

Speed Post

B-29016/IPC-I/Dye/146 8017

October 21, 2019

To

M/s Vivid Global Industries Ltd.
Plot No. D-21/1, MIDC Tarapur,
Taluk & District Palghar,
Maharashtra - 401506

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

WHEREAS, Dye & Dye Intermediate units 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 effluent monitoring system w.r.t. pH, TSS, BOD, COD, Cr, & Flow parameters in Dye & Dye Intermediate 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, Central Pollution Control Board, Regional Directorate, Vadodara inspected **M/s Vivid Global Industries Ltd., Plot No. D-21/1, MIDC Tarapur, Taluk & District Palghar, Maharashtra - 401506** on March 14, 2018 on the basis of offline status of Online Continuous Effluent Monitoring System and made the following observations:

1. The unit was operational during the visit. The unit failed to provide the data regarding raw material consumption and product manufactured.
2. The unit generates 40 KLPD of trade effluent which is treated in Effluent Treatment Plant of 50 KLD. The unit has not installed web camera (PTZ) which is requisite as per condition of Consent to Operate.
3. Effluent is collected in open channels as well as in pits at several locations. From the pit, effluent is conveyed to main collection tank manually using bucket.
4. The unit has 12 reactors for various steps of manufacturing. Leakages from reactors and obnoxious fumes from nutche filter were observed.
5. Large amount of liquid was found in pits and PVC drums without any identification mark. The effluent was found overflowing in low lying areas near pits due to improper and unlined drainage for effluent which has potential for water and soil pollution.
6. Leakage from effluent pumps was abandoned in nearby soil.
7. Large amount of solid waste was observed within the premises as well as outside at several locations.
8. The unit has two vents, but the approach to stacks for monitoring has not been provided.
9. The stack of DG set was situated within the shed of DG set.

WHEREAS, it was verified by the IT division of the CPCB on 23.04.2018 that the unit has not installed the web camera and has not provided its connectivity to the Central Pollution Control Board; and

WHEREAS, it was observed that the overflow of the effluent to low lying areas near effluent storage pits. may cause ground water and soil pollution and also the leakage from effluent pumps which was observed abandoned in nearby soil may cause a grave injury to the environment; and

WHEREAS, as per Section 4, Sub section (5) of The Environment (Protection) Rules, 1986; In case where the Central Government is of the opinion that in view of the likelihood of a grave injury to the environment it is not expedient to provide an opportunity to file objections against the proposed direction, it may, for reasons to be recorded in writing, issue directions without providing such an opportunity; and

WHEREAS, CPCB issued closure direction u/s 5 of E(P) Act, 1986 to the Unit vide letter dated May 07, 2018 in view of the above stated observed shortcomings; and

WHEREAS, the Unit challenged the said closure direction in Hon'ble National Green Tribunal (NGT) and Hon'ble NGT vide order dated May 31, 2018 directed the Central Pollution Control Board and State Pollution Control Board to jointly inspect the Unit for verification of compliance of CPCB direction; and

WHEREAS, CPCB conducted the joint inspection with Maharashtra Pollution Control Board on June 12, 2018 and the Unit was observed partially complying with the CPCB directions dated May 07, 2018; and

WHEREAS, Hon'ble National Green Tribunal (NGT) vide order dated August 01, 2018 disposed off the application and ordered that CPCB & Maharashtra Pollution Control Board are at liberty to take action in accordance with law; and

WHEREAS, a letter from the CPCB dated August 07, 2018 was issued to the Unit that the Unit shall remain closed till full compliance is achieved w.r.t CPCB closure direction dated May 07, 2018; and

WHEREAS, the Unit submitted reply vide letter dated December 11, 2018 that the unit is in process of achieving full compliance w.r.t CPCB closure direction dated May 07, 2018; and

WHEREAS, the Unit submitted a letter dated January 02, 2019 and compliance report along with the copy of consent valid up to December 31, 2021 and a duly notarized undertaking wherein it is mentioned that the Unit has complied with all the directions issued by CPCB and that in case any noncompliance is found during verification by CPCB officials, the Unit will suspend all operations; and

WHEREAS, the Unit has submitted a letter dated January 29, 2019 wherein it was mentioned the Unit has received the CPCB direction on May 15, 2018 and the Unit has closed plant operation w.e.f May 16, 2018 w.r.t CPCB direction dated May 07, 2018; and; and

WHEREAS, to verify the compliance of directions issued by CPCB, inspection of the Unit was carried out on March 13, 2019 by CPCB, Regional Directorate, Vadodara; and

