

Notes on Meeting of SCMC member, Dr Claude Alvares, with officials of MPCB, Customs and MIDC in Mumbai, on 17.8.2005;

Dr D.B. Boralkar, M.S., MPCB, requested me to conduct a meeting with officials in Maharashtra on various actions relating to compliance with earlier directions of SCMC, including incineration of 133 containers of waste oil at JNPT. The following is the record of the meeting:

- 1) In relation to the incineration of waste oil at JNPT, the Customs and M/s Mumbai Waste Management Ltd. presented a table of waste oil stocks already taken over to CHWTSDF, Talaja for incineration. (The table is enclosed). So far only a total of 686 drums of oil have been relocated to the facility at Talaja. The pace is still exceedingly slow. Due to the havoc caused by the monsoon, there was also a slow down in off take from the port due to absence of labour at JNPT.
- 2) Asked about the total time it would take to incinerate the waste oil in the 133 containers, MWML indicated that the process would not terminate before March 31, 2006. No waste oil has yet been incinerated since the facility was largely testing the waste oil to ensure how the incineration could be done efficiently, without damage to its own incinerator (especially nozzles). MWML was asked to provide a note on procedure of incineration at their facility. (That note is enclosed to this record.) Obviously, the waste oil has to be pre-treated before it can go to the incinerator, which shall result in to further delays.
- 3) Both Customs and MWML were informed that the SCMC would like to have other incinerators, in the circumstances, also involved in the job. Gujarat SPCB has been addressed on this issue.
- 4) It was suggested that the MWML in any event proceed with the transfer of all the waste oil from the Port to the facility at Talaja. For this, MWML is to put up the requisite storage tank, which should be up in 15-20 days. All the waste oil is to be relocated to the facility by December 31, 2005. If offers do come in from Surat and Ankleshwar, MWML said that they would have no objection to them taking the stocks from their facility as well.
- 5) The Customs was informed that in future the SCMC Sub-committee on waste oil incineration would have to be kept posted of all details of the incineration. The subcommittee includes MPCB, GPCB and the Vadodara zonal office of CPCB.

Tarapur CETP:

1. The SCMC viewed with concern the report of the contractor at Tarapur that there was a fallback in various agencies making available the funds for timely completion of the CETP at Tarapur.

2. It was reported to the committee that approximately 175 units had defaulted on their payments for the CETP. MPCB was asked to take action including immediate notice of closure of the 175 units within 15 days.
3. It appears that several other sums are in the pipeline from MIDC and from the industries association. These will tide over the lean period of payments. The contractor has agreed to deliver the CETP by the first week of October, 2005. The SCMC, however, noted there have been setbacks. Primary treatment was to be initiated on a trial basis from July, 2005 but the monsoon havoc has delayed this considerably and the new date mentioned is October, 2005. The Committee may have to examine this matter and consider a collective fine on the industrial estate if the CETP construction goes beyond the acceptable and promised dates.

Aurangabad CETP and TSDF:

1. Both MPCB and the MIDC are of the view that stringent action needs to be taken against the Aurangabad Industry Association since it is refusing to respond to the need to put up a common CETP. There have been several complaints of pollution of water sources and the matter has also been discussed in the Maharashtra Assembly. The SCMC may therefore be advised to put the estate on closure notice.
2. The TSDF proposals for Aurangabad, Butibori, Ranjangaon, Mahad, were also discussed. MIDC stated it had just received a proposal from one party to set up a system of transfer stations at some of these estates from which the wastes will be transferred to Taloja facility. MIDC has been advised not to delay in forwarding the proposal to MPCB for its comments as it involves short term and long term proposals for hazardous waste storage, transfer and disposal in the State. MPCB has agreed to expedite its comments on the proposal to ensure that hazardous waste are brought within the safe handling procedure required by the apex court order dated 14.10.2003.

Sd/-
Dr Claude Alvares
Member/Sub-committee SCMC/Maharashtra

Annexure - II

Meeting convened by Environment Department, Govt. of Maharashtra under the Chairmanship of Principal Secretary (Environment) to discuss the compliance of the SCMC orders with MIDC and MPCB officials on 18.10.2005

Sr. No.	Agenda	Decisions taken about the agreed time frame for the compliance
1.	MIDC is responsible for implementation of Rules 9 of HW (M&H) Rules, 1989. A notification was issued by the State Government to this effect as early as 1997, making MIDC the designated authority for Rule 8 related TSDF.	This issue was discussed in the meeting with Chief Secretary
2.	Tarapur CETP is lagging behind the schedule, after doing more than 70%. There are financial problems. Members are not paying their contribution	Shri. Satish Gawai, CEO, MIDC agreed to release the subsidy on or before 24 th October, 2005. (Action: MIDC)
3.	The Tarapur one-time SLF is not as per schedule due to MIDC delays.	MIDC agreed to complete Tarapur SLF by 31.12.2005. However, the capping and development of vegetation on the top cover would require additional time up to February, 2006. MIDC sought additional time for completion of these works. M.S. MPCB agreed to take up the matter with SCMC for grant of additional time up to February, 2006, provided the SLF is fully completed by 31.12.2005. (Action: MIDC)
4.	Buti Bori CETP work is in progress due to the efforts of the association. However, the construction of the disposal arrangement (reed bet etc.) to be done by MIDC are not keeping pace with CETP work .	Dy. CEO, MIDC mentioned about that the Tenders were floated by MIDC however there is no response received on it. Pr. Secretary mentioned about the views expressed by Dr.S.Deotta, Member, SCMC that industries want to join CETP forthwith however, the CETP is not ready. M.S. MPCB, mentioned that CETP is almost completed but disposal pipeline is not ready Pr. Secretary (Envvt) directed MIDC to

		set up the effluent disposal pipeline by May, 2006. (Action :MIDC)
5.	Augmentation of CETP at Lote is not yet taken up. There are seepages from effluent collection tank. This needs repairs. One additional tank is also required to meet the load.	MIDC- Argued that they have no role in augmentation of existing CETP as it has been handed over to association. CETP augmentation shall be done by June 2006 by the Lote Industries Association. (Action: Lote Parshuram Industries CETP Association)
6.	Mahad: The effluent transport pipe line needs urgent repairs. There were breakages 23 times in the last one year alone. Now the CETP is ready and fully functional. MIDC needs to do the pipe line work in a time bound manner. (LAECs for Mahad and Roha are required).	M.S. MPCB, mentioned about the problems of leakages from effluent collection and disposal network. MIDC agreed to replace the existing pipeline with HDPE pipeline. Pr. Secretary (Envt). directed MIDC to prepare and the proposal for the replacement of existing pipeline by HDPE pipeline and complete the works on the replacement and repairs by January, 2006 (Action: MIDC)
7.	The work on the additional unit of the CETP at Taloja to provide additional capacity of about 10 MLD is progressing too slowly. MIDC needs to commit to a time frame.	MIDC committed that the work shall be completed in one year. (Action: MIDC)
8.	Aurangabad CETP and TSDF are in cold storage. Only paper pushing is going on. MIDC must explain the delay in implementation of their commitment. They had earlier said that it will be done by December, 2004. Nothing is there on site today. This is contempt of the court order.	MIDC mentioned that the industries in this MIDC estate are not becoming the members to form the CETP Society. The matter was fully discussed and the Govt. authorized MPCB to issue direction to all the units to become members of the CETP Society by 25 th October, 2005 or face closure. (Action: MPCB) The copy of directions issued by MPCB shall be given to CEO, MIDC and the Industries Association to enter into an agreement by 25 th October, 2005. (Action: MIDC) Dy. CEO, MIDC also requested that MPCB shall decide the designated point for disposal of the treated effluent which was agreed to. (Action: MPCB)

