

16th
ACTION TAKEN REPORT
(as on 30.11.2007)
on the
Directives of the Supreme Court of India
In the matter of W.P. (C) No. 657 of 1995
Dated October 14, 2003.

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

November, 2007

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MAHARASHTRA POLLUTION CONTROL BOARD

Subject: 16th ACTION TAKEN REPORT as on November 30, 2007

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

1. Background

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

Maharashtra Pollution Control Board (MPCB) has so far submitted fifteen quarterly Action Taken Reports to SCMC on the actions taken by the Board on the Apex Court orders. All the Action Taken Reports, submitted by Maharashtra Pollution Control Board so far to SCMC and the Apex court, have been placed on the website of the Board for the benefit of the public (<http://mpcb.mah.nic.in>).

MPCB took time bound steps along with strong and exemplary actions to streamline the enforcement of Hazardous waste Rules and the compliance of the directives of Hon'ble Supreme Court of India in the state of Maharashtra. The actions taken by the Board have been appreciated by the Chairman, Supreme Court Monitoring Committee from time to time, as reflected in the earlier ATRs submitted by MPCB to the Supreme Court Monitoring committee. SCMC is satisfied with the various actions taken by the Maharashtra Pollution Control Board and the compliance achieved by the Board on the Apex Court orders.

This is the 16th Action Taken Report, which presents the actions taken by MPCB, on the Apex Court orders dtd 14.10.03 and directives given by the Supreme Court Monitoring Committee, during the period from September 1, 2007 to November 30, 2007 on Management of Hazardous wastes in the State of Maharashtra.

2. Closure of defaulting industries

As directed by the Hon'ble Supreme Court of India, it was decided that industries, identified as per Hazardous Wastes (M. &H.) Rules, 1989, shall be considered for issuance of closure directions. As reported in the earlier ATR there were 3427 industries covered under the HW 1989 Rules. However, MPCB continued the assessment on the number of HW generating industries in Maharashtra, based on Hazardous Wastes (M. & H.) Rules, 2003 (as amended). It was observed that the number of HW generating industries as per the assessment carried out in 2005 HW generating units stands at 4571. This number has increased due to addition of more categories of HWs in amended HW Rules, 2003. MPCB has carried out revised inventorization study and as per the assessment it is observed that the no of HW generating units are increased . There are 4714 HW generating units in Maharashtra as per current assessment. The identification of new HW generating units and those which have been left out is a continuous exercise to detect the presence of additional HW generating units in the state of Maharashtra. Accordingly action is being taken on such units in accordance with the orders of the Apex Court and the HW Rules, 2003. The work of revised inventorization or up gradation in the previous HW inventory in Maharashtra has helped in identification of new HW generating units in the state.

In accordance with the directives of Hon'ble Supreme Court of India, actions were initiated by MPCB against the industries which did not possess authorizations and/or were not complying with the conditions of the authorizations granted to them. The status in terms of closure directions issued by MPCB and withdrawal of those directions in respect of industries who have complied with the orders of the Apex Court and it was reported in the earlier ATRs submitted to SCMC.

The issuance of directions to HW generating units and the levy of fines etc. to those industries, which are found to be non-compliant, are being continued by the Board. Such industries are thus being compelled to send the HWs lying in their premises to the common TSDF at Taloja or TTC in fulfillment of the directives of the Apex Court and further comply with the HW Rules.

3. Inventorization of Hazardous Waste

Supreme Court had directed prepare the inventory of the hazardous wastes for the purpose of dovetailing it to the CPCB exercise of preparing National Toxic Inventory. Since Maharashtra state is known to generate nearly half of the quantities of the Hazardous wastes generated in the country, preparation of the toxic inventory of the HWs in the state was a gigantic task. MPCB adopted a unique approach involving the mass balance studies of the processes adopted by the industries that generate hazardous waste, to study the HW generation patterns and quantities. The entire study was outsourced and

continuously monitored during its tenure through out the state. This approach was appreciated by SCMC.

The HW Inventory Report prepared by the Board was submitted to SCMC on 25.8.2005 and the report was made available to CPCB for the preparation of National Inventory of the Hazardous Wastes, in compliance of the direction of the Hon'ble Supreme Court of India.

