on 16.5.2001 to regulate lead acid batteries within the nation with specific responsibility assigned to manufacturer from importer, re-conditioners, assemblers, dealers, recyclers, auctioneers, consumers and bulk consumers. In this regard Board had given wide publicity in news papers in Marathi and English way back on 22.4.2004 stating compliance shall be made under the

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rules by above each individual under the purview of said rules submit their compliance on/before 30th June and 31st December every year. The notice issued by the Board is annexed as **Annexure – XXIII**.

M/s. Exide Industry Limited is battery manufacturing units located at Plot No. T-17, MIDC industrial area, Taloja, Dist. Raigad and Kanjur Marg (East) Mumbai, respectively. The company has appointed a chain of 566 authorized dealers to sale lead acid batteries to the consumers and collect the used lead acid batteries in the State of Maharashtra. These dealers are divided into 4 major zones namely Mumbai Zone (131), Navi- Mumbai (62), Nagpur Zone-(69) and Pune Zone (304). Besides these units there are 2 more battery manufacturing units in Navi-Mumbai. There are 27 battery reconditioning units carrying out the activities of assembling and reconditioning of Batteries in the state of Maharashtra. The information on the sale of batteries by the dealers throughout the State of Maharashtra is being collected by the Regional offices of MPCB. There are difficulties in getting correct information in this regard due to lack of awareness among the battery consumers. The paucity of manpower at MPCB is also an issue in ensuring compliance of the Battery Rules. However, efforts are being made by MPCB to overcome these difficulties.

The information collected by MPCB from the battery dealers is given in the table below.

Sr. No.	Name of the Region	Total No. of lead acid batteries purchased			Total No. of lead acid batteries for return/sale		
		2001 2002	2002 2003	2003 2004	2001 2002	2002 2003	2003 2004
1	Mumbai	-	-	-	-	-	-
2	Navi-Mumbai	1283	1347	2265	1087	1053	1778
3	Thane	-	-	-	-	-	-
4	Kalyan	400	500	570	215	288	348
5	Raigad	2355	2450	2631	4304	4249	4242
6	Nasik	4218	6571	7539	2910	4805	5641
7	Pune	6003	11900	26501	2531	4450	17716
8	Kolhapur	1323	803	840	502	372	392
9	Nagpur	-	-	-	-	-	-
10	Aurangabad	2959	1085	1670	871	838	1117
11	Amravati	8556	9864	11124	2493	2866	3507

Apart from these major battery manufacturers, there are new lead acid batteries importers who have obtained registration from Ministry of Environment & Forest under the Rule 4 of the HW Rules for sale of lead acid batteries in India. There are five such importers of new lead acid batteries in the State of Maharashtra. These importers however, have failed to submit

undertaking and half yearly returns to the Board. Hence MPCB has issued show cause notices to these importers on 20.1.2005 directing them to comply with the mandatory requirements under the Battery (M&H) Rules, 2001. The feedback from these units is awaited and MPCB shall accordingly take necessary action on the defaulters. The sample show cause notice issued is annexed as **Annexure- XXIV**.

In the state of Maharashtra, the major bulk consumers of lead acid batteries are Maharashtra State Road Development Corporation, Maharashtra Electricity Board, Airport Authority of India, Military establishments in and around Mumbai, Municipal Transport (BEST) and Railways. From the information gathered by the Board, it is seen that these bulk consumers generally auction their used lead acid batteries as per the Hazardous Waste (Management & Handling) Amendment Rules, 2003 only to the authorized recyclers / re-refiners having EST technology along with valid registration from CPCB.

The information collected by MPCB from the bulk battery consumers is given in the table below.

Sr. No.	Name of the Region	Total No. of lead acid batteries purchased			Total No. of lead acid batteries for return/sale		
		2001 2002	2002 2003	2003 2004	2001 2002	2002 2003	2003 2004
1	Mumbai	-	-	-	-	-	-
2	Navi-Mumbai	125	100	171	-	466	120
3	Thane	1129	1134	1222	1450	908	1327
4	Kalyan	72	114	118	72	114	118
5	Raigad	511	325	432	754	467	594
6	Nasik	50	165	320	35	130	162
7	Pune	2425	1936	2069	690	2049	2192
8	Kolhapur	3162	1368	1376	1047	1315	7745
9	Nagpur	-	-	-	-	-	-
10	Aurangabad	682	471	660	641	389	279
11	Amravati	1942	1034	1911	1761	911	1059

There are 8 units having valid registration from CPCB. Three units have submitted the half yearly returns on recycling of the batteries. The information on the remaining units is being collected.

There is a general lack of awareness among the consumers, dealers, bulk consumers, re-conditioners and assemblers of the batteries, importers and recyclers about the compliance of Battery (M.&H.) Rules, 2001. Vigorous efforts are being made by MPCB to create awareness among the people to ensure the compliance of these Rules. MPCB had issued a notice in the news

media way back in April 2004 on the implementation of the Battery (M.&H.) Rules 2001 by all concerned. A copy of the notice is attached as **Annexure - XXIII**.

MPCB has also issued directions to Regional officers regarding compliance of the Battery Rules. The circular dated 8.3.2004 is annexed as **Annexure - XXV**. MPCB is taking effective steps to achieve the compliance in this regard and needs more time to make appropriate inventory in this regard.

M/s. Nayan metal Pvt. Lote is engaged in manufacturing of lead ingots from waste/old batteries found defaulter in non-compliance of Hazardous waste (M & H) Rules and consent conditions of the board, hence as per SCMC directive closure direction given on 25.10.2004 by the board. Industry has complied with the SCMC directions, has become a member of CHWTSDF, Talaja and replaced the old filter bags for effective air pollution control.

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ANNEXURES