



BY REGISTERED AD

B-29016/04/06/IPC-I/ 1319
To,

April 23, 2019

M/s Hindustan Petroleum Corporation Ltd.,
Mumbai Refinery, B D Patil Marg,
Mahul, Chembur, Mumbai,
Maharashtra-400074

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, Show Cause Notice under Section 5 of Environment (Protection) Act 1986, was issued by Central Pollution Control Board on July 22, 2015 to the unit 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, Unit has provided the connectivity of the online monitoring system as per detail registered by the unit on Aug 14, 2015 and as per IT division report dated March 16, 2017; and

WHEREAS, Unit was shortlisted for inspection based on no exceedance under OCEMS surveillance programme during 15 July, 2018 - 15 August, 2018 month; and

WHEREAS, Central Pollution Control Board, Regional Directorate, Vadodara inspected the unit on October 04, 2018 and observed the following:

1. Oil analyser was apparently faulty as visually oil slick observed in nalla but the oil analyser was giving reading as zero mg/l.
2. Some of the oily sludge (crude oil sludge) was observed kept on unlined surface near crude oil tank area. The seepage from sludge shaker/ centrifuge area (in crude Tank area) were passing to the BRC drains.
3. Several drums filled with asphalt as well as rain water/ wastewater was observed in asphalt loading area. Some of the effluents were also observed on open floor where the tanks are kept.
4. In the crude farm area, the leachate from crude oil was observed leaked on ground and apparently covered with soil.

WHEREAS, Unit was not provided OCEMS connectivity for the measurement of effluent monitoring parameters TSS, BOD, and COD as per inspection report and CPCB, IT division report dated October 30, 2018; and

WHEREAS, Unit (M/s Hindustan Petroleum Corporation Ltd., Mumbai Refinery, Maharashtra) was not provided OCEMS connectivity w.r.t PM analysers in 18 Stacks out of 31 stacks where it is needed and for CO analyser w.r.t 03 stacks (Stack-PDS, Stack-NFCCU and Stack-FGSU1) as per IT division report dated October 30, 2018; and

WHEREAS, the unit was not provided complete OCEMS connectivity, unit was not stopped production/ operation as per self-certificate submitted by the unit dated February 28, 2019 which is non-compliance of the direction issued by CPCB under section 5 of the E(P) Act, 1986, action as per law shall be initiated separately and environmental compensation charges imposed till the compliance is achieved; and

WHEREAS, Unit has installed PM analyser in pending Stacks and provided connectivity as per CPCB IT Division report dated March 05, 2019; and

WHEREAS, Unit has provided OCEMS connectivity for the measurement of effluent monitoring parameters TSS, BOD, and COD as per IT division report dated March 05, 2019; and

WHEREAS, Unit has submitted the point wise compliance of CPCB direction with undertaking on stamp paper; and

WHEREAS, CPCB constituted a Three-member committee vide office order dated 03.10.2017 having representative(s) from CPCB and MoEF&CC for examination and recommendation for revocation of the closure direction issued by CPCB; and

WHEREAS, the Three-member committee in its meeting held on 04.04.2019 examined the compliance report submitted by the Unit and recommended for revocation of closure direction with following conditions that:

1. Unit shall ensure uninterrupted connectivity with CPCB server.

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. 25,20,000 /- and same shall be deposited by the unit in CPCB A/c No. 532702050000164 (Bank name: Union Bank Of India, IP Extension Branch, Vikas Marg Extn., Delhi; IFSC: UBIN0553271) within 15 days for the non-compliance period (Date of closure direction December 12, 2018 to March 05, 2019 i.e complete OCEMS connectivity as per CPCB, IT Division report); 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 view of the above and in exercise of powers vested to the Chairman, Central Pollution Control Board under Section 5 of the Environment (Protection) Act, 1986, direction issued to **M/s Hindustan Petroleum Corporation Ltd., Mumbai Refinery, Maharashtra** vide letter dated December 12, 2018 is hereby revoked with following conditions that:


1. Unit shall ensure uninterrupted connectivity with CPCB server.
2. Unit shall submit the environmental compensation charge of Rs. 25, 20, 000 /- for non-compliance period of 84 days w.r.t. non-installation and non-connectivity of OCEMS completely in all stacks and not closed/stopped operation / production as per CPCB direction.

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 Member Secretary
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
2. The Chairman & Managing Director,
Maharashtra State Electricity Distribution
Company Limited Hongkong Bank Building,
M.G. Road, Fort, Mumbai-400001.
3. The Regional Director
Central Pollution Control Board
Parivesh Bhawan, Opp. VMC Ward Office No. 10
Subhanpura, Vadodra-390 023
4. The Advisor (CP Division)
Ministry of Environment, Forests and Climate Change
Prithvi Wing, 2nd Floor, Room No. 216
Indira Paryavaran Bhawan, Aliganj,
JorBagh Road, New Delhi – 110003
5. I/c IPC-VI, CPCB
- ✓ 6. The In-charge, IT, CPCB


(A. Sudhakar)
Member Secretary