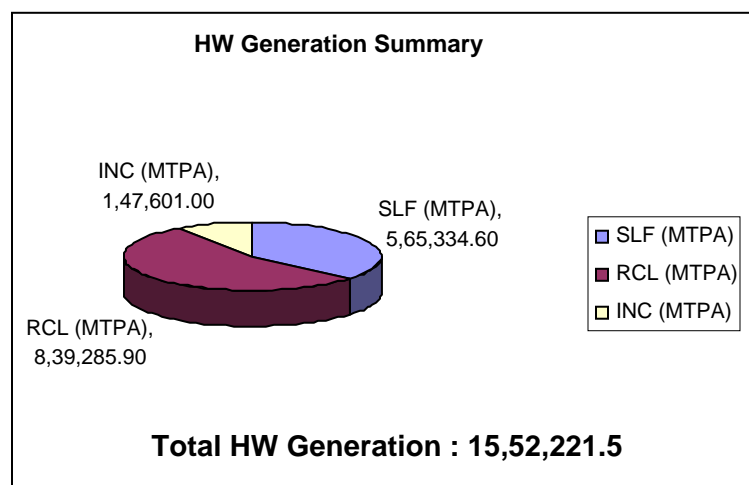
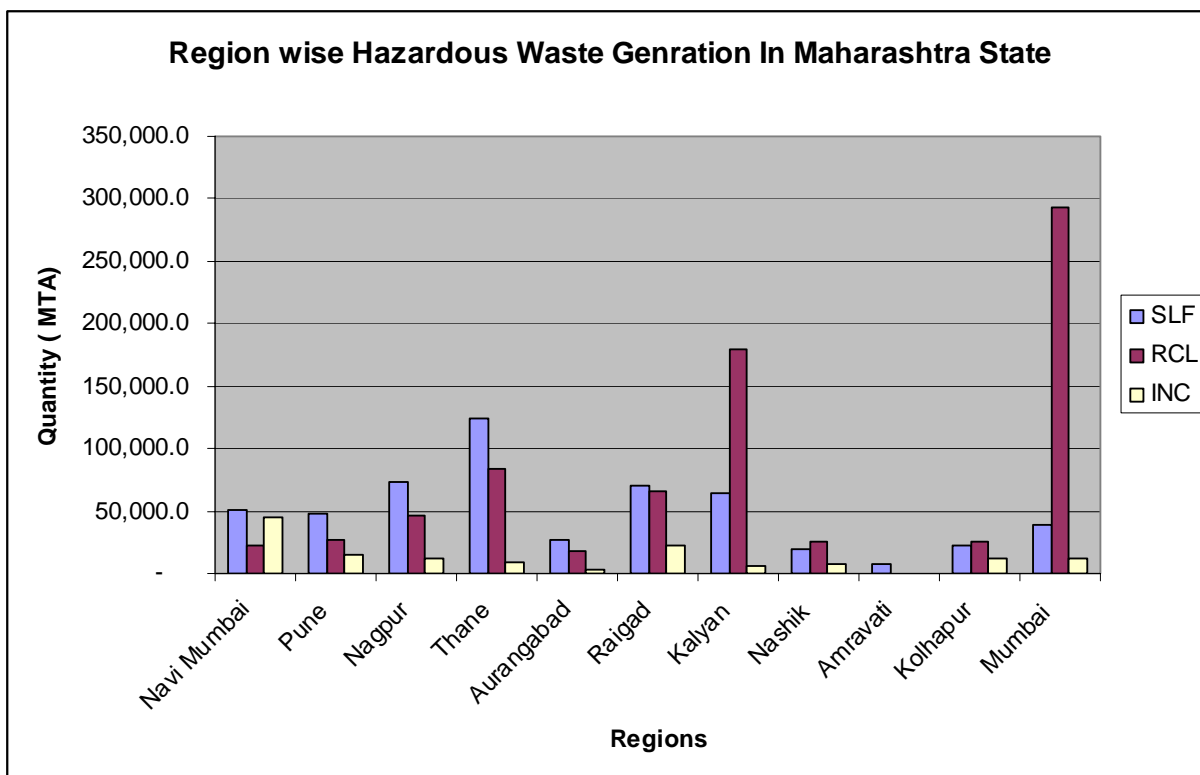
As per the directions of MoEF and CPCB the work of revised inventORIZATION of hazardous waste generated in Maharashtra is completed and the revised inventory has been submitted to CPCB, Member Secretary, SCMC and MoEF on 31.08.2007. The HW Inventory Report is available on the website of MPCB, which is interactive and gives information on each HW generating industrial unit in the state. The findings of the revised inventORIZATION study are given below.

