

Annexure I

Supreme Court monitoring Committee

Hearing for compliance of various directions issued to industries in MIDC Mahad and Lote-Parshuram Industrial Area.

As per the request of MIDC, hearing was given to M/s Mahesh Chemicals, MIDC, Mahad, M/s Raksha Pharmachem Pvt. Ltd., MIDC, Mahad, M/s Indodeutsche Metallo Chemique Ltd., MIDC, Lote and M/s Mishal Zinc Industries Pvt. Ltd., MIDC, Lote on date 18.05.2005 at 10.00 Am in MPCB (H.Q.) in Mumbai.

List of the members present in SCMC hearing is enclosed herewith.

1. M/s Shree Mahesh Chemicals, MIDC, Mahad

It was noted by SCMC that the factory officials remained absent during the hearing. SCMC further noted that the HWs is still lying in the plot of M/s Shree Mahesh Chemical and they have not shifted it to TSDF as claimed by the unit. Mr. L.K, Tolani official of Punjab and Sindh Bank, appeared before the SCMC. He requested SCMC to give one week time to submit their action plan for shifting the HWs to TSDF, Taloja. SCMC agreed for the same. SCMC noted that MIDC has placed a work order with MWML for lifting and transporting the HWs lying in the premises of M/s Shree Mahesh Chemicals, MIDC Mahad to TSDF Taloja.

2. M/s Raksha Pharma Chem Pvt. Ltd., MIDC, Mahad

Mr. Ramchandra Rao, Director of the said unit appeared before the SCMC. He informed that the waste lying is caustic soda, which is not hazardous waste, but it is raw material and they are using to sale it to the user. SCMC brought to his notice that, it is hazardous waste lying in the open factory premises and covered with soil on the top. Further SCMC informed that they had illegally transported hazardous waste from their Karnataka unit to MIDC, Mahad. SCMC further noted that M/s The Saraswat Bank has also directed them to remove the hazardous waste within 48 hrs. SCMC directed Mr. Ramchandra Rao to deposit Rs.2.5 lakhs immediately as an advance to MIDC and after shifting all HWs, the final charges of lifting and disposal as per challans shall be finalized with MIDC, otherwise prosecution case for contempt of Supreme Court orders will be filed against them.

3. M/s Indodeutsche Metallo Chemique Ltd., MIDC, Lote - Parshuram

It was noted by SCMC that the factory officials remained absent during the hearing. Mrs. A.B. Iyer on behalf of Dena Bank Mumbai informed that owner is not traceable. Dena Bank had sanctioned Rs.60 Crores credit facility. The Hon'ble Patna High Court appointed court receiver. They further said that DRT 1 Mumbai could not take

possession of the said area. The matter being complicated, they requested SCMC to give 15 days time for detailed submission before the Hon'ble SCMC. SCMC agreed for the same.

4. Mishal Zinc Industries Pvt. Ltd., MIDC, Lote - Parshuram

It was noted by SCMC that the factory officials remained absent during the hearing. Mr. D.A. Kharkar appeared before the SCMC on behalf of State Bank India, Malad branch, Mumbai. He submitted that SBI has sold the property to Assets Recovery Construction India Company located at 17 floor, Express Towers, Narmian Point, Churchgate, Mumbai – 21 and the concern person is Mr. Venkatkrishnan (Tel. No. 56581300). SCMC directed that as ARCI is the occupier of the property, hence notice shall be served on them and subsequent hearing will be given to them.

Sd/-

(D.B. Boralkar)
SCMC Member

Sd/-

(Dr. Claude Alvares)
SCMC Member

Date : 18-05-2005

Annexure II

MID/Dy./CEO(Env.)/
Dated : 12th July, 05

**Sub. : Minutes of the meeting between Member Secretary,
MPCB and Dy, CEO (Env.), MIDC on 7th July, 2005
at 13.30. hrs,**

Dr. D.B. Boralkar, Member Secretary, MPCB, took the review of progress of various CETPs and also the Hazardous Waste Treatment facilities in the State of Maharashtra in presence of following on 7th July, 2005.

The following were present :

MPCB

1. Dr. D.B. Boralkar, Member Secy.
2. Shri. Devale, Sr. Law Officer

MIDC

1. Shri. R.M. Naikade, Dy.CEO (Env.)
2. Shri. R.V. Sonje, Ex. Engr. (Env.)

(1) Lote Parshuram :

(a) MS, MPCB informed that Lote Parshuram CETP Society has already been given a time limit of 4 months to expand and upgrade the existing CETP for Lote industrial area. It was insisted by him that the CETP should be upgraded and performed as specifying the design criteria of the CETP, Lote.

ACTION : Lote Parshuram Environment Protection Co-op. Society Ltd.

(b) MS, MPCB informed that there is a need to provide additional effluent collection sump so that existing "C" sump could be repaired as heavy leakages have been noticed by CETP operator. Upon which Dy. CEO(Env.) clarified that already a proposal of construction of additional sump of 1500 M3 capacity is already under active consideration of MIDC and is in process and it was appraised that as the infrastructure in the premises of "C" sump of MIDC has already been handed over to CETP society, the concurrence of CETP society, Lote is awaited.

ACTION : Ex. Engineer (Env.), Chiplun.

(2) Mahad :

(a) M.S., MPCB brought to the notice of Dy. CEO (Env.) that they are almost 23 un pleasant episodes in Mahad Indl. Area regarding the effluent disposal line. He also pointed out that the correspondence by SRO, MPCB, Mahad has communicated time to time to MIDC, upon which it was made clear by Dy. CEO (Env.) that the factual situation would be called for from the field officers and requires stringent steps would be initiated by MIDC to arrest the leakages on effluent disposal line. It was further clarified that MIDC to arrest the leakages on effluent disposal line. It was further clarified that MIDC is deeply concerned and involved in remediation of break downs time to time and protecting the environment but it was also made clear that it was a bitter fact that some industrial units in Mahad Industrial Area are not disposing the effluent as per the Consent issued by MPCB and hence the Monitoring and statutory actions are expected from field officers of MPCB at Mahad.

ACTION : SRO, MPCB, Mahad / Ex. Engineer, MIDC, Mahad.

(b) Sludge Removal from MIDC : MS, MPCB pointed out that as per the SCMC directives, the sludge in the MIDC collection sump has to be removed and transported to Taloja, CHWTSDF, so also the sludge dumped in the premises of M/s.

Mahesh Chemicals & M/s. Raksha Pharma was also to be transported to Talaja. It was informed by Dy. CEO (Env.) that out of the total sludge removed from the MIDC sump, around 35 to 40% has already been shifted to Talaja facility, the remaining would be transported after monsoon. Sludge stored in the premises of M/s. Mahesh Chemicals is also shifted to Talaja. The sludge from M/s Raksha Pharma could not be transported for want of access to the premises as the same is in possession of financial institution. MS, MPCB wanted to have the photographs of these sites. Dy. CEO (Env.) agreed for the same.

ACTION : SRO, MPCB, Mahad & Ex. Engineer, MIDC, Mahad.

(3) Roha :

(a) Sludge Removal : MS, MPCB wanted to know the status of sump cleaning and disposal of sludge. It was informed that both the compartments of effluent collection sump at Roha have been cleaned thoroughly at its bottom and subsequently handed over to Roha CETP Association for further operation of CETP. The removed sludge is kept in the pits as per the procedure laid down by MPCB and around 83 MT of semi dried sludge has already been shifted to Talaja facility, the remaining sludge would be transported to Talaja after monsoon is over. Till that time it would be covered with HDPE sheets.

(b) Operation of CETP at Roha : Ms, MPCB was satisfied with the performance of CETP Roha, and expected that it should run to its full capacity at an earliest by achieving inlet and outlet norms. Dy. CEO (Env.) was also of the same opinion.

ACTION : CETP Society, Roha.