9.	We need a time-frame for the TSDF at Ranjangaon near Pune	Pr. Secretary (Envnt.) enquired about issuance of consent to Establish to the TSDF by MPCB. M.S. MPCB assured that CTOE to TSDF shall be given by 20 th October, 2005. It was informed that the first phase of project implementation shall take about 18 months. (Action: MPCB)
10.	We need a TSDF in south Konkan for industries in Lote, Ratnagiri and Goa. It will be only SLF with lab and transport arrangements. Goa government is to directed by SCMC to pay subsidy of Rs.4 Crores (Rs.2 Cr. Goa Govt. + Rs.2 Cr. By industry to this TSDF through MPCB. Additionally, MIDC and MPCB shall also contribute their share. MIDC must allocate the land to the operator for its use as a transfer station for TSDF Taloja.	After detailed discussion on the issue Pr. Secretary (Envnt.) directed that Goa Govt. shall prepare a concrete proposal for transfer of hazardous waste to the State of Maharashtra This proposal will be examined by the Government through Public Consultation. (Action: Goa SPCB, Industries Department, GoM and MIDC)
11.	MIDC may be asked to submit status of action taken for removal of waste lying in Mahad (abandoned industries) and Lote (Zinc waste)	MIDC expressed inability to lift hazardous waste from 1) Mishal Zinc Lote Parshuram and 2) Raksha Pharma Ltd. since those units are in possession of High court/Bank. The hazardous waste is stored in the closed industries. Pr. Secretary (Envnt.) directed MIDC to send a note/reply in response to the directives of SCMC in this regard. (Action: MIDC) Shri. Satish Gavai CEO, MIDC also endorsed the view that non-compliant industrial units be directed to be closed without any showing any sympathy towards them.
12.	CRISIL Report on MPCB- Strengthening of MPCB	--

Annexure III

No.: - MPCB/RO (HQ)/HSMD/B-7026

Date: - 20/10/2005

Order**Sub: - Assigning the areas of operation of Common Hazardous Waste Collection, Treatment, Storage & Disposal Facilities in the State of Maharashtra for Management of Hazardous Wastes.**

In compliance of sub rule 2 of rule 5 of Then Hazardous Wastes (Management Handling) Rules, 1989, as amended the jurisdiction and operational area for each of the Common Hazardous Waste Collection, Treatment, Storage & Disposal Facilities (CHWTSDF) is assigned as under:

Sr. No.	Name & Address of CHWTSDF	Type of facility & capacity	Area allocation
1.	M/s Mumbai Waste Management Ltd., Plot NO. P-32, MIDC, Taloja, Tal- Panvel, Dis Raigad.	SLF – 120000 TPY Incineration- 2.0 Tph	Mumbai and Suburban Mumbai Districts, Panvel, Khalapur & Uran Talukas of Raigad District & Thane District excluding Thane-Belapur Industrial Area.
2.	M/s Trans Thane Creek Waste Management Association P-128, Shi- Mhape Road, Next to L & T Infotech Ltd., Mhape, Navi Mumbai-400 705	SLF- 10000 TPY	Thane- Belapur Industrial Area, Dist- Thane. The incinerable waste from this area shall be sent to CHWTSDF at Ataloha, Dist- Raigad.
3.	M/s Maharashtra Enviro Power Ltd., (SPV of M/s Shaktikumar M. Sancheti Ltd.,) Plot No. 56, MIDC Ranjangoan , Tal- Shirur, Dist- Pune.	SLF- 60000 TPY Incineration- 3.0 TPH	Ahmednagar Kolhapur, Pune, Satara, Sangli & Solapur Districts.
4.	M/s Vidarbha Enviro Protection Ltd., (SPV of M/s Shaktikumar M. Sancheti Ltd.,) S. No. 7 to 15, 131 & 162 Butibori industrial Area, Mouza – Mandawa, Tal- Hingana, Nagpur.	SLF- 60000 TPY Incineration – 3.0 TPH	Amravati, Akola, Bhandara, Buldhana, Chandrapur, Gondia, Gadchiroli, Nagpur, Wardha, Wasim & Yavatmal Districts.

5.	Proposed CHWTSDF At Shendre, Dist- Aurangabad	SLF – 50000 TPY Incineration – 3.0 TPH	Aurangabad, Beed, Dhule, Hingoli, Jalna, Latur, Nanded, Nandurbar, Nashik, Parbhani, & Osmanbad District
6.	Proposed CHWTSDF At Mahad, Dist – Raigad.	Incineration - 3.0 TPH	Alibag, Karjat, Mahad, Mangoan, Mhasala, Poladpur, Pen Shriwardhan & Sudhagad, Talukas of Raigad District, Sindhudurg, & Ratnagiri Districts. The Incineration bottom ash and the landfilable waste from this area shall be sent to CHWTSDF at Taloja, Dist. Raigad.

Note:

1] Commencement: - This order shall be effective from its date of issue.

2] The CHWTSDF, which is already in operation, shall collect, treat and dispose the hazardous wastes from each industrial unit located within the area of their jurisdiction as defined in this order.

3] The area, where CHWTSDF, is yet to be set up or put into operation, the existing /operating CHWTSDF, with prior Authorization of MPCB, shall collect, transport (if required), treat and dispose the hazardous wastes.

4] The area / jurisdiction allotted earlier and mentioned in the Consent / Authorization granted to M/s. Trans Thane Creek WASTE Management Association, Navi Mumbai & M/s Mumbai Waste Management Ltd., Taloja, Dist - Raigad is hereby rescinded.

(Dilip B. Boralkar)
Member Secretary

Copy submitted to:

- 1] Chairman, MPCB, Mumbai.
- 2] The CEO, MIDC, Mumbai.
- 3] Chairman and Member Secretary of SCMC
- 4] Director, Department of Environment, Gom
- 5] Director, HSM Division, MoEF, New Delhi.

Copy to:

- 1] AI CHWTSDFs
- 2] Industrial Associations
- 3] CETP Associations / Companies
- 4] All officers of the Board
- 5] Web site.
- 6] Katole Saheb (Technical Advisor)

**Sub: Meeting called by the Chief Secretary on 14.10.2005 at 15.30_Hrs.
on the issues of compliance of the Hazardous Waste Management Project.
.... Status as on 31/10/2005.**