As per the inventory, total HW generation for Maharashtra State is 15,52,221.5 MT/Annum of which about 36.4% is landfillable, 54.07% is recyclable and balance 9.51% is incinerable.

The break-up of Hazardous Waste generation for various Regions of Maharashtra Pollution Control Board including generation from non-industrial sources is presented in Table given below. These indicate that Mumbai Region has the highest generation of waste 3,43,926.4 MTPA (22.2%) followed by Kalyan Region with 2,50,313.6 MTPA (16.1%). The lowest generation was observed in Amravati Region 8,776 MTPA (0.57%). The generation from other non-industrial sources was observed to be 72981.8 MTPA (4.7%).

Region wise Break-up of HW based on Disposal Method

Sr.No.	Region	Quantity of HW (MT/Annum)			Total
		SLF	RCL	INC	
1	Navi Mumbai	50791.3	22122.7	44251.3	117165.3
2	Pune	47588.9	27625.9	15317.0	90531.8
3	Nagpur	73647.4	46616.2	12638.3	132901.8
4	Thane	123578.0	83209.5	8965.6	215753.1
5	Aurangabad	26436.0	17282.4	3572.0	47290.3
6	Raigad	70110.2	66463.9	23072.8	159646.9
7	Kalyan	64128.4	179506.7	6678.5	250313.6
8	Nashik	20093.5	25637.1	7479.1	53209.7
9	Amravati	7528.5	690.7	556.8	8776.1
10	Kolhapur	22716.5	25024.7	11983.4	59724.6
11	Mumbai	39134.9	293333.2	11458.3	343926.5
12	Non-Industrial Sources	19581.0	51773.0	1627.8	72981.8
	TOTAL	565334.6	839285.9	147601.0	1552221.4
SLF : Secured Landfill, RCL : Recyclable, INC : Incinerable					



Based on disposal method, salient findings are as below:

A. Landfillable Waste :

The largest generation of landfillable waste was seen in Thane 1,23,578 MTPA (21.9%), followed by Nagpur 73,647.4 MTPA (13.03%). The lowest generation was observed in Amravati 7,528.5 MTPA (1.3%). Amongst non-industrial sources, landfillable waste generation is primarily from CETP's and is at 19,391

MTPA (3.4%). When compared to the 2005 Inventory landfillable waste has gone down from 6,25,950.3 to 5,65,334.6 MTPA. This is due to Board's policy to encourage reuse/ recycle of Gypsum sludge & other low value high hazards wastes in Cement /construction industry.

B. Incinerable Waste :

It is observed that the highest incinerable waste generation was in Navi Mumbai 44,251.3 MTPA (30%) followed by Raigad 23,072.8 MTPA (15.6%). The lowest incinerable waste generation was observed in Amravati 454 MTPA (0.4%). The quantity of incurable waste has not changed much – 1,53,998.45 MTPA in 2005 versus 1,47,601 MTPA today.

C. Recyclable Waste :

The highest recyclable waste generation was in Mumbai 2,93,333.2 (35%) MTPA (28.8%) followed by Kalyan 1,79,506.7 MTPA (21.4%). The recyclable waste generation from other non-industrial sources was 51,773 MTPA (6.2%), primarily due to used / waste oil generation in automobile service stations, docks, ports, power distribution etc. The quantity of recyclable waste has gone up from 6,27,531.45 MTPA (2005) to 8,39,285.9 MTPA in tune with the Board's policy to encourage maximum recycle of high volume low hazard waste such as Gypsum to Cement Industries and in Construction Sector.

4. Software developed by MPCB for tracking of Hazardous Waste

MPCB has developed software for keeping track on the hazardous waste generating units in the Maharashtra and for issuing/ amending authorizations to the industries.

- The Hazardous Waste Management and Monitoring System is a web based database application with three objectives viz. updating of the inventory of HWs, provide online access to the inventory, and provide various search facilities to the Users based on various search criteria.
- Monitoring of Hazardous Waste Disposal through online filing of the annual returns under form 4, 12 and 13 as specified in the Hazardous Waste Rules, 2003. The new software was demonstrated to the members of SCMC and the Officers of State Pollution Control Boards at the 52nd meeting of the Chairpersons and Members Secretaries of the State Pollution Control Boards held in Mumbai in January, 2006. It is a user friendly application with help links available for the Users.

