

**6th QUARTERLY
ACTION TAKEN REPORT
(as on 30.04.2005)**

**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**

April 30, 2005

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MAHARASHTRA POLLUTION CONTROL BOARD

Subject: 6th QUARTERLY ACTION TAKEN REPORT as on April 30, 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 on those directives, in a time bound manner. Further, the Court has 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 submitted in the 2nd week of November 2004. 5th Action Taken Report presenting actions taken during the period November to January, 2005 was submitted in the 1st week of February, 2005. All these ATRs have been submitted to the Supreme Court Monitoring committee. Maharashtra pollution Control Board has also filed these ATRs in the Supreme Court of India, separately.

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.

This is the 6th quarterly Action Taken Report, which presents the actions taken by MPCB during the period February 1, 2005 to April 30, 2005 on the directives of the Apex Court regarding Management of Hazardous wastes in the State of Maharashtra.

2.0 Chronology of the Actions Taken since February, 1 2005

07.2.2005	Rajya Sabha Committee on Sub-ordinate Legislation visited Mumbai and reviewed the implementation of the Batteries (M.& H.)Rules, 2001. A presentation was given on the implementation of those Rules in the State.
10.2.2005	Envirotech Round Table Discussion at NSE, discussion on the cleaner production technologies and management of hazardous wastes
16.2.2005	Bombay Productivity Council meeting on the Green Productivity
18.2.2005	Meeting with CEO, MIDC regarding follow up on the compliance of the directives of SCMC on management of hazardous wastes in MIDC areas. Annexure-I.
21.2.2005	Meeting with the Dy. CEO and the officers of MIDC for follow up on the implementation of the directives of SCMC and submission of the Action taken report, as discussed in the SCMC meeting held at Chennai on 2.2.2005. Annexure-I.
22.2.2005	Visit to Mumbai Port Trust to discuss and review the compliance of the directives of SCMC given during the visit on 26.8.2004 and subsequent SCMC orders dated 28.3. 2005.
03.3.2005	Visit to Lote Parshuram MIDC industrial area for the review of the compliance of the directives of the SCMC, functioning of the CETP and removal of the sludge from the sumps
03.3.2005	Visit to Mahad MIDC to review the performance of CETP and disposal of the hazardous wastes lying in the industrial area
4.3.2005	As a part of mass awareness in the local language among the school children, a special issue of the Marathi journal was brought out on the topic "Chemical Hazards". This was released in a function at the school in Sion, Mumbai. MPCB is supporting the journal publication "Paryavaran Sevak"
09.3.2005	Meeting with Minister of Environment, Govt. of Maharashtra on the compliance of the SCMC directives regarding establishment of SLF at Tarapur
10.3.2005	Delivered Key note address on hazardous waste management and environmental pollution in Maharashtra at a conference organized by SIES College, Nerul, Navi Mumbai,
17.3.2005	Meeting with Crown Prince Phillips of Belgium regarding the environmental issues in Maharashtra. Belgian Government has gifted an on-line TOC analyzer. It is installed at CETP Thane Belapur for continuous monitoring of the total organic carbon.
18.3.2005	Meeting with the Distilleries in Maharashtra to discuss the environmental pollution control and hazardous waste management .
19.3.2005	Delivered the prestigious Dr.P.J. Deoras Memorial lecture at the Institute of Science, Mumbai regarding the environmental issues confronting the State
22.3.2005	Workshop on the Status of management of BMW organized by "Bombay First" at Mumbai

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23.3.2005	Visit to Ahmednagar Municipal corporation to review the progress of the BMW management facility
23.3.2005	Discussion with Waste Oil Processors regarding the implementation of the EST and review the compliance in Maharashtra
24.3.2005	Meeting with Mr. Shiralkar, Deputy Docks Manager, Auction Sales, MbPT regarding the management of the hazardous wastes lying in the Mumbai Port Trust areas
10.4.2005	SCMC visit to MIDC Tarapur to review the progress of new CETP and establishment of SLF for the illegal hazardous wastes lying in MIDC area Annexure-II.
11.4.2005	SCMC visit to JNPT to review the compliance of the orders of SCMC and Hon'ble Supreme court of India dated 5.1.2005 in respect of the waste oil lying at the CSFs in JNPT area. SCMC also held a meeting with the Customs Authorities and the CFS operators. Annexure-III.
13.4.2005	SCMC visit to MIDC Butibori, Nagpur, to review the progress on setting up of CETP and CHWTSDF at the industrial area. Annexure-II.
16.4.2005	Review meeting and hearing given to ROHA CETP for the implementation of the SCMC directives and lifting of the sludge lying at the sumps and its disposal in TSDF at Taloja
19.4.2005	M/s.Tata Motors, Pune were given hearing on the SCN regarding Hazardous waste management at their unit at Pimpri.