4. Patalganga :

MS, MPCB informed that M/s. Hydro Air Techtonics who is the operator of facility at Patalganga is presently treating 11 MLD of effluent as against he is receiving the payment of 8 MLD only from the industries in Patalganga Indl. Area. The reason pointed out by him is the clause inserted in the agreement for generation of effluent to the tune of 60% of the total water supply which needs to be reviewed in the light of deficit pointed out by MS, MPCB. Dy. CEO (Env.) consented to take up this matter and also suggested to have the meeting at MIDC, HQ of all concerned i.e. PRIYA CETP Authorities, Hydro Airs, MPCB.

ACTION : MIDC

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ACTION : MIDC

5. Taloja :

(a) MS. MPCB expressed his satisfaction over the functioning of CETP at Taloja and also expected that the expansion of Taloja CETP should take shape at the earliest upon which it was made clear that the DPR of the CETP Taloja (expansion phase) is already submitted to IIT, Powai, Mumbai for technical appraisal and also requested MIDC to give the sanction of subsidy in principle to M/s. Taloja CETP Association.

(b) Maintenance of Drainage Line :

MS, MPCB was apprehensive on the issue of routine maintenance of effluent collection system in Taloja industrial area. It was informed that the complete infrastructure in Taloja industrial area pertaining to effluent collection and disposal system in good working condition lies with Taloja CETP Association only.

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(c) Fish Kill :

MS, MPCB pointed out that there was a fish kill episode because of pollution of Kasardi river. For recouping the eco system damage in terms of fish kill and there by compensation to be given to fisher men, CETP society, Taloja and Executive Engineer, MIDC, Alibag have been fined Rs.20,00,000/- (Rs. Twenty Lakh) each upon which Dy. CEO (Env.) expressed his displeasure on the issue and was of the strong view that MIDC should not be held responsible at all as MIDC was never generator of effluent and responsible for environmental degradation of MIDC industrial area.

5. TTC / Dmbivali / Ambarnath / Tarapur :

MS, MPCB expressed his satisfaction over the functioning of all above CETP's except at Dombivali expansion of CETP of 1.5 mhd needs to be done and the subsidy element from MIDC may be released after formalities from Dombivalu, CETP.

6. CETP, Nagpur :

The Agreement of constructing the balance construction of CETP, Butibori, Nagpur is already executed between MIDC, and Shantikumar sancheti. However MS, MPCB pointed out that MIDC should simultaneously complete the disposal system, by the time CETP is completed.

ACTION : Executive Engineer, MIDC, Division I, Nagpur.

7. TSDF, at Rajangaon and Butibori :

MS, MPCB stated that as per the SCMC's directives and to avoid the content of court, it is necessary to expedite the work of TSDF. Dy. CEO (E) informed that

already the process of allotting the land of 30 Hect. Each is in process and expected to be complete in near future.

8. Aurangabad, Waluj, Shendre :

MIDC has already acted upon establishing CETP at Waluj to avoid cobtempt of court and the process is on.

Meeting concluded with vote of thanks.

Sd/-
(R.M. Naikade)

Annexure III

Visit Report of M/s. Naval Dockyard, Mumbai

M/s. Naval Dockyard, Mumbai have applied for renewal of consent to MPCB. On scrutiny of the application, some discrepancies were observed regarding total capital investment & fees paid accordingly. To this discrepancies, they have replied as Naval Dockyard, Mumbai has a very rich maritime heritage of over 270 years & does not carryout any commercial activities. It is a premier repair yard of the Indian Navy (Defence) for undertaking repair/ refit, maintenance & to provide berthing facilities for the ships, submarines & yard crafts. The yard includes jetties, wharves, dry docks & large numbers of other facilities that are directly or indirectly related to their activities. Therefore, this office has decided to visit M/s. Naval dockyard along with a team of officers of MPCB, HQ on 23/24 June'2005. But this visit was postponed on 7 th July'2005 because of internal difficulty of their organization.

Hence, Shri. R. G. Pethe, WPAE, Dr. S. P. Katole, Technical Advisor, Shri. B.B. Nimbarte, Regional officer (HQ), Shri. S.S. Doke, Regional Officer (P & P), Shri. P. P. Nandusekar, Principal Scientific Officer, MPCB Mumbai, along with Shri. D. R. Bansod, Field Officer & Ms.Viju Sirsath, Field Officer, MPCB, H.Q. visited to M/s. Naval Dockyard, Lion Gate, Mumbai-23 on 07th July-2005 at 11.00 a.m..

Captain S.S. Tarate, Dy General Manager, Human Resource Division chaired the meeting. Commander P. S. Raghuvanshi, Manager Industrial Engineering & safety Environment officer of Naval Dockyard, Mumbai welcome the officers & made a presentation about Naval Dockyard. He briefly informed that ...

The organization undergoes following programmes

- (i) Environmental Awareness programmes such as workshops, seminars, posters, slogan competitions were conducted for officers, supervisors & workers in the yard. Training on Disaster management was conducted by M/s. Aniruddha Academy.
- (ii) Greening & tree plantation drives
- (iii) Coastal clean-up drives at Girgaon Chowpaty, Juhu & Carter Road beaches were carried out by the Dockyard volunteers.
- (iv) Waste Management :
Garbage generated (30-35 tons/day) in the yard is collected through designated bins & disposed through BMC contractor.

Hazardous Waste in the yard is centrally collected & disposed off at CHWTSDF, Taloja. 15.5 tons of hazardous waste was generated in the yard during the last one year.

The Bio-Medical waste generated in the Dockyard Dispensary was disposed off through incinerator at INHS, Asvini.

A great deal of scrap material has been used to create different type of artifacts for promoting environmental activities.

Plastic free zone is practiced in the NCH colony, Powai through use of natural & bio-degradable paper/cloth carry bags. A penalty is imposed on defaulter.

(v) Marine Pollution & Control :

Marine Pollution control in wet & tidal basin was carried out on regular basis for removal of oil slick , flotsam & cleaning of jetty walls. Oil slick(300 lit/day) was removed by using brush skimmer & collected in drums for disposal by sullage-barge whereas the flotsam (500 kg/day) recovered was disposed off through garbage bins.

(vi) Effluent treatment Plant :

ETP provided for electroplating section where collection tank, equalization tank/neutralization tank, settling tank, filter press were provided & for degassing/derusting section, collection tank, equalization tank & neutralization tank provided. Operations & maintenance of ETP provided found satisfactory.

(vii) Air Pollution Control:

The industry has provided fume extraction system to control the fumes generated out of the welding. Also, the industry monitors ambient air quality regularly & maintains its database. APC system provided seems to be adequate.

(viii) Noise Pollution:

The noise level is maintained below the prescribed level & regular monitoring is carried out. To reduce the noise level, acoustic enclosures & reactive mufflers are provided.

(ix) Conservation of resources :

The industry have provided Bio-filtration plant of 50 T/day capacity for recycling the waste water by adsorption & filtration & treated water is used for gardening purpose. Second plant of 50 T/day capacity has been installed at Naval Civilian Colony, Powai.

Naval Dockyard has achieved a cost savings worth Rs. 1,03,22,316 by improving power factor & optimal utilization of electricity. The yard has been adjudged the model consumer by M/s. BEST for last three years in row.

Also the industry have the facility of Rain Water Harvesting where the rainwater is collected from the terraces & stored in tanks which were used for gardening purpose. During the discussion, technical advisor of this office has suggested that industry may explore possibility of creating a small lake using this rain water.

The industry have provided Bio-gas plant by using BARC, Mumbai technology at DSC lines at Kanjuli. This plant is based on kitchen waste, vegetable, paper & leaf. The slurry generated fro this plant is treated a M/s. Brito Company & then sent it for vermin-composting.

Annexure IV

Maharashtra Pollution Control Board

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Kalpataru Point, 3rd & 4th
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Sion Circle Sion East,
Mumbai 400 022

No.BO/RO(P&P)/PH/B-4043

Date : 2/07/ 2005.