The software developed by MPCB was inaugurated by MPCB Chairperson. MPCB has issued public notice in the leading news papers in the Maharashtra on 10.01.2007 for filing of returns online. MPCB has issued scratch cards for the HW generators in the Maharashtra state which includes

the secret password for individual industry and MPCB is now receiving and dealing with the returns online.

5. Status of CHWTSDF Sites in Maharashtra

Sr. No	Location	Capacity	Status
1	Taloja, Raigad	SLF: 120000 TPY Incinerator: 2.0TPH Proposed Incinerator 2.0 TPH	<ul style="list-style-type: none"> • SLF is in operation since (2002) • Incinerator is in operation since November 2004. • The first, second and third cell of TSDF are capped. Post closure monitoring is being carried out by the facility operator. • 4th cell is now in use. • MPCB has issued Consent to establish for establishing new incinerator (2nd). • Construction of 5th Cell is under progress.
2	TTC, New Mumbai	SLF: 10000 TPY	<ul style="list-style-type: none"> • SLF is in operation since (2004) • The cell being used for the disposal.
3	Buti Bori (Nagpur)	SLF:50000 TPY Incinerator: 2.0 TPH	<ul style="list-style-type: none"> • SLF is in operation since (Feb 2007) • MPCB has issued Consent to operate for land filling and storage of HW. Facility started receiving the hazardous waste and being disposed in SLF. • The work of erection of hazardous waste incinerator is in progress and likely to complete by March 2008.
4	Ranjangaon (Pune)	SLF: 50000 TPY Incinerator: 2.0 TPH	<ul style="list-style-type: none"> • SLF is in operation since (Dec 2006) • MPCB has issued Consent to operate for land filling and storage of HW. Facility started receiving the hazardous waste and being disposed in SLF. • The work of erection of hazardous waste incinerator is in progress and likely to complete by March 2008.
5	Shendre	--	<ul style="list-style-type: none"> • MIDC has reported that the proposal to develop satellite transfer station at

Sr. No	Location	Capacity	Status
	(Aurangabad)		Shendre (Aurangabad) is approved by MIDC. The plot admeasuring 10 acres is handed over to M/s S.M.S Ltd. <ul style="list-style-type: none"> No further progress.
6	Mahad	--	<ul style="list-style-type: none"> MIDC has reported that the proposal to develop satellite transfer station at Mahad is approved by MIDC. The plot admeasuring 10 acres is handed over to M/s MWML. No further progress.

Details of hazardous waste received at CHWTSDFs in Maharashtra:

(a) Hazardous Waste Received at Taloja CHWTSDF

As on 30 th November 2007	Direct disposal in SLF (MT)	Treatment and disposal in SLF (MT)	Incineration (MT)	Total (MT)
Total	166232	166249	46354	378835

(b) Hazardous Waste Received at TTC CHWTSDF

As on 30 th November 2007	Direct disposal in SLF (MT)	Treatment and disposal in SLF (MT)	Incineration (MT)*	Total (MT)
Total	13856.688	6458.845	--	20315.533

- Incinerable HW received at TTCWMA is sent to M/s MWML, Taloja for incineration since TTC WMA does not have the incineration facility.

(c) Hazardous Waste Received at MEPL, Ranjangaon, Pune

As on 30 th November 2007	Direct disposal in SLF (MT)	Treatment and disposal in SLF (MT)	Incineration (MT)*	Total (MT)
Total	1999.47	1084.85	502.52	3586.84

(d) Hazardous Waste Received at VEPL, Butibori, Nagpur

As on 30th November 2007	Direct disposal in SLF (MT)	Treatment and disposal in SLF (MT)	Incineration (MT)*	Total (MT)
Total	4300	954	48	5302

6. Hazardous Waste from Goa State received by Maharashtra for Incineration

Since the hazardous waste quantity generated by the industries in Goa is not very high, SCMC had directed Goa State Pollution Control Board to explore possibilities of setting up a joint landfill site in the State of Maharashtra at MIDC Lote-Parshuram or any other suitable site in South Konkan to cater to the HW disposal needs of the industries in Goa and Maharashtra state. MPCB has taken a proactive role. The details of the actions taken by MPCB on the proposal of Goa SPCB have been reported in the earlier ATRs submitted to SCMC

MPCB and Government of Maharashtra has however considered the request of Goa SPCB to allow them to bring incinerable hazardous wastes in Maharashtra for incineration at CHWTSDF at Taloja. This decision was taken on the basis of the policy decision taken at the 13th Meeting of SCMC jointly with the 52nd Conference of the Chairpersons and Member secretaries of the SPCBs/ PCCs held at Mumbai. MPCB has permitted Goa Pollution Control Board to authorize the industries in Goa to send only incinerable hazardous waste for incineration at CHWTSDF, Taloja in Maharashtra on certain terms and conditions. A maximum 20,000 tonnes/annum of hazardous waste shall be allowed in Maharashtra as per the conditional orders issued by MPCB on 9.6.06.