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 5th ATR there were 3427 industries covered under the 1989 Rules. However, as per the fresh assessment, based on Hazardous Wastes (M.&H.) Rules, 2003(as amended), there is an increase in the number of HW generating industries and their number in Maharashtra as per the current assessment stands at **3885**. This is also due to the fact that more categories of HW are added in HW Rules, 2003. The fresh assessment of HW units is an on-going exercise to detect the presence of any new additional HW generating units in Maharashtra, which were not reported earlier. It is also gathered that **563** industries in the State are closed due to various reasons.

As per the directives of Hon'ble Supreme Court of India, action was initiated by MPCB against the industries which did not possess authorizations and/or were not complying with the conditions of the authorizations granted to them. 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.	623
No. of industries closed for non compliance / electric supply disconnected.	16
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 April 30, 2005.	Taloja: 1811 TTC: 953

The actions, viz. issuance of directions to HW generating units and the levy of fines etc. to those industries, which are being found to be non-compliant, are continued by the Board so that the industries are compelled to send the HWs lying in their premises to the common TSDF at Taloja or TTC.

Establishment of new TSDFs at Butibori (Nagpur) and Ranjangaon (Pune) are also in the initial stages of development and Rapid EIA studies on these TSDFs have been completed. The details on these new TSDFs are given elsewhere in the report. The industries, in the industrial areas where no TSDFs are currently available, 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 in the area) or sale the wastes to the registered recyclers, who possess EST and ESM facilities and are authorized by CPCB to receive the wastes for recycling/ re-refining or the incineration. A strict watch is being kept by MPCB on such industries.

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 the districts adjoining Mumbai-Thane.

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

In the case of the industries located in Nagpur, Aurangabad, Amravati, Kolhapur, Pune & Nashik districts, where the distance from CHWTSDF is more than 200 km, it has been decided by the Board to permit those industries 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) and Ranjangaon (Pune/Kolhapur regions).

TSDF Sites

Sr. No	Location	Capacity	Status
1	Taloja, Raigad	SLF: 120000 TPY Incinerator: 2.0TPH	Operational (2002) Incinerator is in operation since November 2004. The first cell of TSDF is being capped.
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 Rapid EIA of the site has been completed. The project proponents are in the process of submitting the application for the Authorization and Consents from MPCB and for conducting the public hearing. After this process is completed, the site notification will be issued by MIDC. MIDC has earmarked 30 ha. of land for TSDF. The final allotment of land will be done after successful completion of public hearing.
4	Ranjangaon (Pune)	SLF: 50000 TPY Incinerator: 2.0 TPH	The Letter of Award for Ranjangaon TSDF has been issued in June, 2004. The Rapid EIA of the site has been completed. The project proponents are in the process of submitting the application for the Authorization and Consents from MPCB and for conducting the public hearing. After this process is completed, the site notification will be issued by MIDC. The final allotment of land will be done after successful completion of public hearing.

Sr. No	Location	Capacity	Status
5	Shendre (Aurangabad)	SLF: 50000 TPY Incinerator: 3.0 TPH	RFP was invited by MIDC however there is not good response. MIDC proposes to discuss the issue with the Expert committee to take a final decision in the matter
6	Mahad	Incinerator: 3.0 TPH	RFP was invited by MIDC however, there is not good response. MIDC proposes to discuss the issue with the Expert committee to take a final decision in the matter.

Establishment of a common landfill site at MIDC Lote-Parshuram

SCMC during their visit to Goa State had observed that hazardous waste generated from industries in that state is not sufficient enough to set up a separate CHWTSDF for Goa state. SCMC had therefore directed Goa Pollution Control Board to explore possibilities of setting up a joint landfill site with Government of Maharashtra at MIDC Lote-Parshuram or any other suitable site in order to cater to the HW disposal needs of the industries in Goa state and Southern Maharashtra. The Chief Minister of Goa had made special request to Chief Minister of Maharashtra regarding permission to use TSDF in Maharashtra for disposal of HWs. A Copy of the letter is placed at **Annexure-IV**. The issues concerning the joint TSDF are being examined by MIDC which has sought certain clarifications on the project from MPCB. MPCB is interacting with Goa SPCB to get necessary information as required by MIDC. Chairman, Goa SPCB also visited MPCB on 7.4.2005 to further discuss the matter. MIDC is the nodal agency for the developments of TSDFs in Maharashtra.