Sr. No.	Issues to be discussed	Status
1.	MIDC is responsible for implementation of Rule 8 of HW (M&H) Rules, 1989. A Notification was issued by the State Government of this effect as early as 1997, making MIDC the designated authority for Rule 8 related TSDF	This notification has been issued by the Government of Maharashtra to fix responsibility of establishing to MIDC. Even though MIDC is entrusted with the responsibility of establishing hazardous waste disposal facility, the responsibility of MPCB and individual units in Hazardous Waste Disposal System do not get diluted as per this GR.
2	Tarapur CETP is lagging behind the schedule, after doing more than 70% there are financial problems; Members are not paying their contributions.	For compelling Industries association to establish CETP, MIDC levies double water rate. In spite of levying double water rate, construction of CETP is delayed. Out of total 9.24 crores contribution to be collected by the members, Rs.1,80,21,965/- is released MIDC on 21/10/2005. The details of CETP being constructed are as follows: 1) Capacity – 25 2) Total Cost – Rs. 1863.20 Lakhs. 3) Cost Sharing – 20% MIDC, 5% MPCB, 25% Govt. of India, 50% Beneficiaries
3	The Tarapur one time SLF is not as per schedule due to MIDC delays.	The Work order for SLF site is awarded by MIDC in May 2005. As per time limit set by Supreme Court Monitoring Committee, the work was to be completed by May 2005. Now the work has been started after monsoon & 50% work is completed. The total work will be completed by Feb.2006. However to comply with hon'ble SCMC's directives, the total waste will be shifted to SLF by 31 st Dec. 2005
4.	Butibori CETP work is in progress due to the efforts of the association. However, the	Tenders for HRT (High resistant Trans- evaporation) system amounting to RS. 63 lakhs is received & work order is

	construction of the disposal arrangements (reed bed etc.) to be done by MIDC is not keeping pace with CETP work.	being issued shortly.
5.	Augmentation of CETP at Lote is not yet taken up. There are seepages from the effluent collection tank. This needs repair; One additional tank is also required to meet the load.	The CETP has been handed over all facilities of effluent disposal system and are being operated by them. If augmentation is required in this existing system. It will have to be done by CETP association. However, Member Secretary MPCB committed the work of upgradation of Lote CETP would be completed by June 2006 by Lote CETP association and MPCB will monitor the progress.
6.	Mahad: The effluent transport pipeline needs urgent repair. There were breakages 23 times in the last one-year alone. Now the CETP is ready and fully functional. MIDC needs to do the pipeline work in a time bound manner. (LAECs for Mahad and Roha required).	<p>The effluent disposal pipeline was commissioned in 1997. Because of the disposal of untreated effluent by industrial units in Mahad, pipeline are deteriorated and fail frequently. Unless effluent of disposable standards is let out by the industries, it will not be possible to repair MIDC's effluent disposal pipeline.</p> <p>Local population agitates against MIDC because of gas formation in effluent disposal pipeline. In case effluent of disposable standard is let out by the industries then this problem will be sorted out. Local population also obstructs the repair work.</p> <p>This situation has been brought to the notice of Member Secretary-MPCB vide MIDC's letter dated 1.9.2005.</p> <p>However the work of effluent disposal line and remodeling if any of collection system in Mahad Indl. Area is being studied and after detail survey the time frame along with the cost estimate will be submitted to Hon'ble SCMC by January 2006.</p>
7.	The work on the additional unit of the CETP at Taloja to	The augmentation of CETP is being executed by CETP association. DPR

	<p>provide additional capacity of about 10 MLD is progressing too slowly. MIDC needs to commit to a time frame.</p>	<p>submitted by CEATP association was sent to IIT, Mumbai and the points informed by IIT are sent to CEATP Association for compliance on 19/09/2005 & compliance is awaited. Meantime the tender for the work is called by CETP association and they are in process of finalization of tender. MIDC cannot commit time schedule for completion of CETP. However CETP association has planned to complete the project by Nov. 2006. MPCB may initiate action against defaulting units in Taloja for expediting augmentation of CETP.</p> <p>However the proposal for 1st installment of subsidy is yet to be received by MIDC and after receipt of the same, the subsidy to the tune of 20% of the project cost will be released by MIDC pro-rata as the work progresses.</p>
<p>8.</p>	<p>Aurangabad CETP and TSDF are in cold storage only paper pushing is going on. MIDC must explain the delay in implementation of their commitment. They had earlier said that it will be done by December 2004. Nothing is there on site today. This is contempt of the court order.</p>	<p>CETP is to be established by the Association of the units in industrial area. Several meetings have been conducted for levying drainage cess and for payment of EPSC is not received so far. MPCB have issued several notices to units in Walunj Indl. Area. However, no further action is initiated by MPCB.</p> <p>Member Secretary MPCB was instructed by Principal Secretary, (Environment) Dpt. to issue notices to individual plot holder in Walunj Indl. Area stating that if the MoU/agreement is not executed between association and MIDC by 25/10/2005, they will face legal actions in the matter.</p> <p>From MIDC side, it is being planned to levy penal water rate to units in Walunj Indl. Area for non-completing / establishing of CETP.</p> <p>Land for establishing TSDF in MIDC Walunj Indl. Area is identified. The Board has approved establishing TSDF at Aurangabad. Tenders are being</p>

		invited for developing TSDf facility on BOT basis. Till then the land allotment for satellite Transfer Station is under consideration.
9.	We need a time frame for the TSDf at Ranjangoan near Pune.	Plot for TSDf, Ranjangoan is identified. The work to develop TSDf is awarded on BOT basis to M/s Shaktikumar M. Sancheti Ltd. Nagpur. The public hearing for site of TSDf is conducted. Member Secretary MPCB informed that consent to establish will be issued before 20/10/2005 and the time frame for the 1 st phase completion is 6 months and 18 months for the 2 nd phase.
10.	We need a TSDf in south Konkan for industries in Lote, Ratnagiri and Goa. It will be only SLF with lab & transport arrangements. Goa government is to directed by SCMC to pay subsidy of Rs. 4 Crores (Rs.2 Cr. Gao Govt. + Rs. 2 Cr. By industry)_ to this TSDf through MPCB. Additionally, MIDC and MPCB shall also contribute their share. MID must allocate the land to the operator for its use as a transfer station for TSDf Taloja.	MIDC is already developing TSDf at Mahad. Hence for MIDC areas, there is no need to establish separate SLF at Ratnagiri or Chiplun. MPCB & GoM may identify site for Ratnagiri / Goa. In the light of probable local agitation it may not be desirable on the part ofn Govt. of Maharashtra to take part in this venture. However there is no concrete proposal from Govt. of Goa. After receiving such proposal and examining on the basis of local problems, financial implications, the decision could take in the matter.
11.	MIDC may be asked to submit status of action taken for removal of waste lying in Mahad (abandoned industries) and Loate (Zinc waste)	<u>Indo Dantsche Metelo Chemique Ltd. and Mishal Zine Industirs in Lote Parshuram.</u> Above properties are in possession of Court receiver. SCMC was to give hearing to the Dena Bank. Mahesh Chemicals, Mahad Entire 1235 MT waste is shifted to Taloja. <u>Rekha Chem Pharma Pvt. Ltd.</u> This allottee was asked to pay Rs. 2.50 Lakhs to MIDC; the hazardous waste could not be shifted.

No. MPCB/MS/B - 463

Date: 11 /11/2005.

To,

**The Chief Secretary,
Government of Goa
Secretariate,
Panaji, Goa.**

Sub: Establishment of Common TSDF for Maharashtra and Goa.

- Ref:** 1) D.O. letter dated 25.6.2005 from Chief Minister, Govt. of Goa to Chief Minister, Govt. of Maharashtra.
2) Letters dated 27.10.2004, 4.11.2004, 7.2.2005, 5.4.2005, 3.5.2005 and 10.6.2005 from Chairman Goa SPCB to M.S. MPCB

Dear Madam,

I invite your kind attention to the above referred letters from Chairman Goa State pollution Control Board and the then Chief Minister Goa Government in connection with setting up of a common Hazardous Waste treatment, storage and disposal site for the HW generated from the industries located in Southern Maharashtra and those from the State of Goa. The issue was taken up with Maharashtra Industries Development Corporation (MIDC) by MPCB, since MIDC is an Authority notified by Govt. of Maharashtra under section 8 of the Hazardous Waste (M & H) Rules, 1989 (as amended) to identify and notify the sites for setting up hazardous waste TSDFs. The matter further did not receive a favorable response from MIDC since they are intending to establish TSDF at Mahad, in Konkan. However, the proposed facility at Mahad will be at a very long distance for the industries from Goa to transport the H.W. generated by them across the boundary of Maharashtra State and may become unmanageable.

