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15052

December 21, 2017

December 27 2017

To:

M/s Gujarat Maritime Board
Solid Waste Site, S.No. 325/1/1
Manar, Alang Dist. Bhavnagar, Gujarat

Sub: Directions under Section 5 of the Environment (Protection) Act, 1986 regarding installation of continuous stack emission monitoring system– Notice thereof

WHEREAS, M/s Gujarat Maritime Board (herein after referred as the unit) is engaged in operating Common Hazardous Waste Incinerator located at Solid Waste Site, S.No. 325/1/1, Manar, Alang Dist. Bhavnagar, Gujarat;

WHEREAS, there is need to inculcate the habit of self monitoring within the Common Incinerators for complying with the prescribed standards, and this can be achieved by the methods like installing online emission monitoring devices;

WHEREAS, for strengthening the monitoring and compliance through self regulatory mechanism, online continuous emission monitoring systems need to be installed and operated by Common Incinerators on 'Polluter Pays Principle';

WHEREAS, Central Pollution Control Board (herein after referred as CPCB) has published "Guidelines on Common Hazardous Waste Incineration" wherein continuous monitoring has been prescribed for parameters namely Carbon monoxide, Particulate matter, HCl, SO₂, NO_x and TOC under said guidelines;

WHEREAS, as per Rule 16 (4) of the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016, the operator of common facility or occupier of a captive facility shall be responsible for safe and environmentally sound operation of the facility and its closure and post closure phase, as per guidelines or standard operating procedures issued by the Central Pollution Control Board from time to time;

WHEREAS, CPCB issued direction under section 18(1)(b) of the Water (Prevention & Control of Pollution) Act, 1974 on February 05, 2014 to all State Pollution Control Boards (SPCBs) and Pollution Control Committees of the Union Territories (PCCs) to direct the Common Hazardous Waste Incinerators to install online continuous Stack emission monitoring system and upload the online emission monitoring data at SPCBs/PCCs and CPCB server by 31st March 2015;

WHEREAS, considering the requests/representations received from industries/ industrial associations/ SPCBs/PCCs, an extension of time up to 30th June 2015 was granted for installation of online continuous monitoring systems vide the direction issued on March 02, 2015;

WHEREAS, a letter dated May 29, 2015 was issued by the Chairman, CPCB to all SPCBs & PCCs, informing that no further time extension will be given after 30th June 2015, and withdrawal of consent along with forfeiture of the bank guarantee of non-complying units will be the only option;

WHEREAS, status on the installation of online continuous emission and its connectivity to CPCB server was sought in a prescribed format from the unit vide CPCB letter dated 17/11/2015 followed by reminder letter dated 03/08/2016;

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WHEREAS, in view of no response of the said directions and letters, the unit were conveyed by CPCB vide letter dated 13/11/2017 that non-connectivity of online emission data to CPCB server, has been viewed very seriously. In case the said online emission monitoring system for requisite parameters and its connectivity to CPCB server is not commissioned by 30/11/2017, CPCB would be constrained to take appropriate action under the provision of the Environment (Protection) Act, 1986 including actions against personnel responsible for operation of the Common hazardous waste Incinerator and closure of the facility;

WHEREAS, your reply dated 22/11/2017 has been examined and it has been observed that the Unit has not connected the said emission data to CPCB server;

WHEREAS, the Central Government vide Notifications No. S.O. 157(E) of February 27, 1996 and S.O. 730 (E) dated July 10, 2002, has delegated the powers vested under Section 5 of the Environment (Protection) Act, 1986 (29 of 1986) to the Chairman, CPCB, to issue directions to any industry or any local or any other authority for the violations of the standards and rules, notified under the Environment (Protection) Act, 1986 and amendments thereof;


NOW, THEREFORE, in view of the above facts and in exercise of the powers delegated to the Chairman, CPCB under Section 5 of the Environment (Protection) Act 1986, notice is hereby served to the unit to **Show Cause why the Common Hazardous Waste Incinerator should not be closed down and actions against personnel responsible for operation of the unit shall not be initiated, for not complying with the said installation of online continuous emission monitoring system and uploading of the said emission data at CPCB server.**

The reply to the Show cause Notice shall be submitted to this office within 15 days from the date of issuance of this notice failing which it will be presumed that the facility has nothing to say and action will be initiated as deemed fit under the provision of the Environment (Protection) Act 1986, and amendments thereof.


(S.P. Singh Parihar)
Chairman

Copy to:

1. The Chairman,
Gujarat Pollution Control Board
Paryavaran Bhawan, Sector 10-A,
Gandhi Nagar - 382010
2. The Joint Secretary (HSM Division)
Ministry of Environment, Forests and Climate Change
Indira Paryavaran Bhawan, Aliganj,
Jor Bagh Road, New Delhi - 110003
3. The Regional Director
Central Pollution Control Board
Parivesh Bhawan,
Opp. VMC Ward Office No. 10,
Subhanpura, Vadodara-390 023
- ✓ 4. I/c, IT, CPCB


(A.Sudhakar)
Member Secretary