OFFICE ORDER NO. E-81 OF 2005

In compliance of Notification No.318(E), dated 10-04-1997 of Ministry of Environment and Forests, Government of India, the Public Hearing Panel for the Proposed project for Common Hazardous Waste Treatment , Storage & Disposal Facility & Power Plant of **M/s. Maharashtra Enviro Power Ltd., Plot No.P- 56, MIDC Ranjangaon, Tq. Shirur, Dist-Pune** is as below :

- | | | |
|----|---|----------|
| 1) | District Collector, Pune.
Dist : Pune | Chairman |
| 2) | Representative of Environment Department,
Government of Maharashtra. | Member |
| 3) | General Manager,
District Industries Center, Pune,
Dist : Pune. | Member |
| 4) | Regional Officer,
MPC Board,
Pune, | Member |

SENIOR CITIZENS :

- | | | |
|----|--|--------|
| 5) | Dr. B.P.Kapadnis,
O.B-11/1, U.P.Campas,
Pune. | Member |
| 6) | Dr. A. K. Nikumbh,
Rohan Garima, shivaji Hsg. Society,
Senapati Bapat Rd., Pune. | Member |
| 7) | Shri. V.S.Ghole,
Shiv Apartment, Model Colony,
Pune. | Member |

LOCAL BODY REPRESENTATIVES :

- | | | |
|----|---|--------|
| 8) | Shri. Chandrashekhar Rajaram Pachundkar,
Member, Zilla Parishad, | Member |
|----|---|--------|

A/P. Ranjangaon Ganpati, Tq. Shirur,
Dist : Pune.

- 9) Shri. Dadasaheb Baburao Ghavte, Member
Member, Panchayat Samittee,
A/P. Anapuraon, Tq, Shirur,
Dist : Pune.
- 10) Sau. Pushaplata Pravin Ostawal, Member
Sarpanch, Karegaon
Tq. Shirur, Dist : Pune

Sub Regional Officer, M.P.C. Board, Pune-II, will work as convener.

The Members are requested to make it convenient to attend the Public Hearing on **11.08.2005 at 14:30 Hrs.** at **Collector Office Sabhagraha, Pune** positively.

(D.B. Boralkar)
Member Secretary

Copy for information to :

- 1) The Secretary Environment Department , Govt.of Maharashtra.
Mantralaya, Mumbai-400032.
- 2) The Chairman, M.P.C.Board, Mumbai.
- 3) The General Manager, District Industries Center, Pune.

Copy for information to :

- 1) District Collector, Pune.
- 2) Members of Public Hearing Panel.
- 3) M/s. Maharashtra Enviro Power Ltd., Plot No. 56, MIDC Ranjangaon, Tq. Shirur,
Dist-Pune.

Copy for information & necessary action to :

- 1) Regional Officer, MPCB, Pune.
- 2) Sub-Regional Officer, MPCB, Pune-II
- 3) EIC Section, M.P.C.Board, Mumbai – For hosting on website .

Maharashtra Pollution Control Board

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Visit us at:

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Email -mpcb@vsnl.net



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Sion Circle Sion East,
Mumbai 400 022

No.BO/RO(P&P)/PH/B- 4395

Date : 10/08/2005.

OFFICE ORDER NO. E-92 OF 2005

In compliance of Notification No.318(E), dated 10-04-1997 of Ministry of Environment and Forests, Government of India, the Public Hearing Panel For proposed CHWTSDF project & Power plant of **M/s. Vidarbha Enviro Protection Ltd, Survey No 7 to 15, 131 & 162, Butibori industrial Area, MIDC, Mouza-Mandawa, Tq. Hingna, Dist. Nagpur.** is as below :

- | | | |
|----|---|----------|
| 1) | District Collector, Nagpur,
Dist. Nagpur. | Chairman |
| 2) | Representative of Environment Department,
Government of Maharashtra. | Member |
| 3) | The General Manager,
District Industries Center,
Nagpur. | Member |
| 4) | Regional Officer,
M.P.C.Board, Nagpur. | Member |

SENIOR CITIZENS :

- | | | |
|----|--|--------|
| 5) | Shri. Manik Jangalu Aatram,
A/p. Mandwa, Tq. Hingna,
Dist. Nagpur. | Member |
| 6) | Shri. Shankar Namdeo Kamble,
A/p. Mandwa, Tq. Hingna,
Dist. Nagpur. | Member |
| 7) | Shri. Madhukarrao Rambhauji Bhojar,
A/p. Takalghat, Tq.Hingna,
Dist. Nagpur. | Member |

LOCAL BODY REPRESENTATIVES :

- | | | |
|----|--|--------|
| 8) | Sau. Vimaltai Keshavrao Aatram,
A/p. Mandwa, Tq. Hingna,
Dist. Nagpur. | Member |
| 9) | Shri. Baba Devraoji Masram,
A/p. Lakhamapur, Tq. Hingna,
Dist. Nagpur. | Member |

- 10) Shri. Vijaybabu Pandurangji Wodmare, Member
A/p. Takalghat, Tq. Hingna,
Dist. Nagpur.

Sub Regional Officer, M.P.C. Board, Nagpur, will work as convener.

The Members are requested to make it convenient to attend the Public Hearing on **23/08/2005 at 12.00 hrs. at Udhaym Hall, Udyog Bhavan, 1st floor, Civil Lines, Nagpur** positively.

(D.B. Boralkar)
Member Secretary

Copy for information to :

- 1) The Secretary Environment Department , Govt.of Maharashtra.
Mantralaya, Mumbai-400032.
- 2) The Chairman, M.P.C.Board, Mumbai.
- 3) The General Manager, District Industries Center, Nagpur.

Copy for information to :

- 1) District Collector, Nagpur.
- 2) Members of Public Hearing Panel.
- 3) M/s. Vidarbha Enviro Protection Ltd., Mouza- Mandawa, Tq. Hingna, Dist. Nagpur.

Copy for information & necessary action to :

- 1) Regional Officer, MPCB, Nagpur.
- 2) Sub-Regional Officer, MPCB, Nagpur.

Annexure – V

No. of Industries to whom Directions issued for payment fine & actual amount received under the provisions of the Hazardous Waste (M & H) Rules, 1989 for the period from 1/5/2005 to 20/7/2005

Sr. No.	Name of the Industry	Directions No. & Date	Amt (Rs.)	Sent to A/c's Br.
1	M/s Mazda Colours Ltd., D-51, TTC, Turbhe, Navi Mumbai	WP/Legal (LW)/B-3141 dtd. 21/6/2005	15,000/-	WP/Legal/B-3482 dtd. 30.6.2005
2	M/s Mukund Ltd., Steel Division, Belapur Road, Thane	WP/Legal (LW)/B-3140 dtd. 21/6/2005	15,000/-	Industry has submitted D.D. No. 418456 dtd. 25.6.2005 amounting to Rs.15000/- to R.O., Thane Office.
3	M/s Konkan Synthetics, C- 7, MIDC, Lote Parshuram, Dist- Ratnagiri	WP/Legal(LW)/B-3365 dtd.29.6.2005	6,000/-	D.D. No. Dtd. Of Rs.6,000/- directly submitted to A/c's Branch
4	M/s Rencal Industries, MIDC, Lote Parshuram, Ratnagiri	WP/Legal(LW)/B-3367 dtd.29.6.2005	1,500/-	The Industry has submitted D.D. No. 0560658 dtd. 5.7.2005 of Rs. 1,500/- to SRO, Chiplun
5	M/s Riverside Industries, MIDC, Lote Parshuram, Ratnagiri	WP/Legal(LW)/B-3368 dtd.29.6.2005	4,500/-	D.D. No. Dtd. Of Rs.4,500/- directly submitted to A/c's Branch
6	M/s Schenectady Herdilia Ltd., MIDC, Lote Parshuram,. Ratnagiri	WP/Legal(LW)/B-3369 dtd.29.6.2005	1,500/-	The Industry has submitted D.D. No. 261580 dtd. 4.7.2005 of Rs. 1,500/- to SRO, Chiplun
7	M/s Shreyas Intermediates, MIDC, Lote Parshuram, Ratnagiri	WP/Legal(LW)/B-3370 dtd.29.6.2005	7,500/-	D.D. No. Dtd. Of Rs.7,500/- directly submitted to A/c's Branch
8	M/s Swastic Industries, MIDC, Lote Parshuram, Ratnagiri	WP/Legal(LW)/B-3371 dtd.29.6.2005	3,000/-	D.D. No. Dtd. Of Rs.3,000/- directly submitted to A/c's Branch
9	M/s Deepak Colour Chem, MIDC, Lote Parshuram, Ratnagiri	WP/Legal(LW)/B-3372 dtd.29.6.2005	3,000/-	The Industry has submitted D.D. No. 032479 dtd. 12.7.2005 of Rs. 3,000/- to SRO, Chiplun
	Total		57,000/-	

Annexure VI

Maharashtra Pollution Control Board

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Kalpataru Point, 3rd & 4th
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Mumbai 400 022

WP/Legal(LW)/B-3144

Date : 21.06.05

To,
M/s. Pan Fashion Ltd.,
Plot No. D-15, MIDC, Tarapur.
Dist- Thane

Sub: Show Cause Notice under Rule 16 (3) of the Hazardous Waste (Management & Handling) Rules 1989 (as amended, May 2003) for levy of fine.