The issue had also come up for discussion at the meetings of Supreme Court Monitoring Committee (SCMC) from time to time. SCMC Sub-committee led by Dr. S. Devotta had further sought the progress made in this regard by MIDC at the meeting held with the Chief Secretary, Govt. of Maharashtra on 14.10.2005. The matter was further discussed at the review meeting held by Principal Secretary (Env.), GOM on 18.10.2005 as directed by SCMC and Chief Secretary Govt. of Maharashtra. It was decided at the review meeting that Govt. of Goa shall prepare a concrete proposal for the transport of H.W. to the State of Maharashtra and submit the same to MIDC and MPCB for their consideration. MIDC has also agreed in principle to receive such concrete proposal from Govt. of Goa for setting up joint CHWTSDF in Southern Konkan

region, close to Goa and examine it in light of the local problems and its financial implications.

Considering the decisions taken in the SCMC Sub-committee meeting and the review meeting as mentioned above, you are requested to kindly prepare a concrete proposal for consideration of MPCB and MIDC along with its financial implications and the probable locations where such facility can be set up and submit the same urgently.

I am awaiting your urgent response in this matter so that the SCMC can be accordingly informed of the decision of Govt. of Goa in compliance with the directives of the SCMC sub committee for setting up of a joint CHWTSDf between Goa and Maharashtra to manage the H.Ws. generated by the industries in Southern Konkan region and Goa State.

Thanking you,

Yours sincerely,

(D.B. Boralkar)
Member Secretary

Copy for information to:

1. Dr. G. Thyagrajan, Chairman, Supreme Court Monitoring Committee, Council of Scientific & Industrial Research, Flat No. A2, Whispering Height, 152, St. Mary's Road, Alwarpet, Chennai – 600 018.
2. Dr. S. Devotta, Director, National Environmental Engineering Research Institute, Nehru Marg, Nagpur 440 020
3. Dr. Claude Alvares, Member, Supreme Court Monitoring Committee
G-8 St Britto's Apartments, Feira Alta Mapusa 403 507 Goa.
4. Shri Satish Gavai, CEO, MIDC, Udyogsarathi, Marol Industrial Area , Andheri, Mumbai-93.
5. Principal Secretary (Env.), Dept. of Environment, Govt. of Maharashtra, Mumbai.
- for information. With reference to the review meeting held on 18.10.2005.
6. The Chief Secretary, Govt. of Goa, Secretarial, Panji, Goa

Annexure - VI

By R.P.A.D./Fax / Hand Delivery

No. WP/Legal(LW)/B- 7344

Date :31/10/2005

To,

**M/s Chemosol Industries India Pvt. Ltd.,
Plot No. C-56, MIDC, Mahad.
Raigad**

Sub. :- Directions under the provisions of the Environment (P) Act, 1986 read with Rules 4,4A, 8A, 8B and 16(3) of the Hazardous Waste (Management & Handling) Rules 1989 (as amended, May –2003)

Ref. :- 1) This office Show Cause Notice Dtd.13.4.2004
2) This office Directions dtd. 31.8.2005
3) This office Directions dtd. 26.10.2005
4) Verification report of Regional Officer, Raigad dtd. 27.10.2005

We refer to this office show cause notice dtd. 13.4.2005, directions dtd. 31.8.2005 and 26.10.2005, wherein you were directed to pay fine of Rs.15,00,000/- imposed upon you for violating the provisions of the Hazardous Waste (M & H) Rules, 1989, (as amended in May, 2003) by storing hazardous waste in your factory premises. You were also directed to submit the Bank Guarantee of Rs.50,000/-.

The Regional Officer of the Board at Raigad vide his verification report dtd. 27.10.2005 reported that you have not yet sent any hazardous waste to CHWTSDF. You have not yet submitted the bank guarantee of Rs.50,000/-.

In view of the above non-compliance, this office has come to the conclusion that you are not serious about compliance of the show cause notice and directions issued by this office and violating the provisions of the Hazardous Waste (M & H) Rules, 1989 (as amended in May, 2003) and the order passed by the Hon'ble Supreme Court of India in Writ Petition No. 657 of 1995.

Now, therefore, in exercise of the powers conferred under Rule 16(3) of hazardous Wastes (Management & Handling) Rules, a fine of Rs. 15,00,000/- @ 1500/- per ton is imposed herewith for the hazardous waste qualifying for direct landfill for total 1000 MT stored in your factory premises in contravention of the said rules and orders of the Hon'ble Supreme Court dated 14-10-2003 issued in the matter of CWP No.657/1995

regarding management of hazardous wastes. You are therefore directed to pay the amount of fine and bank guarantee of Rs.50,000/- within 7 days time and also to shift above waste to CHWTSDf, failing which, the Board will further initiate appropriate legal action including reporting your non-compliance to Supreme Court Monitoring Committee for further necessary action. You are also directed to close down your manufacturing activity within 72 hrs. from the date of issue of this notice, failing which, the appropriate competent authorities are directed to disconnect water / electricity supply to your unit thereafter.

(D.B. Boralkar)
Member Secretary

Copy submitted to :

1) The Chairman, M.P.C.B. , Mumbai - for information

Copy to :

- 1) The Consulting Engineer, MPCB, Mumbai – for information and Inclusion in next ATR.
- 2) Sr. LO(D) / RO(HQ) / RO (Raigad), MPCB, for information
- 3) S.R.O., MPCB, Raigad- II – for information

Phone : 7571678
Fax : 7570290

Central Laboratory
CIDCO Bhawan, 5th Floor
South Wing, CBD Belapur
Navi-Mumbai - 400614

ANALYSIS REPORT

Hazardous Waste

Sample received from- Regional / Sub-Regional Office: **Mahad**
Report No.: C. Lab/H.W. : **380**
Sample Received on : **12/09/05**
Analysis Started on : **13/09/05**
Sample Code No. : **SRO/MPCB/Mahad/JVS/ HW-04**
Type of Industry : **Pharmaceutical**
Collection Date : **10/09/05**

Sr. No.	Parameters	Results
1.	PH	10.1
2.	Copper	75.5
3.	Chromium (Hexa)	BDL
4.	Cadmium	1.4
5.	Nickel	35.1
6.	Zinc	83.1
7.	Lead	121.3
8.	Mercury	0.65
9.	Corrosivity	Non Corrosive
Sample Collected By : SRO Mahad		
Seal No: 114		

Note: 1) All resultd are expressed in mg/kg, except pH
2) BDL – Below detection limit

(S.L. Said)
Senior Scientific Officer
I/c. Central Laboratory

Phone : 7571678
Fax : 7570290

Central Laboratory
CIDCO Bhawan, 5th Floor
South Wing, CBD Belapur
Navi-Mumbai - 400614

Regional Office : Raigad
Sub-Regional Office : Mahad
Report No. : C. Lab/ 2531
Date of Sample Collection : 10/09/05
Received on : 12/09/05
Analysis started on : 13/09/05
Completed On : Urgent

Code No.	SRO/Mahad/JVS/42
Type of Industry	Leachates from Closed Industry, MIDC Mahad
Parameter	
Ph	12.5
Dissolved Oxygen	BDL
B.O.D. 3 days 27 °C	180.0
C.O.D.	648
Suspended Solids	180
Oil & Grease	5.2
Nickel	0.479
Cadmium	0.108
Arsenic	0.26
Copper	0.242
Lead	0.670
Zinc	0.328
Mercury	BDL
Sample collected & sealed by	SRO Mahad
Seal No.	114

- Note:** 1. All results are expressed in ppm except pH
2. N.A. indicates not analysed
3. N.D. indicates Not Detectable.
4. BDL indicates below detectable limit.