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 cleared and the material shall be 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 who were storing the HWs in their premises. They were directed to send the HWs to the nearest CHWTSDF, immediately, for treatment and disposal. Accordingly, the disposal of HWs is taking place in TSDFs at TTC and Taloja. Following table shows the quantities of hazardous wastes received at TTC & Taloja CHWTSDFs for treatment and disposal 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	Feb. 05	3165	4513	619	8297
2	March. 05	3947	3670	659	8276
3	April. 05	3028	2836	639	6503
	Total	10140	11019	1917	23076

(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	Feb. 05	284	81	NA	365
2	March. 05	1176	147	NA	1323
3	April. 05	278	265	NA	543
	Total	1738	493	NA	2231

MPCB had issued directions to 25 industries earlier as per Rule 16 (3) of the H.W. Rules for the levy of the fine, for storing large quantity of HW in their premises and they were also directed to send the HWs to CHWTSDF, immediately. MPCB had received payment of fine from 4 industries. Some industries are seeking additional time and/or requested for review and personal hearing in the matter of payment of the fines.

Two more industries viz. M/s Thyssenkrupp Electrical Steel (I) Pvt. Ltd. (formerly known as EBG India Pvt. Ltd.) Nasik, and M/s Everest Industries Ltd, Nasik have paid the fine totaling Rs. 4.875 Lakhs to MPCB on 10.2.2005 and 25.2.2005, respectively. Thus, six industries have so far collectively paid fine of Rs. 22, 48,500/- to MPCB. It was reported in the 5th ATR that HWs quantities generated by M/s Tasc Pharmaceuticals Ltd. MIDC, Kurkumbh, Dist. Pune were being quantified for the purposes of levying the fine. Accordingly, on completion of the above exercise the company has paid fine of Rs. 75,000/- to MPCB. The details of fine paid by industries so far are annexed as **Annexure-V**.

M/s Aarti Drugs Ltd Tarapur, Dist. Thane were issued directions to pay a fine of Rs.90,000 based on the estimated quantities of HWs stored by them. However, the company reported that they have stored only 20 MT of HWs. Therefore, a fine of Rs. 30,000 was levied on the unit. Subsequently the company informed that they have already sent 5 MT of stored HWs to TSDF Taloja. The levy of exact amount of fine is being reviewed and fresh orders are being issued in this regard.

During the period under report, five more industries, mentioned in the table below, have been issued final directions for the payment of the fines to the Board.

Sr. No.	Name of the Industry	Date of issuance of Directions	Approx. quantity of hazardous waste stored	Proposed levy of fine @1500/- per ton (in Rupees)
1	M/s N.R.C Ltd. Kalyan	18.03.2005	901 MT	13,51,000/-
2	M/s Dragon Drugs Pvt.Ltd. MIDC Tarapur	05.04.2005	20 MT	30,000/-
3	M/s Viraj Alloys, MIDCTarapur	21.04.2005	299 MT	4,48,500/-
4	M/s Colour Chem Mumbai-Agra Road, Thane	21.04.2005	5000 MT	75,00,000/-
5	M/s Nipur Exports Pvt.Ltd MIDC Tarapur	21.04.2005	10000 MT	1,50,00,000/-

MPCB is taking further action to levy the fines depending upon the merit 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. MPCB will approach SCMC for seeking support to recover fines from defaulters.

MPCB has further issued show cause notices to 6 industries viz. M/s Nishita Technociates, Tarapur, M/s.Tata Motors Ltd. Pune and M/s Gharda Chemicals, Dombivali, Privi Organics, Mahad, Mahalakshmi Seamless Ltd., Roha and Exon Laboratories , Mahad, Dist. Raigad under Rule 16(3) of the hazardous Waste(M&H) Rules 1989 (as amended in 2003) for levy of fines for storing hazardous wastes in their premises. M/s Jindal Iron and steel Co. Ltd. MIDC, Tarapur has been issued show cause notice for non-compliance of the consent conditions.

MPCB has issued show cause notices on 3.2.2005 to 266 industries in Tarapur industrial Area for non-compliance of SCMC directions for setting up of New CETP at MIDC Tarapur. **Annexure-VI.** CETP work has started in full swing and about 400 labours are working on site daily. SCMC has visited the site on 10.4.2005 to review the progress of the work on CETP.

MPCB has issued proposed Direction to 12 industries under Section 33(A) of The Water (P&CP) Act, 1974; under Section 21 of the Air (P&CP) Act, 1981 and Hazardous Wastes Rules, 1989 (as amended in 2003) for the non-compliance regarding disposal of the ETP sludge to CHWTSDF at Taloja and storage of the HWs in their premises. The list of industries is annexed at **Annexure-VII**.