M/s Mumbai Waste Management Ltd. has started actual operation of lifting of hazardous waste from Goa to MWML from 02 December 2006 and till November 2007, 647 MT of incinerable hazardous waste is received at MWML for incineration.

7. Hazardous Waste Transportation

MPCB has issued authorization for reception, collection, and transportation of hazardous wastes to 49 transporters as per the revised HWs transportation guidelines which were formulated by CPCB on directives of the Supreme Court. MPCB is closely monitoring the activities of these transporters.

8. Incineration of hazardous waste

Before a full fledged hazardous waste incineration facility became operational in Maharashtra, MPCB had given permission to individual industry incinerators for designated utilization and disposal of the undesired liquid/ solid/ effluent arising out of their manufacturing processes and other activities. MPCB initiated action against those individual incineration facilities provided by the industries since those incinerators were not complying with emission standards published by the CPCB. MPCB has issued directions to 69 such industries, which have set up incinerators, under Section 31(A) of the Air (P&CP) Act, 1981. MPCB is also carrying out an assessment of all those incinerators before a final decision is taken on their continuance. 42 industries have reported that they have stopped their incineration facilities. The work of fresh assessment of captive incinerators is in progress.

The work of installation of three Common Hazardous Waste Incinerators at various CHWTSDFs, at Ranjangaon (Pune) and Butibori, (Nagpur) and 2nd at MWML (Taloja) is in progress.

9. Rehabilitation of illegal HW dump sites

On directions from SCMC, MPCB explored the possibilities of using Remote sensing techniques for the identification of illegal HW dumps. The work was outsourced to NRSA, Hyderabad on identification and quantification of the illegal H.W. dump sites outside MIDC areas, as reported earlier.

NRSA has submitted a report on their findings on employing the Remote sensing techniques for the identification of the HW dumps in the and outside the industrial areas at Tarapur, Dombiwali and Ambernath industrial areas.

The salient findings of the study are:

- It is possible to identify the waste dump areas for specific sites by using high resolution (< 1 meter) satellite data. Use of mask to eliminate misclassified areas is essential. Coarse resolution data was not found suitable due to smaller aerial extent of the waste.
- Site specific Spectral Libraries need to be developed. The initial step in waste dumpsite identification involves the development of site specific library or spectral database for that site. As the composition of the hazardous waste varies from one site to other and it becomes necessary to know what is on the ground.
- The review of literature shows not many studies have been carried out in this area and also they are limited and specific to mining areas.
- Hazardous and illegal nature of waste classification can be ascertained only through secondary data and ground observation.

- In this type of application, remote sensing is not a stand-alone method. It requires use of multiple data sets from many other sources.
- Some studies carried out internationally has shown High Resolution Hyper spectral data is another alternative for identifying Hazardous waste dumpsites, which needs to be explored.

No further work is continued in this matter.

A. Rehabilitation of illegal Hazardous Wastes Dump Site at Tarapur

SCMC sub-committee for Maharashtra had visited MIDC Tarapur in June, 2004 and observed an illegal dump of mixed toxic wastes on an open plot in the MIDC industrial estate at Tarapur. MIDC was directed by SCMC sub-committee to identify the illegal waste dumps in various industrial estates and remove those HW dumps before January, 2005. On directions from SCMC and the follow up actions taken by MPCB, MIDC took effective steps to lift the HWs from illegal dump sites in various MIDC industrial areas and dispose it of in the CHWTSDF at Taloja. MPCB has reported the progress on the removal and disposal of the HWs from illegal waste dump sites from time to time in the Quarterly action taken reports submitted to SCMC. All the illegal HW dump sites were cleared by MIDC within the SCMC stipulated time and there are no illegal dump sites in the MIDC industrial areas.