Ref: 1) Order passed by Hon'ble Supreme Court of India in the Writ Petition No.657 of 1995 dtd. 14.10.2003
2) Non-compliance reported by Regional Officer, Thane dtd. 20.4.2005

WHEREAS, you are responsible for proper collection, reception, treatment, storage and disposal of hazardous wastes generated from your manufacturing activity, ANDWHEREAS, you are responsible to take all steps to ensure that the wastes generated from your activity are properly handled and disposed of without any adverse effects on the Environment,

ANDWHEREAS, you shall design and set up disposal facility as per guidelines issued by MoEF / CPCB after necessary approval of the Maharashtra Pollution Control Board.

ANDWHEREAS, it is obligatory on your part to follow Guidelines for on-site storage in the generator's premises. ANDWHEREAS, you should not have crossed the permissible limits for storage of the hazardous waste in your premises. ANDWHEREAS, it was obligatory on your part to give pre-treatment on-site to the wastes prior to its fullfledged further treatment at the CHWTSDF.

ANDWHEREAS, Hon'ble Supreme Court of India has passed order dated 14.10.2003 in the Writ Petition No.657 of 1995 to prepare the inventory with regard to hazardous waste dump sites and to submit rehabilitation plan for implementation.

ANDWHEREAS, the Regional Officer of the Board at Thane had reported that you have stored about 200 MT quantity of hazardous waste in a shade and also in a pucca tank. It is also observed that during the site cleaning and leveling works, above hazardous waste was improperly disposed.

ANDWHEREAS, you have not taken necessary steps to ensure that the above hazardous wastes generated from your activity is properly handled, stored and disposed as such is likely to adversely affect the environment, AND WHEREAS, you have also not set up disposal facility as per guidelines issued by CPCB / MoEF, AND WHEREAS, you have also not given necessary pre-treatment prior to sending your

hazardous waste to CHWTSDF and also violated the statutory limits of storage time for storage of above Hazardous Waste in your premises.

- i) Whereas, under Rule 16 (2) you are also liable to reinstate or restore the damaged elements of environment at your cost. Since, you have not reinstated or restored the damaged elements of the environment at your cost, you are liable to pay the entire cost of remediation or restoration and also liable to pay in advance an amount equal to the cost estimated by the Board, so that the Board can plan and cause to be executed the programme for remediation / restoration.
- ii) Now, therefore, in exercise of the powers conferred under Rule 16(3) of Hazardous Wastes (Management & Handling) Rules, it is proposed to levy a fine of Rs.3,00,000/- @ 1500/- per ton for the hazardous waste qualifying for direct landfill for total of 200 MT stored in your 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.

This show cause notice is issued to you to give you an opportunity to present and explain your position as to why the said fine may not be levied on you? Your reply must reach this office within ten days of issuance of the notice, failing which, it will be assumed that you have nothing to say in the matter and the Board will be free to issue final order in this regard. Please note that no further opportunity of hearing/presentation will be given hereafter.

(D.B. Boralkar)
Member Secretary

Copy submitted to :

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

Copy to :

1) Dr. Katoley, Technical Advisor – for information & enclosing it to 7th ATR

2) LO(D) / RO(HQ) / RO Thane , MPCB - for information.

3) Sub-Regional Officer, Tarapur - I, MPCB, - for information & necessary followup

Annexure– VII

Sub. :- Proceedings of the visit of Dr. Calude Alvares, Member of
SCMC to Tarapur Industrial Area on 4.6.2005.

Dr. Claude Alvares, Member, SCMC visited MIDC Tarapur area on 4th June, 2005 to review the progress of SCMC directions regarding provisions of new CETP and Secured Landfill Facility (SLF).

1. A review was taken at MIDC Guest House with MIDC and MPCB officials. It was informed by the MPCB that the works of CETP and secured landfill are in progress. The civil work for primary part of the CETP is more or less complete and the electrical and mechanical works are in progress. MIDC informed that the work on the secured landfill is under progress and the first layer of the HDPE liner is being laid. It was decided to visit the site to verify the progress.
2. CETP : Dr. Claude Alvares, MPCB and MIDC officials visited the new CETP being constructed by the Tarapur Environmental Protection Society (TEPS) near existing Sump No.2. TEPS office bearers gave detailed information about the ongoing work. It was observed that the civil works for primary units such as collection sump, equalization tank, primary settling tank and thickener etc. are complete. The floating aerators and other mechanical equipments have also arrived at the site and the work of epoxy coating was in progress. TEPS informed that they have diverted some of their efforts towards the construction of the secondary units to ensure that the work is continued even in the rainy season. TEPS also informed that they have planned two source electrical feeders and expected MSEB sanction within two days. The transformers would be arriving on the site on 8th June, 2005. TEPS office bearers expressed confidence that by June, 2005 end they will commence the trials. They further informed that the secondary units will also be already be September, 2005.
3. The committee felt it necessary that the consent for new units should be linked with the capacity and performance of the new CETP. This is more relevant as the present effluent load from MIDC area is @ 20-22 MLD and the CETP can take maximum 25 MLD. Many new textile units are coming at Tarapur and, therefore, it is necessary to ensure that such water intensive industries are allowed only with adequate CETP capacity available. TEPS stressed that the industrial development of the area is now linked with the

performance of the CETP and, therefore, they requested MIDC as well as MPCB to inform the CETP society about the new units so that they can plan the upgradation / capacity expansion of the CETP well in advance.

4. **Secured Land Fill site** : The work on the secured landfill site was in progress. The first HDPE liner has been laid and the work of laying the drainage lines was in progress. The committee noted that each individual drainage pipe was being checked for quality control by a third party (RITES). The hazardous waste lying in the now-excavated portion of the plot has been stored on the adjacent part of the plot. MIDC has taken necessary care to provide a plastic cover for the entire storage, in order to avoid any seepages / leakages / run offs during the rainy season. The MIDC informed the Committee that they expect the work at the secured landfill will be complete by November end. MIDC authorities have also displayed the necessary information about the project on the display board at the site. The SCMC was also informed that a sum of Rs. 42 lakhs due from the TIMA to the MIDC for construction of the SLF was handed over as directed by the SCMC in time.
5. MIDC has already awarded the work of cleaning the sump and removal of the accumulated sludge. MIDC informed that the work could not be started till end of May due to local objections. And, therefore, MIDC has decided to postpone this work till after the end of the monsoon even though mobilization for the work was complete,
6. In its last visit to MIDC area, SCMC has noted dumping of debris and construction material all over the MIDC area and stressed the need for the proper landscaping of the estate. In response to this, MPCB has written to more than 100 industries to beautify the area immediately adjoining their compound / property as a part of World Environment Day, 2005 activities. Several industries have been initiatives in this regard that were noted during the visit.

Sd/-

Dr. Claude Alvares
Member / SCMC

Annexure – VIII

MAHARASHTRA INDUSTRIAL DEVELOPMENT CORPORATION (A Govt. of Maharashtra Undertaking)

No. MIDC/Env. / 1579/05

Date : 11.07.2005

To,
Dr. D.B. Boralkar
Member Secretary,
M PCB, Kalpataru Point,
3rd & 4th Floor, Opp. Cineplanet,
Near Sion Circle, Sion (East),
Mumbai – 400 022.