MPCB had issued closure directions to the following four industries in Lote Parshuram, MIDC Chiplun, Dist. Ratnagiri. They were found to be mainly responsible for poor performance of CETP as they were pumping sludge in to the influent lines. After compliance by those industries, MPCB allowed them to restart the manufacturing activities with certain conditions.

1. M/s Viniti Organics , MIDC, Lote Parshuram
2. M/s Rallies India Ltd, MIDC, Lote Parshuram
3. M/s Gharda Chemicals, MIDC, Lote Parshuram
4. M/s Deepak Chemtech, MIDC, Lote Parshuram

As directed by SCMC, MIDC has issued show cause notices to M/s Mahesh Chemicals and M/s Raksha Pharmaceuticals at MIDC Mahad. MIDC has obtained approval from the Competent Authority for lifting, transportation and disposal of HW lying at MIDC collection sump and in the closed units of M/s Mahesh Chemicals and M/s Raksha Pharmaceuticals, to TSDF Taloja. This work has already begun and is expected to be completed by 31st May 2005.

MPCB had issued conditional orders allowing restart of manufacturing activities in case of two industries viz. M/s Shah & Co, Bhivandi, Dist Thane and M/s KEMP laboratories Pvt.Ltd, Mahad, Dist. Raigad, after compliance by those industries on disposal of HWs to TSDF and waste oil storage and disposal etc. was fully verified by the Board.

MPCB had issued closure directions for non-compliance of the provisions of Hazardous Waste (M&H) Rules, 1989 (as amended in 2003) to two industries viz. M/s High Speed Oil industry, Shere, Tal- Karad and M/s KGN Oil Industry, Nandlapur, Tal-Karad, since they were found to be operating their units without implementing technology standards for used/waste oil, operating without valid consent of the Board and without authorization under HW Rules.

It has been observed that 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. Those industries have started sending HWs to the TSDFs, as may be seen from the figures of the wastes received by the CHWTSDFs till 30.4.2005. 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 further necessary actions on the recovery of the fines from the defaulter industries.

MPCB has also issued a circular directing all the Regional Officers to ensure that all the industries in their jurisdiction take effective steps to strengthen the sludge drying beds properly, review the levy of fine notices given to industries in their area and take action on the defaulters and ensure that the sludge is not stored

in the industrial premises for more than 90 days, irrespective of the sludge quantity. The circular is annexed as **Annexure-VIII**.

4.2 Hazardous wastes lying in MIDC Industrial areas

MIDC has taken steps to lift the HW from illegal dump sites in the MIDC areas and send the same to TSDFs. SCMC had directed MIDC to lift all the waste lying in the industrial areas viz, Patalganga, Ambernath Badlapur, TTC, Roha, Taloja and Dombivali and dispose it off at TSDF, Taloja.

MPCB continues to intensely monitor the 75 industries in Tarapur MIDC, which were issued closure notices for their failure to comply with the consent conditions and for discharging the highly acidic effluent (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 forfeiture of all the 75 Bank guarantees given by all 75 industries. The situation continues to be fully under control due to stricter vigilance by MPCB in Tarapur MIDC.

SCMC had directed MIDC/ TIMA/ TEPS to set up a new CETP of higher capacity at MIDC, Tarapur. Accordingly the work on CETP has started and the 1st phase of CETP is expected to be ready by the end of May 2005. SCMC visited Tarapur MIDC on 10.4.2005 and reviewed the progress of the work on CETP and setting up of SLF for the illegal HW dump. The SCMC report is annexed at **Annexure-II**.

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 pollution control at MIDC Tarapur. MPCB has also appointed a Local Area Environment Committee for Dombivali industrial area on the same lines as that of MIDC Tarapur to monitor the compliance of various directives given by SCMC and the Board.

MIDC has issued a circular directing their officers to be more vigilant and ensure stoppage of illegal dumping of the HWs in the industrial areas in Maharashtra and to lodge written Police complaints against the persons/companies. The circular further directs the officers to cut the water supply of the defaulter industries. The same is annexed at **Annexure-IX**. MPCB is also keeping a watch in MIDC areas on the illegal dumping of the wastes.

MPCB has also carried out a detailed survey, on two consecutive days in April, 2005, to review various compliances by the industries in Lote Parshuram industrial area including the directives of SCMC. The information gathered in the survey is being processed for taking action against the defaulters.