The illegal waste dumps noticed by SCMC sub committee at Tarapur was tackled differently since it was not possible to lift the large quantities of the HWs lying at this spot and dispose it off at Taloja TSDF. MPCB took a conscious decision to cap this illegal waste dump in one time SLF at the same location and accordingly recommended MIDC to take actions to comply with the SCMC sub committee directions.

Accordingly, a project to carry out on-site rehabilitation of the illegal HW dump at Tarapur, which had about 1.5 lakh MT of hazardous waste lying on the open plot in Tarapur MIDC industrial area, was undertaken by MIDC. The following actions were taken to establish the in-situ SLF at Tarapur.

- 1) Joint visit by MPCB, MIDC & Industries Association representatives to illegal H.W. dumps sites in Tarapur.
- 2) Analysis HWs samples at site to test their characteristics and the contents.
- 3) Sampling and analysis of the ground water, leachates at the site and adjoining areas
- 4) Ground water table data
- 5) Soil Characteristics

Based on the results of the analysis the feasibility of the following options was examined.

- i) Lifting and shifting of H.W. to Taloja CHWTSDF through special H.W. transporting vehicles for land filling. However, this option was not found suitable due to very large quantity of waste, problem during transportation and cost involved.
 - ii) Capping the heap of sludge in engineering manner at site on as is where is basis.
 - iii) Creating secured Land fill Cell in the same plot as per CPCB guidelines and filling by this H.W. and closing the site as one time SLF and carry out post closure monitoring.
- 6) The analysis report of HW indicated that HWs lying at Tarapur has become almost inactive since it was lying there for many years and can be safely land filled without any treatment.
 - 7) These options were studied and discussed with MIDC and NEERI and reported to SCMC for further approval to construct one time SLF. After considering all pros & cons of the solution, risks cost involved in transporting it was finally decided to create one time SLF on the same plot and accepted option third mentioned above.
 - 8) NEERI approved the SLF creation plan based on CPCB guidelines and other technical considerations.
 - 9) Accordingly, MIDC had invited the tenders for creating SLF and disposing the HWs.
 - 10) The various bids received by MIDC were evaluated from technical, commercial and financial angles and the work was awarded by MIDC to the selected vendor.

The work on establishing one time SLF at Tarapur with the technical assistance from NEERI has been completed and all hazardous waste (i.e. 1.5 lakh MT) dumped in MIDC and out side MIDC area in Tarapur has been completely disposed of in the SLF and the work of capping of the SLF is also completed . MPCB monitored the progress, through out the completion of SLF. MPCB has issued Consent to Operate to MIDC with a condition for post closure monitoring for next 5 years. Local Area Environment Committee Tarapur is assisting MPCB in its efforts to curb illegal toxic waste dumping. Local NGOs are also active in reporting any untoward incident of dumping of HW. Currently following post closure monitoring activity is being carried out at the SLF Tarapur.

- Monitoring of the leachate, if any, in the leachate collection sumps.
- Seven no of Peizometric wells are provided within an area of 50 to 500 meters in upstream and downstream directions of the SLF to monitor the ground water quality.

- Well equipped Laboratory is provided for analysis of the leachates, if any.
- Ambient air quality monitoring is carried out at specific interval.
- A grass lawn created on SLF is being maintained properly.
- SLF operator is submitting the monthly status report to MPCB.
- Both MPCB and MIDC are keeping strict vigil on illegal dumping of the HWs in Tarapur MIDC area.

B. Illegal Dumps of Hazardous Waste lying in various industrial areas

Currently there are no illegal HW dumps in any industrial areas in Maharashtra. The progress of clearing those illegal dumps has been reported from time to time to SCMC through the quarterly ATRs submitted by MPCB.

In the areas other than Tarapur, no ground water monitoring is being carried out since most of the dumps were located in the industrial areas and quantity of the dumps was very less. The villagers in the vicinity of MIDC areas do not depend on the ground water for drinking purposes and MIDC has a policy to supply clean treated drinking water to the villages in the area. MPCB is keeping strict vigil for avoiding illegal dumping of the hazardous wastes inside and outside MIDC industrial areas

10. Display of information regarding authorization on HWs

MPC has directed the industries for display of information regarding the HW generated by them and the other conditions of the authorization granted to them. Public Notice to this effect was issued through leading news papers in the State directing all concerned to ensure compliance of the Apex court orders in this regard.

Accordingly, 3800 industries have reported compliance of this directive. Some of the industries are closed due to various reasons. MPCB is monitoring the compliance of this directive by the remaining industries in the state.

