

BY REGISTERED POST

F.No-B-29016(SC)/1(55-253)/17/HWMD/ 15710

December 28, 2017

To

M/s Shivam Petrochemical Industries
Plot No 1761/P, Vill-Gothda,
Tal: Savli, Dist-Vadodara
Gujarat-391770

REVOCATION OF DIRECTIONS ISSUED UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986, (NOTICE THEREFORE)

WHEREAS, the Central Government has notified the Hazardous and Other Wastes(Management & Transboundary Movement) Rules, 2016 (hereinafter referred to as HOWM Rules), under the Environment (Protection) Act, 1986, in supersession of the Hazardous Waste (Management, Handling and Transboundary Movement) Rules, 2008 for proper management and handling of hazardous and other wastes;

WHEREAS, M/s Shivam Petrochemical Industries (hereinafter referred as unit) had applied to CPCB for grant of approval under Rule 11 of Hazardous Waste (Management, Handling and Transboundary Movement) Rules, 2008 for utilization of Spent Solvent;

WHEREAS, in accordance with the provisions under the Rule 11 of Hazardous Waste (Management, Handling and Transboundary Movement) Rules, 2008, the unit was granted conditional approval by CPCB for utilization of Spent Solvent vide letter no B-29016(SC)/1(55-253)/15/HWMD/4891-93 dated 22nd September, 2015 with the term and condition stipulated therein;

WHEREAS, officials of CPCB inspected the unit on 22/03/2017 and observed that the unit was operational and following violations have been observed;

- i. Online analyzer for VOC at the condenser vent has not been installed besides non-connectivity of the online emission data to SPCB and CPCB server against the condition prescribed in the said conditional permission letter dated 22nd September, 2015;
- ii. There is no Effluent Treatment Plant and the effluent generated during the utilization process (RO rejects, blow downs etc.) are being discharged on land within the premises, whereas it was stipulated in the said conditional approval that the effluent generated from cooling tower shall be discharged as per the conditions stipulated by the concerned SPCB under the Water (Prevention and Control of Pollution) Act, 1974;
- iii. The overall environment management in view of storage of spent solvent in open area, leakage from the tanks, odor in process area due to VOCs emitted during transfer from column to drums, hazardous waste storage etc found unsatisfactory;
- iv. Drums are kept without any labeling, against the requirement under the HOWM Rules;

WHEREAS, directions dated May 18, 2017 was issued by CPCB under section 5 of Environment (Protection) Act, 1986 to show-notice within 15 days of issuance of the said direction that why the unit shall not be closed for the aforesaid violations;

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WHEREAS, the Hon'ble Supreme Court has passed orders dated 22/2/2017 in the matter of WP© No. 375/2012 (Paryavaran Suraksha Samiti and another Vs. Union of India and Others) that industry requiring Consent to Operate can be permitted to run only if its primary effluent treatment plant (ETP) is functional and meet the prescribed norm within a period of three months;

WHEREAS, based on the reply received from the unit to the aforesaid show-cause notice vide letter dated 30/05/2017, closure directions under Section 5 of the Environment (Protection) Act, 1986, was issued to the unit vide CPCB letter no. F.No-B-29016(SC)/1(55-253)/15/HWMD/7326 dated 21/06/2017 unless compliance with the following are submitted to CPCB:

- i. ETP is installed;
- ii. On-line connectivity of VOC data to CPCB and SPCB server is commissioned;
- iii. Storage shed for spent solvent and recovered solvent is installed along with provisions of vent for loading and unloading of spent and recovered solvent, as specified in the CPCB's SoP;

WHEREAS, based on the reply submitted by the unit vide their letter dated 18/08/2017, a team of officials of CPCB visited the unit on 24/08/2017 and observed the following:

1. The unit has installed ETP (for treatment of wastewater generated from Boiler Blow Down and RO Reject) comprising of mainly primary treatment process viz. Oil & Grease Trap , Neutralization Tank, Equalization Tank, Primary Settling Tank, Intermediate Collection Tank, Sand filter, Activated Carbon Filter and Final Treated Effluent Storage Tank. The sludge will be disposed at TSDF, Nandesari.
2. The unit has provided connectivity of VOC analyser (installed at the process vent) to CPCB server and the connectivity status of the same has been verified by CPCB, Delhi.
3. The unit has provided separate storage shed for the storage of spent/dilute solvent received in HDPE drums. The unit has also provided four (04) nos. of storage tank for receiving the solvent through tankers. The unit has kept provision for interconnection of vents of these storage tanks to reduce VOC emissions. The unit was informed to follow SoPs while loading and unloading of solvents.

WHEREAS, based on the above observations and improvement made by the unit, the aforesaid closure direction dated 21/06/2017, was revoked for a period of 45 days vide letter dated 22/09/2017 with a condition that during this period of 45 days, the unit shall commence its industrial operation and RD Vadodara, shall conduct performance evaluation of the Effluent Treatment Plant (ETP) vis-à-vis Gujarat PCB's Zero discharge condition.

WHEREAS, a team of officials of CPCB visited the unit on 26/10/2017 to assess the said performance evaluation of ETP vis-à-vis Gujarat PCB's Zero discharge condition and observed the following:

- (i). The unit was operational during the time of visit;
- (ii). During the visit, the ETP was also operational and the industrial effluent generated from manufacturing process alongwith ancillary industrial operation (boiler blow down and RO Reject) was treated in the ETP. The treated effluent was recycled to cooling tower as make up water, in compliance to the condition stipulated under Consolidated Consent to Operate & Authorisation (CC&A) issued by Gujarat PCB.
- (iii). CC&A issued by Gujarat PCB does not specify any standards for treated effluent as same is permitted to be reused and recycled in cooling tower. However, the inlet and outlet samples were analyzed for pH and COD. The ETP inlet effluent's pH and COD were found as 9.03 and 60 mg/l respectively and that of treated effluent was found as 7.37 and 40 mg/l, respectively.

WHEREAS, the Unit vide letter dated 04/12/2017 submitted the self-certificate of closure, copy of the valid Consent to Operate, proof of industry registration on CPCB portal, treated effluent analysis report and undertaking on the stamp paper and accordingly requested CPCB for revoke of closure directions;

WHEREAS, the status of OCEMS connectivity has been checked with CPCB, IT division and connectivity has been verified;

WHEREAS, the case of revocation of the closure directions issued to the unit was examined by the 'Committee' constituted by CPCB during its meeting convened on December 19, 2017 and the Committee recommended for revocation of Closure Directions issued to the Unit vide letter dated 21/06/2017;

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

NOW, THEREFORE, in view of the above and in exercise of the powers delegated to the Chairman, Central Pollution Control Board, under Section 5 of the Environment (Protection) Act, 1986, the said closure direction dated 21/06/2017 issued to the Unit is hereby revoked and the unit is hereby permitted to restart its industrial operations. However, the unit shall ensure compliance with the provisions laid down under the Hazardous Waste (Management, Handling and Transboundary Movement) Rules, 2008 and the Standard Operating Procedure and Checklist of minimal requisite facility issued by CPCB for utilisation of Spent Solvent to recover solvent.

In case of failure to comply with the said Rules and SoP, action as deemed appropriate under the provisions of the Environment (Protection) Act, 1986, will be initiated against the unit.

(S. P. Singh Parihar)
Chairman

Copy to:

1. The Member Secretary
Gujarat Pollution Control Board
Paryavaran Bhawan, Sector-10A,
Gandhi Nagar-382043 (Gujarat)
2. The Regional Director
Central Pollution Control Board
Parivesh Bhawan, Opp. VMC Ward
Office No. 10, Subhanpura
Vadodara - 390 023 (Gujarat)
3. MS, CPCB, Delhi.
4. /c IT Division, CPCB, Delhi



(A. Sudhakar)
Member Secretary

