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F.No- B-29016(SC)/G-13/19/WM-II/ 12569

March 04, 2020

To

M/s Continental Petroleum Ltd.,
Plot No. - A - 166 & F 162 -165
RIICO Industrial Area, Bheror
District Alwar, Rajasthan

DIRECTIONS ISSUED UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986 IN CASE OF M/S CONTINENTAL PETROLEUM LTD., ALWAR, RAJASTHAN - NOTICE THEREOF.

WHEREAS, M/s Continental Petroleum Ltd., (herein after referred as the unit) is engaged in operating Common Hazardous Waste Incinerator located at Plot No. A-166 & F-162-165 RIICO Industrial Area, Behror, Rajasthan;

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 was sought in a prescribed format from the unit vide CPCB letter dated November 17, 2015 followed by reminder letter dated August 03, 2016;

WHEREAS, directions dated December 27, 2017 was issued by CPCB under section 5 of Environment (Protection) Act, 1986 to show-cause within 15 days of issuance of the said direction that why the Common hazardous Waste Incinerator shall not be closed down and actions be initiated for not installing the online continuous emission monitoring system and connecting the same to CPCB server;

WHEREAS, the unit's reply dated December 26, 2017 has been examined and it has been observed that the unit has not yet installed the said online emission monitoring system and also not connected the said emission data to CPCB server, The unit vide letter no. CPL/2017-18/CPCB/0903 dated March 09, 2018 has informed that On-line Continuous Emission Monitoring System and connectivity with CPCB and SPCB sever shall be commissioned by 15/05/2018.

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;

WHEREAS, in exercise of the powers vested under the Section 5 of the Environment (Protection) Act, 1986, the unit was issued following directions vide no. B-29016(SC)/1/17/WM-II/18982 dated 20/03/2018 and the unit was asked to submit action taken report to CPCB within 15 days of issuance of this direction;

- i. Not to operate the incinerator as common incinerator facility till online continuous emission monitoring system is commissioned and connected with CPCB and SPCB server. However, the said incinerator may be operated for captive disposal of hazardous waste (generated within the unit) in compliance with conditions stipulated under CTO by Rajasthan PCB, and;
- ii. In case of violation of the same, environmental compensation will be levied by CPCB on the unit for each day of violations based on pollution index.

WHEREAS, the unit's reply dated 26/08/2019 was examined and the following observations are made:

- i. The unit has installed Online Continuous stack emission Monitoring System and the same

has been connected with CPCB server and RSPCB server on 17/05/2018 and 07/08/2018 respectively.

NOW, THEREFORE, in exercise of the powers delegated vested under Section 5 of the Environment (Protection) Act, 1986, and the observations made as above, directions dated 20/03/2018 is, hereby, revoked.

The unit shall ensure compliance with the provisions laid down under the Hazardous and Other Wastes (Management & Transboundary Movement) Rules, 2016. In case of failure to comply with said Rules, action as deemed appropriate under the provisions of the Environment (Protection) Act, 1986, will be initiated against the unit.



(Ravi S. Prasad)
Chairman

Copy to:

1. The Member Secretary
Rajasthan Pollution Control Board
Institutional Area, Jhalana Doongri
Jaipur — 302 004, Rajasthan
2. The Advisor (CP 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 4th Floor,
Sahkar Bhawan North TT Nagar, Bhopal - 462 003
4. MS, CPCB, Delhi
5. I/c, IT, CPCB



(Prashant Gargava)
Member Secretary