Sub. :- Follow-up Actions by MIDC on the Supreme
Court Monitoring Committees Directions.

Ref. :- Your office letter No. Do/MPCB/ MS/05/183/
Dated 11.05.05

Dear Sir,

The detailed information on the actions taken by MIDC as on 30th June 2005 on Directions of the SCMC is furnished here below for perusal & information please.

- (I) **Shifting of Illegal Hazardous Waste**
Completed by MIDC
- (II) **Removal of settled sludge in MIDC collection sumps & its disposal to TSDF :-**
 - (1) The sludge removal operation at TTC & Roha MIDC area completed. The work order for removal of sludge from collection sump in Tarapur MIDC area placed. However due to problem from local villagers the work could not be started. Looking towards the approaching monsoon, the work will be started after rainy season.
 - (2) For Roha, MWML has shown their inability to shift the sludge to TSDF, Taloja as they have covered & closed the landfill due to monsoon. However 83.40 mt. has been lifted & transported to CHWTSDF Taloja. MIDC has planned to cover the dried sludge by LDPE sheet and after monsoon it will be send to TSDF, Taloja.
- (III) **Lifting and Disposal of sludge removed from Mahad MIDC Collection sump and Hazardous Waste from M/s. Mahesh Chemicals & M/s Raksha Pharmaceuticals.**
 - (i) A work order vide No. 1256 dated 13/05/2005 has been placed with Mumbai Waste Management Ltd., for lifting & disposal of Hazardous Waste. So far MWML has lifted 5200 MT of waste from MIDC collection sump & Mahesh Chemicals. As MWML covered the land fill cell due to monsoon it is now proposed to lift & shift the balance waste after monsoon is over. Till that time the sludge in collection sump will be covered by LDPE sheet during the rainy season.
- (IV) **To erect boards warning industrial units not to dump waste :-**
Complied by MIDC.
- (V) **Construction of Secured engineered landfill of 1.5-lakh ton capacity for illegal hazardous waste dump in MIDC Tarapur Area.**

(i) The work order is issued to M/s Ramky Infrastructure Ltd. The construction work at Tarapur site has been started and SCMC visited the SELF Site on 10th April & 4th June, 2005 and satisfied with the work progress. One third cell of SELF is started & the work of bottom layer is completed. Due to heavy monsoon in 2nd week of June, work is stopped. The hazardous waste removed from one third cell of SELF is properly covered with HDPE sheet.

After monsoon, the hazardous waste lying in balance two third cell of SELF & on plot No. AM-23 and at other places will be transported to OS-10 &

il SELF site. Looking towards the urgency & massiveness of work, it is proposed to complete the SELF works in all respect by December, 2005 end.

(ii) TIMA has deposited only Rs.40 lakhs against 50% Capital Cost contribution of secured engineered landfill. TIMA may please be directed to deposit balance contribution to MIDC on top priority, so that the SELF work can be completed in time.

(iii) MIDC has appointed NEERI vide letter No. 1420 dated 10.06.05 as project Management Consultant during construction and Post-Closure Monitoring period of 5 years from its construction of SELF. Accordingly the representatives from NEERI visited site on 21.06.05. The report is awaited.

(VI) Construction of CETP at MIDC Tarapur :-

(a) TIMA at their own selected their own JVP contractor for construction of CETP. The work of CETP is in progress. **Role of MIDC in the CETP is Facilitator only.** SCMC visited CETP site at Tarapur on 10th April, 2005 & 4th June, 2005. The work is completed upto 60% till date.

(VII) Issue of TSDF Notification for proposed sites at Mahad, Butibori (Nagpur), Ranjangaon (Pune) & Shendre (Aurangabad) :-

The detail efforts taken by MIDC on setting up of TSDF in Maharashtra is as below :-

(A) TSDF Taloja :- MIDC allotted 100 acres of land and the necessary site notification has been issued by MIDC after the public hearing. The TSDF for secured engineered landfill for 1,20,000 MT capacity first cell had been commissioned in November, 2002 and the incinerator is commissione din December 2004. MIDC has sanctioned Rs.10.00 Crores as subsidy to this project from its own funds.

(B) TSDF by Thane Belapur (TTCWMA) :- MIDC has allotted 17.5 acres of land and the necessary site notification had been issued. The TSDF for secured engineered landfill for 10,000 MT capacity first cell had been commissioned in January. 2004. MIDC has sanctioned Rs.154.00 Lakhs as subsidy to this project from its own funds.

(C) TSDF at Butibori (Nagpur) & TSDF at Ranjangaon :- The letter of Award for Butibori TSDF has been issued in June, 2004. The EIA of site is been carried out through Regional Research Laboratory, Govt. of India by the agency. After completing Rapid EIA & public hearing, the site notification will be issued accordingly. MIDC has earmarked 30 hect. Of land for TSDF. The proposal for plot allotment is under process & the final allotment of land will be done immediately after successful completion of public hearing.

(D) TSDF at Mahad & Shendre :- For Mahad & Shendre, RFP were invited. However there is no encouraging response to RFP. After discussions with Expert Committee final decision will be taken shortly.

(VIII) Shifting of Zinc Ash from the plot of M/s Mahesh Zinc Limited, Lote, MIDC.

(1) As per SCMC directions Show Cause Notices were issued for termination of landlease agreement upon M/s Indo Deutsche Metallo Chemique Ltd., Plot No. C-41 & M/s Mishal Zinc Industries Pvt. Ltd., Plot No. C-42 vide letter No. MIDC/ROR/LTP/554/05 & No. MIDC/ROR/LTP/555/05 dated 23.02.2005 respectively. The office of the Tax Recovery Officer, Ratnagiri has issued Order of Attachment of Immovable Property on the unit on 05/01/2005. Dena Bank has informed that the property on Plot No. C-41 is in possession of the Court Receiver appointed by Patna Court & hence requested not to take any further steps as the matter is sub-judice. Similarly the analysis of Zinc Ash from above premises were carried out from M/s. Mumbai Waste Management Ltd. The analysis report was already submitted to your office.

(ii) As per request of MIDC hearing before SCMC was given on 18.05.05 to M/s Shree Mahesh Chemicals, MIDC, Mahad, M/s Raksha Pharma Chem Pvt. Ltd. Mahad and their bankers. Shri Tolani, on behalf of Punjab & Sindh Bank appeared before the SCMC. He requested SCMC to give one week time to submit their action plan for shifting of hazardous waste. Mr. Ramchandra Rao, from M/s Raksha Pharma Chem Pvt. Ltd. Was directed by SCMC to deposit Rs.2.5 lakhs as an advance to MIDC for shifting of hazardous waste lying in their premises. However, Mr. Rao, has failed to deposit Rs.2.5 lakhs to MIDC till date.

(iii) Mrs. A.B. Iyer, who appeared before SCMC on behalf of Dena Bank Mumbai informed that M/s Indodeutsche Metallo Chemique Ltd., Lote, MIDC is under the Hon'ble Patna High Court receiver. The matter being complicated, they requested SCMC to give 15 days time for detailed submission before the Hon'ble SCMC and SCMC agreed for the same.

(iv) In case of M/s Mishal Zinc Industries Pvt. Ltd., MIDC Lote Mr. D.A. Kharkar who appeared before the SCMC on behalf of SBI, informed that the SBI has sold the property to Assets Recovery Construction India Company. Therefore, SCMC directed that as ARCI is the occupier of the property, notice shall be served on them & subsequent hearing shall be given to them.

From above you will appreciate that MIDC has made its all sincere efforts for compliance of SCMC directives from time to time.

Thanking you,

Yours faithfully,
Sd/-

(R.M. Naikade)

Dy. Chief Executive Officer

Copy submitted to :
Chief Executive Officer, MIDC (H Q), Andheri.
Copy fwc to :
(i) Chief Engineer, MIDC (HQ), Andheri.

