महाराष्ट्र कोस्टल झोन मॅनेजमेंट अॅथॉरिटी

फोननं. : ०२२-२२८५२६९६

क्र.Appeal—२०१६/ प्र.क.१६३/तां.क. ४
पर्यावरण विभाग,
मंत्रालय, १५ वा मजला, नविन प्रशासन भवन,
हुतात्मा राजगुरू चौक, मादाम कामा मार्ग,
मुंबई — ४०० ०३२
दि. १०/११/२०१६

प्रति,
सदस्य सचिव,
म. प्र. नि. मंडळ,
शीव , मुंबई -२२

M. P. C. BOARD
Inward Section
16/12/2016
Sion, Mumbai-22

विषय : अपिलेट प्राधिकरणाची बैठक दिनांक २८ मार्च, २०१६

प्रस्तुत प्रकरणी, M/s Lloyds Metals & Energy Ltd. (LMEL) यांनी जल व वायु प्रदूषण कायदयांतर्गत शासनाकडे दाखल केलेल्या अपिलावरील सुनावणी, प्रधान सचिव पर्यावरण तथा अध्यक्ष, अपिलेट प्राधिकरण यांचे मंत्रालयीन दालन क्रमांक २१७, दुसरा मजला, विस्तार इमारत, मंत्रालय, मुंबई येथे दिनांक २८ मार्च, २०१६ रोजी दुपारी ०३.०० वाजता आयोजित करण्यात आली होती.

सदर प्रकरणातील अपिलेट ऑथोरिटीच्या आदेशाची प्रत माहिती तथा पुढील कार्यवाहीसाठी सोबत जोडण्यात येत आहे..

सोबत: आदेशाची प्रत.

(दि. मा. सोनवणे)
शास्त्रज्ञ श्रेणी — २ पर्यावरण विभाग

प्रति,
मे लॉईड मेटल्स व एनर्जी लि.
घुग्गुस जिल्हा : चंद्रपूर.

प्रत: माहिती व उचित कार्यवाहीसाठी,
प्रधान सचिव (पर्यावरण) यांचे स्वीय सहायक, पर्यावरण विभाग, मंत्रालय, मुंबई

प्रत: तां.क. ४ कार्यासन (संग्रहार्थ)

Before the Appellate Authorities, constituted under the provisions of Water (Prevention & Control of Pollution) Act, 1974 & Air (Prevention & Control of Pollution) Act, 1981.

M/s. Lloyds Metals & Energy Ltd., (LMEL),
Plant-Plot No. A, T-2, MIDC Area,
Ghuggus, Dist. Chandrapur -442 505.
Through Shri P.K. Puri
Trade World, Kamala City,
Lower Parel, Mumbai – 400 013. .... Appellant

V/s.

The Maharashtra Pollution Control Board, Mumbai
Kalpataru Point, 2/3/4 floor,
Opposite Cine planet,
Near Sion Circle, Sion (East) .... Respondent

Date : 28/3/2016

ORDER

The Appeal filed by the Appellant under section 28 of the Water (Prevention & Control Pollution) Act, 1974 & under section 31 of the Air (Prevention & Control Pollution) Act, 1981, while aggrieved by the Consent to operate dated 28/12/2010 issued by MPCB to the Appellant. The said consent to operate is with revised terms & conditions & are more stringent than the earlier one & different. The Appeal was held on 28/03/2016.

During the course of hearing on 28/03/2016 on behalf of appellant Shri Prashant K Puri, Vice President & Shri Santosh Joshi, Manager were present. While Shri V. M. Motghare, Joint Director (Air), Shri Mirashe, Asst. Secretary (Technique) & Shri S. K. Purkar, Law Officer & Mrs. N. Kubal, Asst.

Law Officer were present on behalf of Respondent Board. As per the Appeal filed by the Appellant, it is contended that,

The appeal was heard on 28/03/2016. During the Course of hearing the applicant submit that Aggrieved by sudden arbitrary change in the conditions, which was thought of as typographical error, applicant immediately wrote to MPCB vide letter dated 26/09/2011 for review of consent dated 28/12/2010. And MPCB issued final directions dated 23/04/2015 for confirming the consent condition imposed in the consent to operate decision regarding standard of ESP has been taken on personal hearing extended by Hon'ble chair person of the MPCB on 05/10/2015 that applicant has achieve the ESP standard of 75 mg/Nm3 within 18 months for sponge and Iron plant and within 12 months for Power plants therefore no grievances remain. Applicant agreed to achieve the standard as per the decision taken by the Chairperson of MPCB in the personal hearing dated 28/3/2016.

Further the applicant submits that they accept the use of existing folding rubber belt conveyor system instead of tube conveyer.

The Respondent Board submit that incompliance of the NGT judgment dated 16/05/2014 joint team comprising of officials of the Respondent Board and Central Pollution Control Board the applicant's plant on 12/6/2014. Based on the report of the Joint Inspection the respondent Board has issued directions under Section 33 A of the Water (Prevention & Control of Pollution) Act, 1974 and the U/S 31 A of the Air (Prevention & Control of Pollution) Act, 1981 to the applicant vide letters dated 22/01/2015 & 23/04/2015 & also to ensure the compliance of the order passed by the NGT, WZ, Pune in Application No. 30/2014. The Board

further submit that Appellant's gauges area is Critical Air Pollution Area under CEPI therefore it is necessary for the industry to provide Tube conveyor belt to control the fugitive emission and prevent the air pollution. The ghuggus area is declared as Comprehensive Environmental Pollution Index.

After the submission made by applicant and MPCB Board authority passed the following order:

1) The applicant has to comply the decision taken by the Chairperson of the Board during the personal hearing extended to the appellant on 05/10/2015.
2) The applicant is directed to submit the proposal to the Maharashtra Pollution Control Board regarding folding rubber belt conveyor system instead of tube conveyer. After the receipt of submission of Appellant the MPCB may take the decision on the submission made by the Appellant as to whether folding rubber belt conveyor system is sufficient to control the air pollution and meet the CEPI guidelines.

Hence the matter is disposed of with above directions.

(Shri A. S. Gadge)	**(Shri Ashok Tawadiya)**	**(Malini Shankar)**
Member	**Member**	**Chairperson**
Appellate Authority	**Appellate Authority**	**Appellate Authority**