(a) CETP sludge:

CETPs in the MIDC areas are one of the major sources of H.W. in the form of ETP sludge stored in the sumps. From the information gathered by SCMC

visiting team in June, 2004, the quantum of the HWs. lying in MIDC, CETP sumps at different industrial areas, (reported in the earlier ATRs) was 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

MIDC has now submitted the current status of the removal of sludge from the MIDC collection sumps in their industrial areas. MIDC report is annexed at **Annexure-X**

(b) Illegal dump sites:

Besides the sludge in MIDC sumps, there are also plots in MIDC areas mentioned below, which were basically meant for the disposal of solid non-hazardous wastes. However, these plots, over a period of time, have become the illegal dump sites for the hazardous wastes due to incessant dumping of the HWs and non-HWs at those sites. Lack of vigilance by MIDC is another reason for non-conforming use of those plots for unabated disposal of wastes by the industries. MIDC has issued a circular now to its officers to be more vigilant and protect the vacant areas in MIDCs.

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 Industrial 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 (Chikhholi & 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

There were specific directions of SCMC to MIDC to get the HWs from these areas removed within the allocated time frame i.e. up to January 2005. However, due to delayed monsoon and moisture content in the wastes, the operations of removing the illegal waste dumps got delayed. The quantities of wastes lifted by MIDC for disposal is given in the table below. The reports received from MIDC in this respect are placed at **Annexure-XI**.

Shifting of Illegal hazardous Waste from MIDC Industrial Areas

Sr.No	MIDC Industrial Area	Qty. of H.W shifted to TSDF Taloja (MT)
1	MIDC Dombivali	1403.515
2	MIDC Ambernath	72.137
3	MIDC TTC	432.100
4	MIDC Taloja	177.610
5	MIDC Roha	No HW
6	MIDC Patalganga	No HW
7	MIDC Badlapur	No HW
	Total	2085.595

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. SCMC had 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. However during the visit of SCMC on 10.4.2005 the progress of the setting up of SLF was reviewed. The work on SLF is expected to be completed by 31.5.2005. The report of SCMC is annexed at **Annexure-II**.

In the 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. The notice issued by MIDC is placed at **Annexure-XII**.

It is further 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. These banks have reported that the matters are sub-judice and hence precipitatory action like attachment of the property should not be taken by MIDC against the industry. According to the State Bank, the HW stored in the unit is also their property and hence should not be sold without their consent. The replies of the banks to the SCN issued by MIDC are annexed at **Annexure-XIII**.

LAEC, Tarapur showed a fresh illegal dumping of HWs in MIDC Tarapur on 10.4.2005. SCMC has taken cognizance of this illegal dump and directed Board to issue to investigate the matter for taking action against the industries responsible for dumping the HWs. From the preliminary investigations, it was gathered that the fresh dumping may be from the Dyestuff and pharmaceutical industries. SCMC also had concurred with the Board on the possible sources of the fresh illegal dumping

in Tarapur. Therefore, MPCB issued Show cause notice to 45 industries in Tarapur. The information gathered from those industries is being processed to understand from which industries the waste might have come so that further necessary action can be taken against the defaulters, who were responsible for disposing off the HW illegally in MIDC area. The SCN issued by Regional Office, MPCB Thane is annexed at **Annexure- XIV**.

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 possibility of using the professional services of National Remote Sensing Agency, Hyderabad.

Accordingly, MPCB had 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 signed MoU and have released Rs. 4.42 lakhs for the study of illegal dump sites using the satellite imageries to NRSA in February, 2005.

NRSA has started work on the project and attempts are initiated to develop signatures of illegal dump sites in the MIDC areas to begin with. Accordingly, maps of illegal dumps of Tarapur have been supplied to NRSA. Based on these maps and development of the signatures further satellite imaging of the entire Thane District shall be carried out to identify illegal dumping of HWs outside MIDC areas. The NRSA team shall carry out reconnaissance survey of the area for ground data collection during last week of May, 2005. The letter received from NRSA is annexed at **Annexure-XV**.

The Airport Authority of India, Mumbai, had reported accumulation of the large quantities of the unclaimed / uncleared hazardous chemical goods in the go-down at Cargo complex, Sahar disposal unit CSI Airport, Mumbai. MPCB facilitated the disposal of the above unclaimed hazardous goods in TSDF at Taloja, as mentioned in the previous ATR. The MWML have agreed to take the entire hazardous cargo for treatment and disposal at Taloja. The AAI was directed by MPCB to complete these operations before 30.4.2005. However, AAI requested for additional time up to end of May, 2005 to obtain approvals on the expenditure to be incurred by them to destroy the uncleared/unclaimed hazardous cargo. A letter received from AAI is annexed at **Annexure-XVI**. After considering the effective steps already taken by AAI to comply with directions issued by MPCB, AAI has been informed to complete the work before 31st May 2005.