MAHARASHTRA INDUSTRIAL DEVELOPMENT CORPORATION

(A Govt. of Maharashtra Undertaking)

No. MIDC/Dy.CEO (Env.)/1683/2005

Date : 2/08/2005

To,

Regional Officer (H.Q)
Maharashtra Pollution Control Board (MPCB),
Kalpataru Point, 3rd & 4th Floor,
Sion Matunga Scheme Road No.8,
Opp. To Cine Planet Cinema,
Near Sion Circle, Sion (E), Mumbai – 400 022.
Fax No. – 2402 4068 / 2402 3516

Kind Attention :- Shri. Bharat Nimbarte, R.O.

Sub. :- Follow-up Actions by MIDC on the Supreme Court
Monitoring Committee's directions.

Ref. :- Your letter No. MPDC/TA/B-3702 dtd. 08/07/2005.

Sir,

With reference to above cited letter on the captioned subject, the information on contents therein are as under :-

- 1) Since the landfill at TSDF, Taloja was to be covered & closed due to monsoon, only 83.40 MT of sludge from MIDC, Roha collection sump has been lifted & transported to CHWTSDF, Taloja. Balance quantity is properly stored in pits, duly covered with LDPE sheets which will be transported when monsoon is over.
- 2) 30% sludge from MIDC Sump Mahad has been lifted to CHWTSDF, Taloja & balance quantity is properly stored in sludge drying beds, duly covered with LDPE sheets which will be transported after monsoon is over, The hazardous waste in closed units of M/s Mahesh Chemicals to the tune of 1800 MT is completely lifted & transported to CHWTSDF, Taloja. The closed unit M/s. Raksha Pharmaceuticals is under possession of Court Receiver, hence the hazardous waste quantity admeasuring 410 MT approx could not be lifted & transported to CHWTSDF, Taloja.
- 3) The hazardous waste from one third cell of SELF is already removed and the work of bottom layer is completed. Due to onset of monsoon,

the hazardous waste removed from one third cell is properly covered with LDPE sheet.

This is for favor of information & further needful please.

Thanking you,

Yours faithfully,

Sd/-

(R.M. Naikade)

Dy. Chief Executive Officer (Env.)
MIDC, (HQ), Mumbai – 93.

Annexure – IX

DENA BANK

Ref. No. DB/ARB/095/2005
06.06.05

ASSETS RECOVERY BRANCH, Dena Bank Bhavan
Ground Floor, Shahid Bhagat Singh Road, 31, 3rd
Pasta Lane, Colaba, Mumbai – 400 005.

The Regional Officer
Maharashtra Pollution Control Board,
KALPATARU POINT, 3rd & 4th Floor,
Opp. Cineplanet, Near Sion Circle,
Sion (E), Mumbai – 400 022.

Dear Sir,

Ref. :- Show Cause Notice issued by MIDC to M/s Indo Deustche Metallo
Chimique Ltd. & Hearing given by Supreme Court Monitoring
Committee on 18.5.2005
Ref. Your letter No. MPCB/RO/(HQ)/B-2700 dt. 1.06.05

.....

We have received the above referred letter today at 2.00 p.m. As per the Speaking Order of SCMC, the Bank was directed to take inspection and give its Say in the matter on or before 05/06/05. As the Court Receiver is in possession of the securities and his permission is necessary for carrying out an inspection, we require some time to approach the concerned Judicial Authorities.

We request you to give us time of at least two weeks to enable us to obtain necessary permission from the Court to carry out an inspection of securities.

Yours faithfully,

Sd/-
Sr. Manager.

Annexure – X

AIRPORTS AUTHORITY OF INDIA
INTERNATIONAL AIRPORT DIVISION

FAX NO. 2402 3516 / 2402 4068

AAB/CARGO/931/2005-06/2313

28-06-2005

Member Secretary

Maharashtra Pollution Control Board,
KALPATARU POINT, 3rd & 4th Floor,
Opp. Cineplanet, Near Sion Circle,
Sion (E),
Mumbai – 400 022.

Kind Attn. : Dr. D.B. Boralkar.

Dear Sir,

**SUB. : Disposal of unclaimed / uncleared hazardous cargo including
Expired medicines/drugs in an eco-friendly manner – Reg.**

Kindly refer to your letter No. MPCB/RO(HQ)/TB/B-2287 dated 05-05-2005 on the above subject.

In this connection, kindly be informed that AAI has handed-over 4,108 Pkgs. (weighing around 30.5 M.T.) of the various categories of hazardous cargo to M/s Mumbai Waste Management Ltd., the accredited agency of M/s. Maharashtra Pollution Control Board, for further disposal action in their facility at Taloja, Dist. Raigad as per your directives in this matter.

We take this opportunity to once again express our sincere thanks for the kind guidance & assistance provided by M/s Maharashtra Pollution Control Board officials to enable AAI to carry-out such a maiden exercise of this magnitude.

The above is for your kind information & further suitable action.

We look forward for continued support and guidance in future also.

Thanking you.

Yours faithfully,

Sd/-
(B.K. Mehrotra)
Actg. General Manager (Cargo)

Office Tel.: Terminal 1-A/1-B : 615 6600 . Terminal II : 836 6700
Fax. : 022-615 6031 / Telex. : 011-71172
Chhatrapati Shivaji International Airport, Mumbai – 400 099.

Annexure – XI

MAHARASHTRA POLLUTION CONTROL BOARD REGIONAL OFFICER-MUMBAI

Shri. Chattrapati Shivaji Maharaj
Municipal Bldg., 4th Floor,
Mata Ramabai Ambedkar Road,
Mumbai – 400 001.

No. ROM/TB/1085

Date: 20/7/2005

To,
The Member Secretary,
M.P.C.Board,
Mumbai.

Sub. :- Disposal of Hazardous Waste / Chemical Waste by
M/s Golden Chemicals Pvt. Ltd., Dahisar.

Ref. :- 1) Boards letter no. MPCB/Legal/LW/B-45 dated 04/01/2005.
2) MPCB/M.S./05/20 Dated 12/01/2005.

Sir,

M/s Golden Chemicals Ltd., a Chemical Industry established in the year 1961 at Dahisar (E). This industry was given consent by M.P.C.Board to manufacture Sodium Bio-Chromic Acid, & other chromium Chemicals.

This industry was in operation till November-2002 after which they had curtailed the manufacturing operations & declared a lock out in February-2003. Even after closure of manufacturing operations the industry was storing very large quantities of the various types of waste in different areas. Some waste such as floor dirt was lying packed in the plastic gunny bags. In many places the waste was lying in a dumped form. The photographs and video shooting was recorded as evidence of large quantity of material lying in the premises of the industry.

The M.P.C.Board has issued directions under the provisions of the Environmental Protection Act, 1986 and the Hazardous Waste (M & H) Rules, 1989, (as amended May-2003) to the industry for the proper disposal of chemical waste/hazardous waste at CHWTSDF.

Then the industry has started lifting of this waste lying in the premises to CHWTSDF at Taloja. During the course above the industry has accepted conditions there off & make an understanding in between for the transport and disposal on the above site.

They have started the lifting of above on 17/01/2005 & completed the above operation on 11/6/2005. The M.P.C.Board Officials visiting the site in between to monitor the activity of lifting and disposal of hazardous waste on the above facility.

After completion of this job this office has carried out photography and video shooting as an evidence. The above site is not having any hazardous / chemical waste in the premises. The total quantity disposed on the above facility is 4069 MT. The breakup of the same is submitted herewith for your information please.

Yours faithfully,
Sd/-
(G.N. Mohite)
Regional Officer, Mumbai.

D.A.: As above

Copy submitted for information to :-
Thechnical Advisor, M.P.C.Board, Mumbai.

Golden Chemicals Private Limited

Registered Office & Works :
Chromium House, Western Express Highway
Post Box Ni, 8204, Dahisar, MUMBAI- 400 068.