WHEREAS, the Unit was found operational during said inspection and analysis result of the grab sample collected from condensate water of evaporator which is used in gardening purpose reveals that treated effluent is not complying with the MPCB prescribed norms (w.r.t. pH 10.31 > 5.5-9.0); and

WHEREAS, the Unit was inspected by CPCB Regional Directorate, Vadodara on March 13, 2019 and found that the Unit was in operation, which is non-compliance of the closure direction u/s 5 of Environment (Protection) Act, 1986 issued by CPCB on May 07, 2018; and

WHEREAS, a closure direction vide letter dated May 15, 2019 was issued to the Unit and CPCB imposed environmental compensation of Rs. 3,600, 000/- on the Unit for non-compliance period; and

WHEREAS, the Unit has submitted the environmental compensation of Rs. 3,600, 000/- to CPCB as per the receipt dated June 03, 2019; and

WHEREAS, the closure direction was revoked vide letter dated July 26, 2019 with a condition that the Unit shall submit performance assessment of the treatment system by analysis of treated effluent from Institute of Chemical Technology, Mumbai within 60 days of start of its operation; and

WHEREAS, as per the condition of revocation direction, inspection of the Unit carried out by CPCB RD, Vadodara on September 11, 2019 to verify Zero Liquid Discharge (ZLD) compliance and the following was observed:

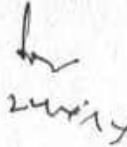
1. Acidic Wastewater was flowing openly on ground within the premises near entrance area and backside of the Unit and out of the boundaries of the Unit.
2. The inspecting team collected sample from condensate storage tank and analysis results shows that the condensate which is used in process & gardening exceeds the Maharashtra Pollution Control Board (MPCB) prescribed norms w.r.t. parameters viz **TSS: 480 > 100 mg/l, BOD: 311 > 100 mg/l, COD: 5136 > 250 mg/l and TDS: 2142 > 2100 mg/l and not fit for gardening also.**
3. The provisions for transfer of effluent from one Unit to another unit of ETP were found defunct. Transfer lines from filtrate storage sump to evaporator feed tank and collection sump of evaporator concentrate to evaporator feed tank were found disconnected and pumps were not in working condition.
4. The Unit has not installed web camera in the ETP area.

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; and

NOW, THEREFORE, based on all facts and observations, in exercise of powers vested under Section 5 of the Environment (Protection) Act, 1986, **M/s Vivid Global Industries Ltd., Plot No. D-21/1, MIDC Tarapur, Taluk & District Palghar, Maharashtra - 401506** is hereby directed to close its operation and shall not resume its operations till written permission to operate is obtained from CPCB and following directions are complied with:

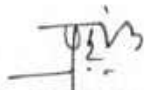
1. The Unit shall maintain and operate Effluent Treatment Plant properly so as to achieve prescribed standards of Maharashtra Pollution Control Board.
2. The Unit shall evaporate 100% treated effluent so as to achieve Zero Liquid Discharge (ZLD) and condensate shall not be used for gardening purpose.
3. The Unit shall ensure that any discharge of effluent to environment be immediately stopped.
4. The Unit shall ensure that all the subunits of ETP are properly connected and well maintained.
5. The Unit shall install the web camera in ETP area and provide its data connectivity to CPCB.

In case of failure to comply with the said directions necessary action as deemed fit under the provision of the Environment (Protection) Act, 1986 will be taken by Central Pollution Control Board.


(S.P. Singh Parihar)
Chairman

Copy to:

1. The Chairman
Maharashtra State Pollution Control Board
Kalpataru Point, 3rd & 4th floors
Sion Matunga Scheme, Road No. 8
Opp. Cine Planet, Sion Circle, Sion (E)
Mumbai – 400 022 : With request to ensure closure of the Unit.
2. The Superintending Engineer
Maharashtra State Electricity Distribution Co. Ltd.
Office of the Superintending Engineer
Vidyut Bhawan, 1st Floor, Manor Road,
Palghar (West)-401404 : With request to ensure disconnection of industrial electricity supply of the Unit, allowing supply only for domestic & security purpose.
3. The District Magistrate
Collector Office, 2nd Floor,
Parshwnath 9, Bidco Naka, Palghar-401404
Maharashtra : With request to ensure immediate closure of the Unit.
4. The Joint Secretary (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
5. The Regional Director
Central Pollution Control Board
Parivesh Bhawan, Opp. VMC Ward Office No. 10
Subhanpura, Vadodra-390 023
- ✓ 6. The Incharge, IT, CPCB
7. IPC-VI, CPCB


(Prashant Gargava)
Member Secretary