There was complaint against M/s. Golden Chemical Pvt. Ltd., Dahisar, Mumbai that the industry was storing huge quantities of hazardous wastes in the their premises. The details, regarding the hazardous waste storage by M/s. Golden Chemical Pvt. Ltd., have been already reported in the 5th ATR. 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 by MPCB to the industry on 4.1.2005 for proper disposal of hazardous waste/contaminated wastes.

As reported by Regional Officer, MPCB Mumbai, the clean up work is under progress and the company has sent 4068.725 tons of Chrome bearing waste to CHWTSDF Taloja as on 20.04.2005. The report submitted by R.O MPCB, Mumbai is annexed as **Annexure-XVII**.

Several consignments of a variety of hazardous wastes lying in the premises of Mumbai Port Trust since these were unclaimed by the importers. SCMC had visited MbPT area and issued comprehensive directions to dispose off those materials to comply with the Supreme Court orders. These consignments included Used Lube oil (4 Consignments). MWML, Taloja has now agreed to lift the oil for incineration without charging any additional charges for handling the containers. A confirmation has been received from MbPT in this regard and MbPT is obtaining the approval for the expenditure to be incurred on this account from their Competent Authority. The two lots of Nickel waste / Nickel ash consignments have already been sold to M/s Hydromate and cleared for disposal. However, there are no takers for the Nickel Chrome and ash consignments and hence steps are being taken by MbPT to send this material to MWML Taloja for final disposal in TSDF. The 14 Consignments of Zinc scrap / Zinc ash have been auctioned and delivered to different parties by following a proper manifest system. A sample copy of the manifest received from MbPT is annexed as **Annexure-XVIII**. The offers were invited by MbPT for the 6 consignments Battery scrap as directed by SCMC. The offer made by M/s Tandon Metal was accepted by MbPT and the delivery of the materials has already started. M/s. Hans, Mumbai have raised some objection on the battery scrap sale to M/s Tandon Metals, since they were not permitted to participate in the auction of those consignments. However, the consignments have already been sold as per the recommendations of SCMC. One (1) consignment of Metal Scrap (Lead residue waste) has also been cleared.

It may thus be seen that MbPT has taken effective steps in compliance of the SCMC directives regarding the disposal of hazardous cargo lying in the port area and all consignments have been cleared for disposal.

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. There are problems regarding the disposal of the waste / used oil lying at the JNPT. SCMC has visited the JNPT and held discussions with the Customs Authorities and CFS operators on 11.4.2005. The Minutes of the meeting held at Jawahar Customs at JNPT are annexed as **Annexure-III**. The waste/ used oil lying at JNPT has yet not been lifted for incineration at MWML, Talaja. Thus there is a non-compliance in respect of the disposal of the oil consignments lying at JNPT as directed by Hon'ble Apex Court in their order dated 5.1.2005.

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 taking action in accordance with the directives of SCMC and the revised HW Rules in this regard and monitoring the progress in the matter.

6.0 Inventorization

It is a stupendous task to carry out re-inventorization of HWs since there are large numbers of units generating the HWs spread over several industrial areas in the state of Maharashtra. The data / information available in the applications made by the industries for getting the consents/authorizations as well as authorizations issued by the Board have been examined by a group of expert chemical engineers to generate information on the inventory of HWs. Accordingly, the quantity of hazardous waste generated by the industry is 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 ten Regions comprising of Navi Mumbai, Pune, Nagpur, Thane, Aurangabad, Raigad, Kalyan, Amravati, Nashik and Kolhapur has been completed. The summary results in respect of Navi Mumbai, Pune, Nagpur, Thane, Aurangabad regions have been already incorporated in the earlier ATRs. The summary results in respect of Raigad, Kalyan, Amravati, Nashik and Kolhapur regions are annexed as **Annexure-XIX**.

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 all the ten regions viz. Navi Mumbai, Pune, Nagpur, Thane, Aurangabad, Raigad, Kalyan, Amravati, Nashik and Kolhapur in Maharashtra is given in the table below.

SCMC had given time up to April 30, 2005 to complete the inventorization work for all the regions in Maharashtra. Accordingly the inventorisation of the 10 regions has already been completed by MPCB except for the Mumbai region, the work on which is in a fairly advanced stage but could not be completed within the given time frame. Therefore, MPCB has again requested SCMC to extend the time for completion of the work of inventorization of Mumbai region up to 30 May 2005. Chairman, SCMC has communicated his approval to complete the inventorization of hazardous wastes in Maharashtra, compilation of the data and submission of full and final reports to SCMC up to 31 May, 2005.

Region wise estimated quantities of the HWs of Ten Regions in Maharashtra as per the inventorization study.