Tel. : 2845 4463/2845 5294 . Fax : 91-22-2845 4441

E-mail : gcl@vsnl.com

July 15, 2005

DETAILS OF DISPOSAL

	<u>Description of Material</u>	<u>Qty. (MT)</u>	<u>Destination</u>
1.	Waste	4069	MWML
2.	Chrome Ore	118	Deccan Chromates
3.	DCP	432	Deccan Chromates
	Total	4619 MT	

Sd/-
DIRECTOR (WORKS)

ANNEXURE – XII

MUMBAI WASTE MANAGEMENT LIMITED TALOJA
A Common Hazardous Waste Treatment Storage Disposal Facility

Summary of JNPT Waste

Sr. No.	Date	Manifest No.	Waste Type	No. of Drums	Waste Qty.
1	28/6/2005	22655	Waste Oil	63	11.97
2	28/6/2005	22656	Waste Oil	35	6.75
3	30/6/2005	22657	Waste Oil	45	8.79
4	30/6/2005	22658	Waste Oil	27	5.49
5	30/6/2005	22659	Waste Oil	26	5.33
			Total	196	38.33
6	05/7/2005	30344	Waste Oil	29	4.55
7	05/7/2005	30345	Waste Oil	32	6.17
8	05/7/2005	30343	Waste Oil	37	6.26
			Total	98	16.98
9	18/7/2005	30348	Waste Oil	29	5.665
10	18/7/2005	30349	Waste Oil	32	6.09
11	18/7/2005	30350	Waste Oil	36	6.755
12	18/7/2005	30346	Waste Oil	66	12.87
13	18/7/2005	30347	Waste Oil	33	6.175
			Total	196	37.555
14	20/7/2005	30351	Waste Oil	65	12.48
15	20/7/2005	30352	Waste Oil	31	5.95
16	20/7/2005	30353	Waste Oil	34	7.065
17	20/7/2005	30354	Waste Oil	34	6.885
18	20/7/2005	30355	Waste Oil	32	6.112
			Total	196	38.492
			<u>TOTAL</u>	<u>686</u>	<u>131.357</u>

For MWML - CHWTSDF

Sd/-

Pravin M. Jadhav

22 Aug, 2005.

Annexure XIII

Note on Comparative difference between inventory of hazardous wastes in 1989 and 2005

This note is regarding the clarification on the difference in figures reported in 2005 inventory and those in 1989 inventory. Study of the 1989 inventory indicated that the waste quantity included **fly ash, biological sludge from sugar & food products industry and slag from iron and steel industry as Hazardous Waste**. Since, these wastes have not been considered in 2005 inventory as hazardous waste, we felt that if we can get the total of each of this, we will be in a position to explain the difference between 2005 and 1989 figures. We therefore took up totaling of each of these waste categories. However, we have been facing lot of difficulties. Following are the difficulties faced :

1.0 Difficulties faced in HW Inventory 1989 :

- Comparison of the two Rules indicates that almost all categories of HW identified in 1989 Rules are present in 2003 Rules. Only, the categories are expanded to bring clarity and terms used in 2003 Rules are more scientific. Thus, there are no categories of 1989 which have been deleted from the 2003 Rules, except probably category 17 (off specification and discarded products) which now exists only for drugs and pesticides industry.
- Hence, we decided to concentrate on the largest generators in the 1989 inventory. We observe that waste category 12, 17, 18 have the largest quantities against them.
- When we start to look for the reason for the high figures reported in 1989, we are lost in a maze. Reasons for this are as under :
 - Units are not standardized
 - For ex :
 - some waste quantities are in kg/year, kg/M, T/D, T/W, L/Y etc
 - In some places, quantity of 2/3/4 or 3ven 5 categories are given together. Thus, apportionment of these is very difficult/if not impossible.
 - In some places, period for which quantity is given is not reported ex. 500T but no period given. In such a situation, the period to be considered is also not known.
 - Sometimes the unit of weight is not given (ex. Only 500/Week). Again quantity to be established on yearly basis is not possible.

2.0 Findings for Category 12 waste (1989 figure 16.5 lakh TPA :)

- In the given situation as above, we can only hazard guesses about the total waste generation. From the figures studies the HW generation for category 12 works out somewhat as given below :

Sr.No.	Type of Industry	HW Quantity (MT/A)
1.0	Thermal Power Plant	10,224,010
2.0	Sugar and food products sector, hotels etc.	2,47,041.9
3.0	Iron and steel slag	3,30,979.9
4.0	Other Industry in category 12	3,55,980.4
	Total	11,158,011

- As we can see this figure is much higher (more than 10 times) than that reported for HW inventory in 1989 for category 12 waste (16.51 lakhs TPA) and even much higher than total HW reported in 1989 (20.07 lakh TPA).
- The fly ash figures for Thermal power plants are given in table given below which indicates 1989 value (from the inventory) and calculated value as per annum basis.

: 3 :

Fly Ash from Thermal Power Stations As per MPCB Inventory 1989 (Covered under category 12)		
Name of Power Plant	Values as per Report	Quantity MT/A
Koradi thermal Power Plant, Nagpur	24,00,000 T/Y	24,00,000
Khapar Kheda Power plant, Nagpur	2400 T/day	8,64,000
C.T.P.S. thermal Power Plant, Chandrapur	10000 T/Day	3,600,000
Nashik	1,22,500 MT/M	1470000
Jalgaon	60,000 MT/M	720000
Akola	90,000 T/Y	90000
MSEB Parli Vaijanath, Beed	3,000 MT/Day	1,080,000
MSEB Uran	10 MT/A	10
	Total	10,224,010

- In addition, waste category 12 appears jointly with number of different types of waste categories, where no apportionment is possible.

3.0 Other Findings re 1989 Inventory :

- From the list given in 1989, other prominent categories were identified as category 17 (off-specification and discarded products) and category 18 (discarded containers).

3.1 For category 17 waste (1989 inventory figure 1.52 lakh MT/A) :

Waste category 17 is seen to have large quantities from iron and steel industry, hotel industry etc. (for ex Mukund iron is shown to have category 17 waste of 15,000 TPA, Oberoi Hotels of about 1800 TPA). These wastes have been very wrongly classified.

- Preliminary break-up of waste category 17 is as under :
Waste from Pharma sector : 6,500 MT/A
Waste from Pesticide sector 650 MT/A

Waste from Pharma and Pesticide combined : 100 MT/A
Waste from other industries : balance

- However, **total for category 17 does not match the figure reported in the HPC document due to difficulties cited in 1.1 above.**
- Thus, in category 17 we can probably say that about 1.4 lakh TPA waste was taken which is not included from new 2003 Rules.

3.2 For Category 18 waste : (1989 inventory Figure 0.56 lakh MT/A)

Waste under category 18 has been reported as Numbers/annum or as tons per annum. The 2005 inventory gives this only in terms of numbers per annum under category 33.3 and is not taken for totaling purpose.

4.0 Incinerable Waste Quantity has increased

A glance at the 1989 values for highly toxic organic wastes indicates that the total incinerable waste quantity should have been much higher. We reproduce some values seen in 1989 of wastes which we feel should have been designated for incineration.

Waste category as per 1989 inventory	Description of waste	Quantity (MT/A)
9	Wastes from Dyes and Dye intermediate containing organic chemical compounds.	29,595
11	Tarry wastes from refining and tar residues from distillation or pyrolytic treatment.	4,900
13	Phenols	7,768
15	Wastes from manufacturing of pesticides and herbicides and residues from pesticides and, herbicides formulation units.	2
17	Off-specification and discarded products	1,52,540

5.0 Note on Increase in values from 9.2 lakh MT/annum to 14.07 lakh MT/annum :

Following are the reasons why the quantity has increased from 9.2 lakh MT/annum to 14.07 lakh MT/annum :

- a) Number of units increased from 4356 to 4571. Some units were inadvertently missed out in the first work which have been now included.
- b) Gypsum sludge from phosphoric acid manufacture was not taken into account earlier as the industry representatives were calling it as by-product. However, it has now been included as hazardous waste. This is because, further data available indicates that the rock phosphate used for manufacture of phosphoric acid has upto 4% fluoride, and hence waste may be hazardous.

