

Speed Post

F.No-B-29016(SC)/1(55-253)/15/HWMD/7326

June 21, 2017

To

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

DIRECTION 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 Trasboundary 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;

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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;

WHEREAS, the unit replied the aforesaid show-cause notice vide letter dated 30/05/2017. The same has been examined;

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, 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 exercise of the power vested under Section 5 of the Environment (Protection) Act, 1986, the unit is, hereby, directed close all its industrial operations till:

- 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;

Upon installation of the above, compliance report along with supporting photographs shall be submitted to RD, CPCB, Vadodara, with a copy to this office for verification by the RD, CPCB, Vadodara. The unit shall not start its industrial operations until permission is granted by CPCB.

In case, the unit fails to comply with the above directions, further actions shall be initiated in accordance with the provisions of the Environment (Protection) Act, 1986, without any further notice.

(S. P. S. Parihar)
Chairman

Copy to:

1. The Member Secretary : For kind information, please
Gujarat Pollution Control Board
Paryavaran Bhawan, Sector-
10A, Gandhi Nagar-382043

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2. The Regional Director
Central Pollution Control Board
Parivesh Bhawan, Opp. VMC
Ward Office No. 10

To verify the compliance including performance of ETP upon receipt of the aforesaid compliance report from M/s Shivam Petrochemical Industries and submit report to Head Office, please.

✓ 3. The Incharge, IT Division



(A.B. Akolkar)