(V. L. Korade)
Senior Scientific Officer
I/c. Central Laboratory,
M.P.C. Board, Navi Mumbai.

No. MPCB/MS/B—5332

Date: 16/09/2005

To,
M/s Subhadra Petrochemical Pvt. Ltd.,
Plot No. F-2, MIDC Kupwad,
Tal: Miraj, Dist: Sangli.

Sub: Direction under Section 31 (A) of the Air (P & CP) Act, 1981 to ensure Compliance of the Orders of the Hon'ble Supreme Court of India dated 14th October 2003 in Writ Petition (C) No. 657 of 1995 and Hazardous Waste (Management and Handling) Rules, 1989 and amendment Rules ,2003.

Ref: 1) Consent/ Authorization by the Board No. BO/RO Kolhapur/ Sangli/ 54-05/O/CC-13 dated 30.03.2005

WHEREAS, the Ministry of Environment & Forest, Govt. O India in exercise of the Powers conferred on them under sections 6.8 and 25 of the Environment (Protection) Act, 1986, have notified Hazardous Waste (Management & Handling) Rules, 1989. AND WHEREAS, these Rules have been amended vide Notification NO. SO 24, (E) dated 6th January 2000 and Notification no. SO 593 (E), dated 20th May, 2003; (hereinafter called the "Said Rules")

AND WHEREAS, the said rules makes it mandatory on all occupiers, engaged in collection, reception, treatment, storage and disposal of hazardous wastes to make an application for authorization under rules 3(2), 5(2) (3) AND (6) (ii) of the said rules to the State Pollution Control Board and obtain the same before operating the facility for the collection, reception, treatment, storage and disposal of hazardous wastes;

AND WHEREAS, the Hon'ble Supreme Court of India in a Writ Petition (Civil) No.657/1995, files by Research Foundation for Science Technology and Natural Resource Policy v/s Union of India & Others, have issued a comprehensive order on 14.10.2003 and have directed to the State Pollution Control Boards to effectively implement the provisions of the said Rules and to comply with the directions of the Court;

AND WHEREAS, one of the directions given by the Hon'ble Supreme Court of India is regarding the closure of the units who are not complying with the said rules. Accordingly, the Board had issued a public notice in all the leading newspapers on 18-12-2003 to make all the concerned aware about their responsibilities under the said Rules and to ensure the compliance of the said Rules to the satisfaction of the Board with reference to the orders of the Court;

AND WHEREAS, it has been observed that you are operating and hazardous waste incineration facility, which is not working in conformity with the guidelines issued by the Central Pollution Control Board (CPCB) for the operating standards and you are not achieving the standards prescribed for the flue gas emissions from the hazardous waste incinerator under the Air (P & CP) Act, 1981;

AND WHEREAS, the incineration facility being operated by you is not equipped with adequate air pollution control measures to meet flue gas emission standards, as laid down for hazardous waste incinerators. It is further observed that you have neither augmented the existing incineration facility for provided proper air pollution control equipment needed for controlling the air emissions from the incinerator operated by you, in spite of fact that Board has given sufficient time and opportunities to you to do so, as specified in the said rules and the orders given by the Hon'ble Supreme Court dated 14.10.2003. You have violated the said Rules as well as the directives of the Hon'ble Supreme Court of India in this regard and thus continue to pollute the atmosphere;

NOW THEREFORE, in exercise of the powers conferred on me by the Section 31 (A) of the Air (P &CP) Act, 1981 and so as to ensure the compliance of the directions of the Supreme Court dated 14.10.2003 and also to secure compliance of the Hazardous Waste (M & H) Rules, 1989, as amended. Following directions are hereby issued to you:

- 4) That you shall restrain from collecting hazardous wastes from other industries and other States and incinerating them at your incinerator facility which is not meeting the required standards and guidelines;
- 5) You shall stop operation of incinerator at your premises, which is not meeting the required standards and guidelines.
- 6) Utilities supplying power and water and or any other services to the incinerator facility, shall be directed to be stopped forthwith,

You are hereby given and opportunity to file your say in writing on this notice within 15 days form the receipt of this communications. Any failure on your part do so will be constructed as acceptance of the default by you and the Board shall be free to take further legal action against the default, which may please be noted.

(D.B. Boralkar)
Member secretary
M.P.C. Board.

Encl: Copy of emission standards as communicated by CPCB in January 2004.

No. MPCB/MS/B - 454

Date: 27 /10/2005.

To,

Sub: Show Cause Notice for the non-compliance of the SCMC directions regarding CETP at Waluj, MIDC, Aurangabad.

- Ref:** 1) Directions given by SCMC Sub Committee on 17.8.2005.
2) Discussion held by the SCMC Sub-Committee with Chief Secretary, Govt. of Maharashtra on 14.10.2005.
3) Review meeting held by Principal Secretary (Envt.), Govt. of Maharashtra on 18.10.2005.

WHEREAS, the Sub committee of Supreme Court Monitoring Committee (SCMC) in the matter of Civil W.P. No. 657 of 1995 during its meeting held on 17.8.2005 reviewed the matter regarding establishment of CETP at MIDC Waluj, Aurangabad;

AND WHEREAS, it was noticed during the review that the MIDC Waluj, Aurangabad, Industries Association has been refusing to respond to the need for putting up a Common Effluent Treatment Plant at MIDC area Waluj, Aurangabad;

AND WHEREAS, SCMC has noticed that there have been several complaints of pollution of ground water sources in the area due to disposal of liquid effluent containing hazardous/toxic component. The issues were discussed in the Legislative Assembly of Maharashtra;

AND WHEREAS, the subject of setting up CETP at Waluj was further reviewed by the Sub-Committee of SCMC which met Chief Secretary, Govt. of Maharashtra on 14.10.2005;

AND WHEREAS, the Chief Secretary, Govt. of Maharashtra directed that the Principal Secretary (Env.) shall review the outstanding issues related to hazardous waste management in Maharashtra which need to be resolved quickly ;

AND WHEREAS, Principal Secretary (Env.) held a meeting on 18.10.2005 to review a compliance of the SCMC directions and the pending issues related to hazardous waste management in Maharashtra as directed by Chief Secretary, which **inter alia** included an issue on setting up of CETP at MIDC Waluj, Aurangabad;

AND WHEREAS, MIDC mentioned in the meeting held on 18.10.2005 that the industries in Waluj MIDC area in Aurangabad are not ready to become the members to form a CETP Society;

AND WHEREAS, the matter was discussed on 18.10.2005 and it was decided to issue directions to all the industries in Waluj MIDC, Aurangabad so that that they become member of CETP Society within two weeks or face the closure of the industry in case it fails to do so;

ANDWHEREAS, MIDC has informed MPCB vide letter No. MIDC/Dy.CEO(Env.)/2143 dated 19.10.2005 that industries are not responding positively to complete the CETP;

ANDWHEREAS, in absence of CETP in Waluj industrial area, the untreated or partially treated effluent and the hazardous waste is being disposed off by the industries which is polluting the water sources and environment in the vicinity;

NOW THEREFORE, in view of the lapses, as mentined above, on the part of the industries located in the Waluj industrial area, MIDC, Aurangabad I, hereby, direct you to show cause as to why your industry shall not be closed forthwith for not becoming the member of CETP Society and for not taking effective steps to install CETP.

