



BY REGISTERED AD

B-29016/04/06/IPC-I/15247

January 09, 2019

To,

The Deputy General Manager
M/s Oil & Natural Gas Corporation
Tatipaka Mini Refinery,
Nagaram Village, Mamidikuduru Mandal,
East Godavari District, Andhra Pradesh-533247

Sub: Directions under Section 5 of the Environment (Protection) Act, 1986 - reg.

WHEREAS, the Oil Refineries industries are identified as one of the 17 categories of highly polluting industries which have been discharging environmental pollutants directly or indirectly into the ambient air and water, having potential threat to cause adverse effect on the water and air quality; and

WHEREAS, a direction under section 18 (1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 was issued on February 05, 2014 to all the State Pollution Control Boards (SPCBs)/ Pollution Control Committees (PCCs) for installation of online emission monitoring system w.r.t. PM, CO, SO₂, NO_x parameters & online effluent monitoring system w.r.t. pH, TSS, COD, BOD and Flow parameters in Oil refineries industries; and

WHEREAS it was clarified that flow meter & web camera may be installed in case of Units with zero liquid discharge (ZLD) by March 31, 2015 vide guidelines uploaded on website of CPCB dated November 7, 2014; and

WHEREAS, Show Cause Notice under Section 5 of Environment (Protection) Act 1986, was issued by Central Pollution Control Board on July 22, 2015 to M/s Oil & Natural Gas Corporation, Tatipaka Mini Refinery to show cause as to why the unit should not be closed down if, the unit has not complied fully with the directions issued w.r.t. installation of online emission and effluent monitoring system by June 30, 2015. Further it was directed to submit documentary evidence regarding status of installation and connectivity; and

WHEREAS, letter was issued to the unit dated February 03, 2016 to install on-line emission and effluent monitoring system immediately and submit the documentary evidence for the same; and

WHEREAS, due to noncompliance Directions under section 5 the Environment (Protection) Act, 1986 were issued to the unit dated July 22, 2016 to close down all operation of the unit with immediate effect till online emission and effluent monitoring system are installed in notified process units/ areas and the same are uplinked with CPCB website; and

WHEREAS, the unit informed via letter dated February 27, 2017 that the installation of OCEMS has been completed. To this effect, the unit has submitted duly signed Self Certificate dated February 28, 2017. The unit also provided URL, User-id and Password for the online data view and requested to revoke the closure direction; and

WHEREAS, the connectivity of online data submitted by the Unit was verified and compliance was observed on March 22, 2017 by the CPCB; and

WHEREAS, Letter was issued to the unit dated April 12, 2017 to provide self-certificate indicating the date of closure of operation & no reply is received from the unit till date; and

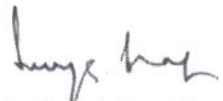
WHEREAS, revoke direction u/s 5 of Environment (Protection) Act, 1986 issued to the unit on July 26, 2017 in which it is mentioned that the unit has not closed its manufacturing operation after receipt of CPCB closure direction, which is non-compliance of the closure direction issued by CPCB under section 5 of the E(P) Act, 1986 vide letter dated July 22, 2016 for which action as per law shall be initiated separately; and

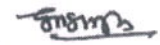
WHEREAS, The Hon'ble National Green Tribunal (NGT), Principal Bench in the matter of OA No. 593/2017 (WP (CIVIL) No. 375/2012, Paryavaran Suraksha Samiti & Anr. Vs. Union of India & Ors. directed Central Pollution Control Board (CPCB) to take penal action for failure, if any, against those accountable for setting up and maintaining STPs, CETPs and ETPs and CPCB may also assess and recover compensation for damage to the environment and said fund may be kept in a separate account and utilized in terms of an action plan for protection of the environment; and

WHEREAS, as per formula derived for EC by CPCB, the total environmental compensation charge was calculated Rs 73,20,000 and same shall be deposited by the unit at CPCB within 15 days for the non-compliance period (July 22, 2016 to March 22, 2017); and

WHEREAS, the Ministry of Environment & Forests, Government of India, vide Notifications No. S. O. 157 (E) of 27.02.1996 and S. O. 730 (E) dated 10.07.2002, has delegated the powers vested under Section 5 of the Environment (Protection) Act, 1986 (29 of 1986) to the Chairman, Central Pollution Control Board, to issue directions to any industry or any local body or any other authority for violations of the standards and rules notified under the Environment (Protection) Rules, 1986 and amendment thereof.

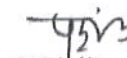
NOW, THEREFORE, in exercise of powers vested to Chairman CPCB under Section 5 of the Environment (Protection) Act, 1986, and the Unit (**M/ Oil & Natural Gas Corporation, Tatipaka Mini Refinery**) directed to deposit Rs 73,20,000/- within 15 days in CPCB A/c No. 532702050000164 (Bank name: Union Bank Of India, IP Extension Branch, Vikas Marg Extn., Delhi; IFSC: **UBIN0553271**). In case of non-compliance by the Unit action as deemed fit under the provisions of Environment (P) Act, 1986 shall be taken.


(S.P. Singh Parihar)
Chairman


10/01/19

Copy to:

1. The Chairman
A.P. Pollution Control Board
Paryavaran Bhawan, Industrial Estate,
Sanath Nagar, Hyderabad-500 038, A.P.
2. The Advisor (CP Division)
Ministry of Environment, Forests and Climate Change
Prithvi Wing, 2nd Floor, Room No. 216, Indira
Paryavaran Bhawan Aliganj, Jor Bagh Road, New Delhi - 110003
3. The Regional Directorate
Central Pollution Control Board
1st & 2nd Floors, Nisarga Bhavan, A-Block,
Thimmaiah Main Road, 7th D Cross, Shivanagar, Opp.
Pushpanjali Theatre, Bangalore -560 010
4. The Incharge, IT, CPCB
5. The Incharge, IPC-VI, CPCB


(Prashant Gargava)
Member Secretary