Region	No. of Industries Generating HW	Method of Disposal			Total MT/Yr
		Secure Landfill MT/Yr	Incineration MT/Yr	Sale / Recycling MT/Yr	
New Mumbai	517	43210	50772	14745	108727
Pune	669	38584	12829	15716	67129
Nagpur	273	55854	11220	43626	110700
Thane	613	45608	6826	22734	75168
Aurangabad	238	7393	1847	17509	26749
Raigad	340	94008	21997	38473	154478
Kalyan	652	52345	7907	47004	107256
Amrawati	91	9780	371	2574	12725
Nashik	451	21240	7601	27525	56366
Kolhapur	293	19269	12700	16263	48232
	4137	387291	134070	246169	767530

Note: These are preliminary estimates of HWs covering individual industrial units only. The HW Quantities may go up when HWs from CETPs, waste oil from ships, MSRTC, WCL, BEST and MSEB etc are added to this inventory.

7.0 Implementation of HWs Transportation guidelines

According to the Hon'ble Supreme 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. Public Notices were also issued to this effect by MPCB in leading news papers to create awareness among the stake holders regarding compliance of the SC directives.

In response to MPCB's sustained drive, 43 hazardous waste transporters approached MPCB for authorization and they have since been given 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 in Maharashtra is annexed at **Annexure-XX**.

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 is to sold or auctioned 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 auctioneers / bulk consumers.

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 and the directives of SCMC.

MPCB had reported the acts of M/s. Bharat Oil Co.(India), Ghaziabad, Uttar Pradesh, who 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 taken actions in stopping the lifting of the used oil by the above company. M/s. Bharat Oil Co.(India) had moved the Mumbai High Court against the decisions of the MPCB. However, The Hon'ble High Court of Judicature at Mumbai Bench upheld actions taken by MPCB, 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 judgment in favour of the actions taken by MPCB.

M/s Bharat Oil Co.(India) Ltd. had submitted application to MPCB however, this was deficient and therefore further details were sought from the company vide letter dated 27.1.2005 from MPCB. The company further replied to MPCB's queries vide their letter dated 5.2.2005. However, the replies of the company were also not found satisfactory and therefore MPCB has refused the Authorization for reception,

collection and transportation of the used oil to this company vide MPCB letter dated 9.3.2005. A copy of this letter is annexed at **Annexure-XXI**.

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/used oil storage and its disposal by auction. However, the matter was examined afresh after MSEB supplied additional information and the reports on the analysis became available to MPCB. In the view of the explanation given by MSEB and shifting of used/ waste oil to environmentally sound storage facility, MPCB decided not to take further pecuniary action against MSEB Super Thermal Power Station, Chandrapur.

MPCB had issued show cause notices to BEST Undertaking, (MCGM), Mumbai and 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. Accordingly, BEST undertaking has applied for consent and authorization to MPCB and the same is under consideration. Since Maharashtra State Road Transport Corporation is observing the mandatory criteria applicable for the auction of hazardous waste viz. used/waste oil, non-ferrous metal wastes and lead acid batteries, no further action was initiated against MSRTC.

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 An on-line TOC analyzer has been gifted by Belgian Government to MPCB which is installed at CETP, (TB) Association, MIDC TTC Industrial area.
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 final report in 2005 which has been examined by the Board and returned to CRISIL for incorporating comments. Final report is expected at the end of May, 2005.
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 only one region is

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		remaining and is in progress. The work is expected to be completed by May 31, 2005. SCMC has given extension up for submission of full and final report on HW inventorization.
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. Except the first installment, no further installments of the grant in aid on this project have 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 already 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 supported a private initiative to publish a Marathi magazine “**Paryavaran Sevak**” dedicated to creation of environmental awareness in local language. Till date, six issues of this magazine have been published by MPCB. Fifth special issue of this magazine was published on 34th National Safety Day and Sixth special issue of the magazine was published on International Earth Day on 21st April 2005.

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.

11.0 Rehabilitation of dump sites

The work on identification of illegal dumpsites outside MIDC is being outsourced to NRSA, as mentioned in the earlier part of this report. The study is already started. Based on the findings 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 last 10 years or so. The work on establishing the SLF at Tarapur has already begun and is expected to be completed by 31st May 2005. This has also been reviewed by SCMC during its visit to Tarapur on 10.4.2005. The compliance is also being monitored by MPCB regularly.

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 **2431** 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 activity

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. MbPT has assured MPCB 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.

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.