11. Management & Recycling of Lead Acid Batteries

About 150,000 tons of batteries are discarded from automobiles, telecom equipment, railways etc. In compliance with the Lead-Acid Batteries (Management and Handling) Rules, 2001, MPCB took a region wise inventorization of the battery waste generation.

The step taken by MPCB to enforce the Rules and the level of implementation was appreciated. The compliance achieved by MPCB is one of the highest in the country in terms of collection of batteries from the dealers and also large consumers. The recovery rate in the State has been 65% from dealers as against the target of 90% given in the Rules. The percentage of the batteries returned to the dealers continues to be poor as compared to the percentage of batteries auctioned by the bulk consumers. Although the percentage in respect of collection of batteries by the dealers appears less the number of batteries returned to the dealers is more. The percent compliance in respect of bulk consumers is more or less steady and they are maintaining the compliance status.

It is observed that there is still a lack of awareness among the lead acid batteries consumers, dealers, bulk consumers, re-conditioners and assemblers, importers and recyclers about the compliance of Battery (M&H.) Rules, 2001. Efforts are being made by MPCB with the help of its Regional offices to create awareness among the various stake holders to ensure that they comply with the Batteries Rules. MPCB has also issued directions to Regional officers regarding stricter compliance of the Battery Rules in Maharashtra. MPCB is taking effective steps to achieve the compliance in this regard and needs more time to make appropriate inventory in this regard.

12. Infrastructure Strengthening

One of the directions issued by the Hon'ble Supreme Court is regarding strengthening of the State Pollution Control Boards by properly equipping and staffing them. The Apex Court has recognized that the strengthening of the State Pollution Control Boards is a pre-requisite to achieve the goals environment management and pollution control.

Armed with the orders from the Apex Court, Maharashtra Pollution Control Board had engaged the services of CRISIL Infrastructure Advisory to work out a detailed plan required for the institutional capacity building of the MPCB. The CRISIL carried out an in depth study of the existing infrastructure at MPCB in consultation with the technical experts and technical and non technical employees of the Board and prepared a plan. They also reviewed the functioning of the other Pollution Control Boards in the country and regulatory agencies abroad to suggest practical ways and means to strengthen the capacity of the Board to face the challenges arising out of implementation of various environmental legislations. The stakeholders from industries and NGOs also contributed in developing this plan further by giving their constructive criticism and comments. The study also considered the reports and recommendations made in the past for the strengthening of the State Pollution Control Boards. The present report therefore not only addresses organizational issues but also gives recommendations regarding the changes required in the style of the functioning of the MPCB in future to meet the regulatory needs.

The CRISIL report on Institutional Capacity Building of MPCB has been submitted to Hon'ble Supreme Court of India, Central Pollution Control Board (CPCB), and Ministry of Environment & Forests, Govt. of India. The report is also submitted to the Dept. of Environment, Govt. of Maharashtra. The State Government is yet to take a final decision on the recommendations made in this report on strengthening of MPCB in compliance with the orders of Supreme Court of India.

13. Compliance on SC directives regarding Plastic waste recycling

Government of Maharashtra had promulgated an Ordinance on 27.2.2006 for making the legislation on "Maharashtra Non-Bio-degradable Garbage (Control). The Government of Maharashtra in the Department of Environment issued notification on Plastic carry bags on 3.3.2006 under MPCB is designated as a competent authority to oversee enforcement of the provisions related to manufacture and recycling and authorized to grant registrations to the plastic bags manufacturing units in Maharashtra under the **Maharashtra Plastics Carry Bags (M & U) Rules, 2006**. MPCB Officers have been directed to enforce the provisions under these separate and new legal provisions of the state Government and submit compliance report as per those Rules. A separate Plastic Cell has been set up at MPCB Head Office in Mumbai to coordinate the actions to be taken under the new Rules. MPCB has issued Public notice on 14.3. 2006 and have sent individual directions to those units who had not obtained registration from the Board and have further directed them not to manufacture plastic bags of less than 50 microns and size of 8 X 12 inches and also it was made compulsory to stamp the Name, Address, weight of 100 carry bags , MPCB and DIC Registration numbers on the carry bags as per the new Rules.

As result of the directions issued to unregistered units 405 units approached to Board for obtaining the registration and MPCB has issued registration to 405 plastic bags manufacturing units in the Maharashtra. MPCB is monitoring the compliance of plastic bags manufacturing units by its Regional Offices in the state.