Maharashtra Pollution Control Board

Ph. 24010437
24024068
Visit us at:
<http://mpcb.mah.nic.in>
Email -mpcb@vsnl.net



Kalpataru Point, 3rd & 4th
Floor, Opp. Cine Planet, Near
Sion Circle Sion East,
Mumbai 400 022

Supreme Court Matter

No: MPCB/MS/357

Date: 12/07/2005

To,

The Municipal Commissioner

Municipal Corporation of Greater Mumbai/ Thane/ Mira-Bhayender / Kalyan-Dombivali

Navi-Mumbai/Ulhasnagar/Kolhapur/Pune/Pimpri-

Chinchwad/Nasik/Nagpur/Solapur/

Aurangabad/Amravati/Nanded/Akola/Jalgaon/Ahmednagar/Sangli-Miraj-

Kupwad/Dhule/Malegaon/Bhiwandi

Sub: Public notice on Display Boards indicating legal/ penal provisions under the Municipal act and rules against dumping of any waste in open spaces, talavs, water sources etc. for compliance of the directives of Supreme

Court

of India in W.P.(C) No. 657/95 vide order dated 14-10-2003

Sir,

As decided in the 10th meeting of the Supreme Court Monitoring Committee (SCMC) at Shillong, it is requested to display a Public Notice stating legal/ penal provisions against those found dumping of any waste in open spaces, talavs, water sources etc for compliance of the order of Supreme Court of India in WP (C) 657 of 1995 dated 14-10-2003.

You are requested to kindly take action for immediate compliance of the above directives of the Supreme Court Monitoring Committee. Please submit the action taken report in this regard within 15 days so as to enable us to submit the same to the SCMC/ Ministry of Environment & Forests, GoI, New Delhi.

Thanking You,

Yours faithfully

(D.B.Boralkar)
Member Secretary,
MPCB

Copy for information to:

1. Dr.Subba Rao, Addl.Director (HSMD) & MS of the SCMC
MOEF, GOI, CGO Complex, Lodhi Road, New Delhi for information
2. Chairman, SCMC and other Members of SCMC by e-mail.
3. Principal Secretary, Urban Development Department, Mantralaya, Mumbai-32

Annexure XV

Status of Bio Medical Waste in Maharashtra (as on 31st July 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			Application received after Show Cause	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	554	456	98	207	299	Nil	6	242	Nil	Nil
2	Aurangabad	1348	734	730	4	675	579	Nil	Nil	90	Nil	Nil
3	Kalyan	421	362	344	18	400	101	49	Nil	Nil	Nil	Nil
4	Kolhapur	920	676	668	8	793	83	Nil	68	185	Nil	Nil
5	Mumbai	1351	1061	983	78	912	230	35	25	Nil	Nil	Nil
6	Nagpur	1447	914	905	9	874	861	338	Nil	269	Nil	Nil
7	Nashik	1344	1225	1223	2	912	169	89	Nil	62	Nil	Nil
8	Navi Mumbai	133	133	133	Nil	133	Nil	Nil	1	1	Nil	Nil
9	Pune	2118	1345	1270	75	1289	140	63	Nil	267	Nil	Nil
10	Raigad	218	202	189	13	62	16	1	Nil	9	Nil	Nil
11	Thane	442	412	412	Nil	412	168	Nil	Nil	129	Nil	Nil
Total		10593	7618	7313	305	6669	2646	575	100	1254	Nil	Nil

ANNEXURE – XVI

BY R.P.A.D./FAX/HAND DELIVERY

WP/Legal(HQ)/MS/349

Date :- 02/07/2005

To,

The Dean / Superintendent
St. George Hospital
P.D. Demello Road,
Mumbai- 400 001.

Sub :- Show Cause Notice

Ref :- 1) The news paper cutting of Mid-day daily news paper
dated 1/7/2005

2) Bio-Medical Waste authorization No. MPCB/RO-
BMW/Mumbai-69/2004 dated 21-04-2004

....

The Ministry of Environment and Forest Govt of India has promulgated the Bio-Medical Waste (Management and Handling) Rules 1998 vide Notification dated 20/7/98 (referred to as the said rules). The responsibility of Occupier and Operator of the facility has been well defined under these rules. It is mandatory for Occupiers of institutions generating, receiving, storing, transporting, treating, disposing or handling Bio-Medical Waste in any manner under these rules to make an application for authorization and provide requisite facility for treatment /disposal of Bio-Medical Waste or join a common Bio-Medical Waste Treatment and disposal Facility operational in their respective areas.

ANDWEHREAS, it is the duty of every operator of Bio-Medical Waste Treatment and Disposal facility as well as every institution/organization generating Bio-Medical Waste, to treat and dispose of Bio-Medical Waste in accordance with Schedule I and in compliance with the standards prescribed in Schedule V attached to the Rules by setting up Bio-Medical Waste Treatment facility within the time specified in Schedule VI of the said Rules.

AND WHEREAS, residential colonies dumping of BMW in and around will create health hazard to the local people in the vicinity.

AND WHEREAS, dumping of Bio-Medical Waste in a manner as published in today's Mid-day daily news paper is violation of the Bio Medical Rule without proper permission from MPCB.

AND WHEREAS, the Sub-Regional Officer, MPCB, Mumbai-I has caused visit & inspection of your premises and observed as under :

- 1) You have not taken all steps to ensure that proper management of waste bio-medical wastes and it may cause adverse effects on health and environment.
- 2) As per your application for authorization & conditions imposed in the authorization granted by the Maharashtra Pollution Control Board, it was obligatory on your part not to allow mixing of the bio medical waste with other wastes, bio medical waste should have been segregated into the containers/ bags at the point of generation in accordance with Schedule-II prior to its storage, transportation, treatment & disposal. The containers should have been labeled according to the specifications given in the Rules. WHEREAS, it has been reported that your bio-

medical waste was found to be mixing with the other wastes, thereby, it has been going alongwith the municipal solid waste, you have not properly segregated bio-medical waste into the containers/bags at the generation point in accordance with Schedule-II prior to its storage, transportation, treatment & disposal. The containers were not labled according to the specifications given in the Rules.

- 3) You were not regularly transporting your bio-medical waste to BMC GTB Hospital facility through BMC authorized contractor and not kept proper record thereof.
- 4) It has been revealed that you have been operating incineration without proper authorization from the Board.
- 5) Mr.Sanjay Gurav, Vice President of Nationalist Student Congress reported that the bio-medical waste consisting of disposal syringes, medicines, glucose bottles, gloves all of which were 'cleaned' and then resold in the market. To the ragpickers & it is in the knowledge of the hospital authority.

AND WHEREAS, the Sub-Regional Officer, MPCB, Mumbai-I reported that you are responsible for unauthorized sale of bulk of the above bio-medical wastes as informed by Shri Sanjay Gurav instead of disposing the same.

AND WHEREAS, the ragpicker Doraiswamy Shanmugam Mudalair who supervises the collection informed that the superintendent and the matron are fully aware of the fact that ragpickers have been collecting used gloves and other waste material from hospital authorities for the last two or three decades and sell off the said waste (Copy enclosed).

NOW THEREFORE, you are hereby called upon to Show Cause as to why the Board shall not revoke authorization granted under Bio-Medical Waste (Management and Handling) Rules, 1998 and initiate action against you under the provisions of Section 15 of the Environment (Protection) Act 1986, read with Rule 4,5 and 6 of the Bio-Medical Waste (Management and Handling) Rules 1998. You are also directed to show cause and give proper explanation about the above violations within a period of week, failing which, the Board will file appropriate case before the court of law under Section 15 of the Environment (Protection) Act, 1986 read with Bio-Medical Waste Rules, for which, the punishment prescribed is imprisonment upto 5 years or fine of Rs.1,00,000/- or both, which please note

For and on behalf of
Maharashtra Pollution Control Board

Sd/-
(D B Boralkar)
Member Secretary

Copy to : Senior Law Officer (HQ)/Regional Officer, Mumbai, MPCB, Mumbai – for information/ Sub Regional Officer, Mumbai-I, MPCB, Navi Mumbai – for information and keep further follow up in the matter.