The MbPT has reported that no permission has been given for breaking the Defence /Warship at MbPT during the period 2001-2005. The number of ships broken at MbPt is given in the table below :

Year	No. Of Ships Broken
2001-2002	63
2002-2003	62
2003-2004	57
Nov-04 to Jan-05	11
Feb-05 to April- 05	09

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**

In furtherance to the steps taken by the Board for the management of BMW in Maharashtra, MPCB had issued 2844 show cause notices to defaulting Health Care Establishments on the grounds of **i)** not applying for authorizations to MPCB, **ii)** authorizations granted by the Board but they have still not become the members of the TSDFs and **iii)** they have taken the membership of TSDFs but are not sending the BMW to the TSDFs. The status of Bio-medical waste management in Maharashtra is annexed as **Annexure-XXII**.

There are 25 no of Bio-medical waste treatment, storage and disposal facilities which cater to the needs of BMW management in Mumbai, Navi-Mumbai, Pune, Nashik, Thane, Kolhapur, Solapur, Aurangabad and Nagpur areas in Maharashtra.

The proposal on BMW treatment and disposal facilities, to be established in the the Municipal area of Greater Mumbai, is in a fairly advanced stages of implementation and the vendors have been short listed. The techno-business proposals of the qualified bidders are under consideration by the committee appointed by MPCB for this purpose. As reported in the previous ATRs, MPCB is acting as a Project Management Consultant for this project.

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 have been directed to keep a strict vigil over the plastic bags manufacturing units located in their regions 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 the manufacturers of recycled plastics for not obtaining the registration form the prescribed authority. As a result 58 manufacturers of recycled plastics have applied to the Board for registration and MPCB has issued registration certificate to them.

To enforce the Rules on use of plastic bags/ carry bags, vigilance squads have been set up at Municipal Corporations, urban local bodies and concerned department of Government of Maharashtra. During the vigilance drive the defaulters are fined which include wholesalers and retailers of the plastic bags.

The Board has also published a Public Notice on 14.4.2005 directing all concerned to comply with the Rules for the manufacturer and use of recycled plastics, carry bags and containers, 1999 (as amended in 2003). The public notice is annexed as **Annexure-XXIII**.

17.0 Lead Acid Batteries management

MPCB is enforcing the Batteries (Management and Handling) Rules, 2001 published on 16.5.2001 which regulate lead acid batteries with specific responsibility assigned to manufacturers, importer, re-conditioners, assemblers, dealers, recyclers, auctioneers, consumers and bulk consumers of the batteries. In this regard Board had given wide publicity in news papers in Marathi and English way back in April, 2004 stating that the compliance of the Rules shall be achieved by all concerned and the compliance reported on/before 30th June and 31st December, every year.

It is noticed that there are re-conditioners and assemblers of the lead Acid Batteries whose scale of operations differ widely. MPCB has issued directions to the 29 such industries who are identified as defaulters. The sample show cause notice issued to such establishments is annexed as **Annexure-XXIV**.

The information on the sale of batteries by the dealers throughout the State of Maharashtra has been 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 Rajya Sabha Committee on Sub-ordinate Legislation visited Maharashtra to review the implementation of the Batteries Rules on 7.2.2005 and a detailed presentation was made before this committee comprising of the Members of Rajya Sabha. The information collected by MPCB from the **Battery Dealers** from different regions of Maharashtra 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	8799	9019	9003	962	941	1937
2	Navi-Mumbai	1283	1347	2265	1087	1053	1778
3	Thane	-	285	2495	-	-	90
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	8121	11901	13842	1186	1764	2562
10	Aurangabad	2959	1085	1670	871	838	1117
11	Amravati	8556	9864	11124	2493	2866	3507

Apart from the 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 15 such importers of new lead acid batteries in the State of Maharashtra. Out of these importers, 14 importers 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 and 22.02.2005, respectively, directing them to comply with the mandatory requirements under the Battery (M&H) Rules, 2001. The response from these units is awaited. MPCB shall take necessary action on the defaulters based on merits of each case.

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	13581	12648	9007	23292	16133	10001
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	819	1220	1174	687	1757	944
10	Aurangabad	682	471	660	641	389	279
11	Amravati	1942	1034	1911	1761	911	1059

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

It has been observed that there is 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 has also issued directions to Regional officers regarding compliance of the Battery Rules. The circular dated 8.3.2004 is annexed as 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. This unit was noticed as a defaulter in non-compliance of Hazardous waste (M & H) Rules and consent conditions of the board. Therefore actions were taken against this unit as reported in the earlier ATR. The industry now complies with the directions given by SCMC, has become a member of CHWTSDF, Taloja and replaced the old filter bags for effective air pollution control. MPCB has allowed the unit to resume the manufacturing activities conditionally.

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