MPCB has sponsored to "UNAST" Group for organizing the Street Plays for creating the awareness among the peoples regarding plastic waste management. Till date they have completed 90 street plays at various places in Maharashtra.

14. Management of Bio Medical Wastes

There are 10,771 health care establishments (10 beds or more), which can be covered for regulations under the management of Bio Medical Wastes

Rules. With the intensive enforcement work, it was possible to bring them in the control regime under BMW Rules. MPCB has granted 8706 authorizations.

The Board has also taken proactive measures in facilitating development of about 37 common facilities for management of BMW in different cities in Maharashtra. The Board has issued directions under BMW rules to these common facilities for strictly maintaining the compliance of environmental standards.

15. Status of 209 Waste oil Containers

MPCB has completed the process of sampling of the waste oil, imported by 12 importers and stored in 213-containers (Waste Oil Containers is 190 Nos and Non Ferrous Metal Containers is 23 Nos.) from various CFS at JNPT under Section-11 of Environment (Protection) Act, 1986 as directed by SCMC. In spite of giving the notices to the importers by the Customs dept., they were absent and therefore the Customs department allowed MPCB representatives to collect samples in the absence of importers and accordingly the sampling exercise was completed.

28-nos of Composite Samples (24-nos of Samples from 137- loaded containers, 4-nos from 57-destuffed Containers, Total-190) were collected in presence of CFS representatives and Customs Appraisal officers. These collected samples were sent to CBCB Laboratory, New Delhi for analysis as per Schedule-5 & 6 of Hazardous Waste (M&H) Rules, 2003. It is informed by CPCB that they do not have the facilities to analyze the required parameters. CPCB has suggested the name of M/s AES Laboratories, Noida where the facility of analyzing all parameters is available. Accordingly MPCB has issued the Demand draft of Rs. 3.38 lakhs to M/s AES Laboratories as a analysis charges and the analysis report was received by MPCB and submitted to Hon'ble Supreme Court, MoEF and CPCB on 08.05.2007 for further orders.

16. Ship-breaking activity in MbPT area, Mumbai

The ship breaking activity in Maharashtra is limited at Lakri Bunder and Powder Works Bunder at Darukhana in Mumbai Port Trust Area. MbPT has earmarked 19 plots for ship breaking activity in Mumbai. MbPT has assured MPCB that the number of plots for ship breaking in their area shall not be increased in future. Besides, there is no regular allotment of plots to the ship breakers, as is being done in Alang, Gujarat, where the area is under the control of Gujarat Maritime Board. The plots are given to the ship breakers on arrival of the ship for breaking. Generally, smaller ships arrive at Mumbai for breaking. The authorizations have been granted to 27 ship breakers who operate in MbPT area. MPCB is keeping a strict vigil on this activity to ensure that there is no expansion of this activity at the existing location or on any other coastal stretches of

Maharashtra. It has accordingly informed Maharashtra Maritime Board to comply with the direction of the Apex Court in this regard.

The number of ships broken at MbPT during the reporting period is given in the table below:

Year	No. Of Ships Broken
September07-November 07	4

17. Levy of fine

MPCB had directed 59 industries to pay fine as per Rule 16 (3) of the H.W. Rules for unlawful storage of large quantities of HWs in their premises. They were also directed to send the HWs lying in their premises to CHWTSDFs. MPCB also took necessary action to levy the fine on such industries after ascertaining all the facts and appropriate amount of fine was recovered from them. The compliance of the directions issued by MPCB is being strictly monitored by the Regional officers of the Board.

Accordingly MPCB has recovered fine from 22 industries and cases of remaining industries to levy the fine are under consideration of the Board separately. MPCB also issued directions to the concerned Regional officers of the Board to take a regular follow up action and recover the fines from the defaulting industries.

MPCB has received a total amount Rs. 36, 52, 255/- as fine from the defaulting industries till 30.11.2007. Some industries have sought additional time and/or have requested personal hearing in the matter and also requested the Board to review of the fine levied on them for illegal storage of the HWs.

The levy of fine on the industries, for not taking the HWs to TSDFs, has a very positive impact and most of the industries have already sent the HWs illegally stored by them to the TSDFs. MPCB is continuously monitoring such industries through its field staff to ensure that HWs are disposed off in TSDFs by those industries. The on going action regarding recovery of the fine from the defaulters is being continued by the Board.

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