Your reply, if any, shall be sent to this office within a period of fifteen days from the receipt of this notice, failing which necessary action shall be initiated against you which shall include closure of the industry, disconnection of electricity and /or water supply or any other services.

(D.B. Boralkar)
Member Secretary

Copy to:

- 1) Chief Executive Officer, MIDC, Andheri, Mumbai.
- 2) Dy. Chief Executive Officer, MIDC, Andheri, Mumbai.
- 3) RO(HQ)/ MPCB, Mumbai.
- 4) R.O.-Aurangabad, MPCB, Aurangabad.

**OFFICE OF THE JOINT COMMISSINER OF CUSTOMS (DOCKS),
JAWAHARLAL NEHARU CUSTOM HOUSE, SHEVA, DIST- RAIGAD,
MAHARASHTRA-400 707.**

F. No.: CIU-GE-90/2000 MCH
S/10-9/2004 Gr.I JNCH

Date: 21-10-2005

To,

**The Under Secretary to the Govt. of India (CusIII),
Central Board of Excise & Customs,
New Delhi - 110001**

Sub: Destruction of imported hazardous oil lying in Nhava Sheva-reg.

Ref: Your letter in F. No. 405/2/2001-Cus III dt. 20.6.2005 and 18.7.2005.

M/s Mumbai Waste Management Ltd. have started the work of lifting the hazardous oil lying in Punjab Conware CFS from 29.06.2005 onwards and 3430 drums (pertaining to 35 containers) have been removed for incineration till 21.10.2005.

During 15.10.05 to 21.10.05, 588 drums pertaining to 6 containers as detailed below were lifted by M/s MFML for incineration.

The details are:

SR. NO.	DATE	CONTAINER NO.	IMPORTER
1.	15.10.2005	TEXU3845417	M/S LUDHIANA REFINERIES
2.	15.10.2005	TRLU2053964	-DO-
3.	17.10.2005	TEAU2191023	-DO-
4.	18.10.2005	TEXU3516108	M/S SAI OM PETRO SPECIALITIES
5.	19.10.2005	MLCU2303606	-DO-
6.	19.10.2005	TRIU1623062	-DO-

With this total of 4018 drums (pertaining to 41 containers) carrying Hazardous Oil have been removed for incineration by M/s M.W. M.L. During the period M/s Ludhiana

Refineries, Punjab, has deposited a cheque of Rs. 26,02,700/- and Rs. 17,49,816/- has been sanctioned to M/s M.W.M.L. for 8 containers (784 drums).

Yours faithfully,

(RAJEEV YADAV)
JOINT COMMISSIONER OF CUSTOMER
JNCH

Copy to:

1. Dr. S.K. Katoley,
Technical Advisor
Maharashtra Pollution Control Board, Mumbai-22.
2. Mr. B.S. Gandhari,
Junior Scientific Officer,
Maharashtra Pollution Control Board, Mumbai-22.
3. Shri M.Subba Rao,
Additional Director (S),
Ministry of Environment & Forests,
Paryavaram Bhavan, CGO Complex, Lodi Road, New Delhi – 110003.
4. Shri Claude Alvares,

MUMBAI WASTE MANAGEMENT LIMITED

Common Hazardous Waste Treatment Storage Disposal Facility
Plot No. P-32, MIDC, Taloja, Tal. : Panvel, Dist. Raigad, Maharashtra. 410 208.
Tel : +91 22 2787 4651 Fax : 2787 3235 Email : mwml@remky.com

TO WHOMSOEVER IT MAY CONCERN

This is to inform you that M/s Bliss Enterprises, 6/225 Jogani Industrial Estate, V.N. Purav Marg, Sion - Chunabhatti, Mumbai – 22 have recently supplied us 2 grades of USA make biodegradable Absorbent Product & our findings are as under: -

1. **SPILL SORB (HYDROPHILLIC):** - We have used Spill Sorb particulate for liquid spill control and collection purpose in our factory which was found to absorb oil instantaneously and leaves the floor surface clean and dry. This product can also be used for solidification purpose by which resultant mass can be transported without any spillage due to non-leaching characteristics.
2. **ABSORBENT W (HYDROPHOBIC):** - The particulate were used to selectively absorb oil out of water bodies & shown instant absorption of oil only. We have also used Absorbent W Boom (8" x 10 ft) for containment purpose, which has also shown satisfactory performance. Hence, this grade of product can be used for oil water separation as well as filtration purpose.

For Mumbai Waste Management Ltd.,

Authorized Signatory

MANAGING HAZARDOUS WASTE



Maharashtra Pollution Control Board
Kalpataru Point, Sion Circle, Mumbai – 400 022

PUBLIC NOTICE

**Management of Hazardous Wastes :
Filing of Returns**

Notice is hereby issued to all concerned that:

1. As per the Rule 9(2) of the Hazardous Waste (Management and Handling) Rules, 1989 (as amended in 2003), the **occupier generating hazardous waste and operator of a facility** shall submit Annual Return in Form - 4 to the concerned Regional Officer of the Maharashtra Pollution Control Board by 31st January every year.

2. As per the Rule 19 (13) of the Hazardous Waste (Management and Handling) Rules, 1989 (as amended in 2003), all **recyclers and re-refiners** registered with MoEF, Govt. of India / Central Pollution Control Board shall maintain a record of wastes purchased, processed and sold and shall file an Annual Return in Form - 12 to the concerned Regional Officer of the Maharashtra Pollution Control Board latest by 31st January of every year.

3. As per the Rule 20 (5) of the Hazardous Waste (Management and Handling) Rules, 1989 (as amended on 2003), all **waste generators and auctioneers** shall file annual returns of auction and sale in Form - 13 to the concerned Regional Officer of the Maharashtra Pollution Control Board by 31st January of every year. Annual Returns for the period 1.1.2004 to 31.12.2004 were required to be filed by January 31, 2005. Those who have not done so far are hereby informed to submit the same within one month of issue of this Public Notice.

Non compliance or violation of requirements under Hazardous Waste (Management & Handling) Rules, 1989 as amended is criminal offence and liable for legal action under Section 15 of the Environment (Protection) Act, 1986 which provides for imprisonment up to five years or a fine of Rs.1,00,000/- or both. This is issued in public interest and information of all concerned. For more information, please visit website of MPCB <http://mpcb.mah.nic.in>

Date: 11.08.2005

**Sd/-
(Dr. D.B. Boralkar)
Member Secretary**

Annexure XIII

No. MPCB/RO(HQ)/B-5294 (1) - (4571)

Date:15/09/2005

To,
M/s

Sub: Directions under the Provisions of the Environment (Protection) Act, 1985 read with the Hazardous Waste (Management & Handling) Rules, 1989 (as amended in May, 2003).

Ref: 1) Order passed by the Hon'ble Supreme Court of India in the PIL No. 657 of 1995 dated 14.10.2003.
2) Public Notice issued by the Maharashtra Pollution Control Board in the Daily Loksatta and Indian Express,..... dated 12.08.2005.

WHEREAS, it is obligatory on your part to submit an annual report in the Form No. 4 of the Hazardous Waste (Management & Handling) Rules, 1989 (as amended in May, 2003) to the concerned Regional Officer of the Maharashtra Pollution Control Board by 31st January every year.

AND WHEREAS, it is also obligatory on the part recycler and re-refiners registered with MoEF, GOI/CPCB to maintain a record of wastes purchased, processed and sold and to file an annual return in the Form-12 with the concerned Regional of the Maharashtra Pollution Control Board by 31st January every year.

AND WHEREAS, it is also obligatory on all the waste generators and auctioneers to file annual return of auction and sale in the Form – 13 with the concerned Regional of the Maharashtra Pollution Control Board by 31st January every year.

AND WHEREAS, the Maharashtra Pollution Control Board has issued public notice in the leading news papers as stated above on 12.8.2005, directing all the above persons handling hazardous wastes to comply with the provisions of the Hazardous

Waste (Management & Handling) Rules, 1989 as amended in May 2003 in respect of filing of above returns.

AND WHEREAS, Hon'ble Supreme Court of India in the order passed on 14.10.2003 issued various directives in the PIL No. 657 of 1995 regarding Hazardous Waste Management including keeping proper manifest by the units generating hazardous waste.

AND WHEREAS, you have not bothered to file above returns till date and thereby violated the provisions of Hazardous Waste (Management & Handling) Rules, 1989 as amended in May 2003.

NOW THEREFORE, in compliance of Hazardous Waste (Management & Handling) Rules, 1989 (as amended in May, 2003) and in pursuance of the order passed by Hon'ble Supreme Court of India dated 14.10.2003 in the above petition, you are hereby directed to file above returns within 15 days. This is the last chance given to you to comply with the above rules, failing which, the Board will have no option than to initiate further stringent action including issuance of final directions, (which includes closure, prohibition or regulation of your activity) which may please be noted.

(D.B. Boralkar)
Member Secretary

Copy to:

- 1) SLO (D),/ RO(HQ), MPCB, Mumbai
- 2) Regional Officer- MPCB-
- 3) Sub-Regional Officer- MPCB

V12

UNITED STATES - ASIA ENVIRONMENTAL PARTNERSHIP
ENVIRONMENTAL LEADERSHIP AWARD

*This award recognizes outstanding contributions made through
working in partnership to improve the environment
and quality of life for the people of Asia.*

PRESENTED TO:
MAHARASHTRA POLLUTION CONTROL BOARD



Winston Bowman
Regional Environmental Director
USAID Regional Development Mission/Asia



Kris Easter
India Country Manager
US-Asia Environmental Partnership



Suneel Parasnis
India, Western Region Director
US-Asia Environmental Partnership



Annexure – XV

Status of Bio-medical Waste in Maharashtra as on 31st October, 2005.

Sr. No.	Region	Total no. of HCEs (bedded hospitals)	Total no. of HCEs applied	No. of Authorizations granted	Application under process	No. of HCEs Member of CTSDF	Show Cause Notices issued/ being issued			No. of HCEs Prosecuted	
							Not applied for authorization	Given authorization, but not joined to CBMWT&DF	Member of CBMWT & DF, but not sending waste	10 beds & above	100 beds & above
1	Amaravati	851	571	571	Nil	261	554	Nil	6	Nil	Nil
2	Aurangabad	1348	801	793	8	675	474	Nil	Nil	Nil	Nil
3	Kalyan	421	365	346	19	400	101	31	Nil	Nil	Nil
4	Kolhapur	920	676	644	32	793	127	Nil	58	Nil	Nil
5	Mumbai	1354	1108	1100	8	1063	264	Nil	25	Nil	Nil
6	Nagpur	1447	976	967	9	847	692	338	Nil	Nil	3
7	Nashik	1344	1234	1234	Nil	923	143	89	Nil	Nil	Nil
8	Navi Mumbai	134	134	134	Nil	134	Nil	Nil	Nil	Nil	Nil
9	Pune	2132	1379	1328	51	1356	283	Nil	Nil	Nil	Nil
10	Raigad	245	232	232	Nil	62	13	1	Nil	Nil	Nil
11	Thane	442	421	421	Nil	420	168	Nil	Nil	Nil	Nil
Total		10638	7897	7770	127	6934	2819	459	89	Nil	3

R.P.A.D./Fax/Hand delivery

No.WP/Legal/B-5955

Date: 11/10/2005

To,

**M/s.P.D.Hinduja National Hospital
& Medical Researchs Centre,
Veer Savarkar Marg, Mahim
Mumbai-16**

Sub :Directions under the provisions of the Environment (P)Act,1986 read with the Bio-Medical Waste Rules 1998 under section 33A of the Water (P&CP) Act,1974.

Ref :1) Authorisation granted by the Board to you for the Management & Handling of BMW Rules 1998.

2) Visit and inspection of your facility by Shri C.A.Sawant, JSA alongwith Field Officers,Shri Sumeet Patil,Shri I.Thackrey & Shri Vishal Rajput and Regional Officer(HQ).

WHEREAS, you have been granted an authorization for handling the Bio-Medical Waste in the premises situated at Veer Savarkar Marg, Mahim Mumbai-16 subject to certain terms and conditions mentioned therein in respect of generation ,reception ,treatment, storage, transport and disposal of bio-medical waste. AND WHEREAS, Consumer Welfare Association has filed one Public Interest Litigation bearing Writ Petition No.1952/2005 before Hon'ble High Court of Judicature at Mumbai. AND WHEREAS, your name has been shown in the said petition as not complying with the guidelines issued by Central Pollution Control Board for incineration of BMW.

AND WHEREAS, in order to investigate the above contention of the Petitioner in the above matter, Shri C.A.Sawant, JSA alongwith Field Officers,Shri Sumeet Patil,Shri I.Thackrey & Shri Vishal Rajput and Regional Officer(HQ) have caused visit and inspection of your incinerator facilities. AND WHEREAS, during their inspection, it has been observed that though you have provided incineration facility of 30 Kg/hr capacity but the same is used rarely depending upon the problem of BMC. You have provided venturi scrubber as an APCD and the same will be operated after complying of the same. The ash generated after incineration is deposited via BMC for secured landfilling The liquid waste generated is disinfected with Hypochloride solution and disposed via BMC drain. The stack height is about 150ft. You have failed to provide shredder and ETP facility for treatment of effluent generated during the process.

AND WHEREAS, you have told the above Officers of the Board that because of non-availability of sufficient space within your hospital premises, it is not possible for you to set ETP.

NOW THEREFORE, I, Shri D.B. Boralkar, Member Secretary of the Board hereby issues following directions against you.

- a) Why your authorization shall not be revoked for the noncompliance of conditions mentioned therein ?
- b) Why further stringent action shall not be initiated against you for not providing ETP and not completing the stack monitoring as well as for noncompliance of the conditions of the Authorisation issued to you ?
- c) Why the competent authorities shall not be directed to disconnect power supply of your incinerator facilities on account of above non-compliances ?

You are called upon to appear before the Member Secretary to explain your case on 20/10/2005 at 14.30 hrs alongwith supporting documents and necessary reply to the above directions.

**For and on behalf of
Maharashtra Pollution Control Board**

**(D B Boralkar)
Member Secretary**

Copy to :

- 1) Sr.Law Officer (LW) /Regional Officer(HQ) –for information and necessary follow up action.
- 2) Regional Officer , MPCB, Mumbai /Sub Regional Officer,MPCB, Mumbai-I –for information and necessary action.
- 3) P.S. to M.S., MPCB, Mumbai – for information.

List of the defaulter Hospitals

1. Balabhai Nanavati Hospital, Vile Parle, Mumbai
2. Lilavati Hospital, Bandra, Mumbai
3. Gokuldas Tejpal Hospital, Fort, Mumbai
4. P.D. Hinduja National Hospital and Medical Research Center, Mahim, Mumbai
5. Cama and Albles Hospital, CST Mumbai
6. Sir J.J. Group of Hospitals, Byculla, Mumbai
7. St George Hospital, CST, Mumbai

BY R.P.A.D./FAX/HAND DELIVERY
NO.WP/LEGAL/B-7434

DATE: 09 /11/2005

To
**M/s.P.D. Hinduja National Hospital &
& Medical Researchs Centre,
Veer Savarkar Marg, Mahim,
Mumbai – 400 016.**

Sub: Conditional directions for compliance of the provisions of the Environment (Protection) Act, 1986 read with Bio-Medical Waste (Management & Handling) Rules,1998

Ref: 1) Authorisation granted to you by the Board under Bio Medical Waste (Management & Handling) Rules, 1998.
2) Directions issued vide letter dt.11/10/2005.
3) Your reply thereto.
4) Personal hearing extended to you on 20/10/2005.

We refer to the Authorisation granted by the Board to you in respect of proper handling & management of bio-medical waste generated from your institution, followed by it visit & inspection carried out by the officers of the Board, the directions issued by the Board dt.11/10/2005, your reply thereto and the personal hearing extended to you on 20/10/2005. You are directed to comply with the following conditions for the proper management & handling of waste generated in your institution.

- a) You shall segregate, collect, disinfect various categories of the bio-medical waste generated in your institution and send it for further treatment to the CHWTSDF regularly and keep proper manifest / record thereof, in accordance with Schedule-II, III & IV.
- b) You shall disinfect liquid waste regularly and check it prior to sending by providing necessary terminal manhole before discharge into BMC drainage system, so as to ensure that the disinfected liquid waste is discharged into the drainage system.
- c) You shall disinfect blood by adopting appropriate method so as to avoid any sort of infection from the Hepatitis -B & HIV etc.
- d) You shall not allow to mix bio-medical waste with other wastes and no untreated bio-medical waste shall be kept stored beyond the period of 48 hrs. so as to ensure that the said waste does not adversely affect human health & environment.
- e) You shall submit an Annual Report to the Maharashtra Pollution Control Board in Form-II by 31st January every year, so as to include information about categories & quantities of bio-medical wastes handled during the preceding year and you shall also maintain records related to the generation,

- collection, reception, storage, transportation, treatment, disposal and any form of handling of bio-medical waste for inspection at the site.
- f) You shall become a member of Common Bio-Medical Waste Treatment & Disposal facility in your jurisdiction and accordingly, communicate the compliance thereof to the Board for proper record, in order to strengthen the monitoring of the said area, which facilities are under progress.

In case, if you fail to comply with the above conditions, the Board will have no option than to initiate appropriate legal action against you, which please note.

(D. B. Boralkar)
Member Secretary

Copy to:

- 1) Sr.Law Officer(LW)/Regional Officer(HQ)/Technical Advisor, MPCB, Mumbai – for information and necessary follow up.
- 2) Regional Officer, MPCB, Mumbai/Sub-Regional Officer, MPCB, Mumbai-I – for information and necessary action – They are directed to keep proper vigil.

By R.P.A.D./Fax / Hand Delivery

No. WP/Legal(LW)/B-5936

Date :11/10/2005

To,

**M/s Cipla Ltd.
Bhiwandi,
Kalyan.**

Sub. :- Show Cause Notice for initiating an action under the provisions Of the Hazardous Waste (Management & Handling) Rules, 1989 (As amended in May, 2003) for non-compliance of the directions Issued by the Regional Officer, Kalyan.

Ref. :- 1) Directions issued by Regional Officer, Kalyan dtd. 17.8.2005
2) Your reply dtd. 26/8/2005
3) Verification Report of Regional Officer, Kalyan dtd. 13.9.2005

.....

WHEREAS, Regional Officer, Kalyan has directed you to send the hazardous waste to nearest CHWTSDF for scientific disposal thereof and not to send to any other facility outside the state without permission from the Board. AND WHEREAS, you were directed to show cause vide reference no.1 above as to why legal action shall not be initiated against you under the provisions of the Environment (Protection) Act, 1986 and rules made thereunder. AND WHEREAS, you have replied to the said show cause notice stating that you have applied for an authorization and membership of CHWTSDF and accordingly obtained membership thereof. However, nothing is heard about exact quantity of hazardous waste being stored by you and its disposal to CHWTSDF till date and thereby it is presumed that you are storing the quantity of hazardous waste mentioned in the directions issued by Regional Officer, Kalyan dtd. 17/8/2005 in your godown unscientifically.

AND WHEREAS, Regional Officer, Kalyan has reported under his verification report dtd. 23.9.2005 that you have not given any report about sending of your hazardous waste to CHWTSDF till date.

NOW THEREFORE, you are directed to show cause as to why further necessary action shall not be initiated against you including filing of prosecution for the above non-compliance? Why the competent authorities shall not be directed to disconnect your water / electricity supply to your godown and why the Board should not take remedial measures to take up the above hazardous waste to CHWTSDF and recover the cost of transportation and remediation as well as treatment & disposal from you.

Your reply shall be sent within 3 days time. You are also directed to appear before the authorities along with necessary documents and reply on date at hrs. at the above address.

(D.B. Boralkar)
Member Secretary

Copy to :

- 1) Sr. LO. (LW) / R.O. (HQ), MPCB, Mumbai – for information.
- 2) Regional Officer, MPCB, Kalyan – for information.

List of 13 defaulter Pharmaceuticals industries

Sr. No.	Name of the Industry
1	M/s. Nicolas Piramal
2	M/s. Novarties India Ltd.
3	M/s. Abot India Ltd
4	M/s. Wolkard India Ltd
5	M/s. Ranbaxy ENT Division
6	M/s. Ranbaxy Dome Divison
7	M/s. Macaldas Pharamaceuticals
8	M/s. S. Kant Agencies
9	M/s. Albik Lab
10	M/s. Pizer Ltd.
11	M/s. Shreya Life Sciences
12	M/s. Dabur Pharma
13	M/s. Cipla Limited

**Quantities of spoilt drugs and Medicines at different
Warehouses of Pharmaceutical Companies**

Major Pharma Industires	MT Spoilt Medicines estimated	MT Spoilt Medicines received at CHWTSDF
Nicholas Piramal Ltd	230	327
Novartis	100	113
Ranbaxy	120	42
Lupin	30	44
Cipla	540	58
Wockhardt	200	145
USV Ltd	100	193
Pfizer	220	48
Others	700	210