



SPEED POST

No.: B-33014/186 (CNG_Iron & Steel)/2017/IPC-II/ 3580

Nov 09, 2017

To

M/s. JSW Steel (Salav) Ltd.
(Formerly M/s. Welspun Maxsteel Ltd.)
Vill - Salav, P.O.- Revdanda
Tal - Murud, Dist - Raigad
Maharashtra

Sub.: Revocation of Closure Directions issued under Section 5 of the Environment (Protection) Act, 1986 regarding Non-connectivity of on-line effluent and emission monitoring system.

Ref.: Letter No. B-33014/3/2017/IPC-II/1509, dated 06.04.2017 (dispatched on 22.04.2017)

WHEREAS, integrated steel plants and sponge iron 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, Central Government has notified the standards for discharge of environmental pollutants from various categories of industries under the Environment (Protection) Act, 1986 and the rules framed there under; and

WHEREAS, there is need to inculcate habit of self-monitoring within the industries for complying with the prescribed standards and this can be achieved by the methods like installing online effluent and emission monitoring devices; and

WHEREAS, for strengthening the monitoring and compliance through self-regulatory mechanism, online source emission and effluent monitoring systems need to be installed and operated by the industries on 'polluter pays principle'; 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 and SO₂ parameters & online effluent monitoring system w.r.t. pH, BOD, COD and TSS in iron & steel industries; and

WHEREAS, effluent parameters phenol and cyanide were added for online installation in iron and steel plants with by-product recovery type coke ovens; and

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M/s. JSW Steel (Salav) Ltd., Vill - Salav, P.O.- Revdanda, Tal - Murud, Dist - Raigad, Maharashtra

1 of 4

WHEREAS, considering the requests/ representations received from industries/ industrial associations/ SPCBs / PCCs, an extension of time up to June 30, 2015 for installation of online monitoring systems was granted vide direction dated March 02, 2015 under section 18 (1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981; and

WHEREAS, a letter vides dated May 29, 2015 was issued by the Chairman CPCB to all the SPCBs/ PCCs informing that no further extension of time will be given after June 30, 2015 and withdrawal of consent to operate along with forfeiture of bank guarantee of non-complying units; and

WHEREAS, concerned SPCB/ PCC issued directions under section 33A of the Water (Prevention & Control of Pollution) Act, 1974 and section 31A of the Air (Prevention & Control of Pollution) Act, 1981 to install the online monitoring system by June 30, 2015 and to submit bank guarantee of 100% of the cost of online emission & effluent monitoring system; 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; and

WHEREAS, Show Cause Notice under Section 5 of Environment (Protection) Act 1986, was issued on July 23, 2015 to all integrated iron & steel plants and sponge iron units 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 & effluent monitoring system by June 30, 2015. Further it was directed to submit documentary evidence regarding status of installation and connectivity; and

WHEREAS, M/s. JSW Steel (Salav) Ltd., (Formerly M/s. Welspun Maxsteel Ltd.) Vill - Salav, P.O.- Revdanda, Tal - Murud, Dist - Raigad, Maharashtra had failed to install online monitoring system and provide 24x7 online connectivity to CPCB server for effluent and emission monitoring system till February 28, 2017. Therefore, in exercise of powers vested under Section 5 of the Environment (Protection) Act, 1986, M M/s. JSW Steel (Salav) Ltd., (Formerly M/s. Welspun Maxsteel Ltd.) Vill - Salav, P.O.- Revdanda, Tal - Murud, Dist - Raigad, Maharashtra had been directed on 6.4.2017 to close down its operation with immediate effect due to non-compliance of the notice issued on July 23, 2015 and installation and providing 24x7 online connectivity to CPCB server for effluent and emission monitoring system as per guidelines of CPCB; and

WHEREAS, a representation from the industry vide letter dated 29.04.2017 is received in response to aforesaid closure direction and besides, the unit has filed a Writ Petition under Civil Appellate Jurisdiction in the Hon'ble High Court of Judicature at Bombay vide Writ Petition No. 5381 of 2017.




WHEREAS, an order has been passed by Hon'ble High Court of Judicature at Bombay vide Order dated 4.5.2017 stated that "At their request, stand over to 13th June, 2017. In the meantime, no coercive steps shall be taken against the petitioner on the basis of the impugned order"; and

WHEREAS, a representation from the industry vide letter dated 17.06.2017 is received in response to aforesaid closure direction, wherein it is communicated that the unit has installed online monitoring system (OCEMS) and its connectivity with CPCB Server has been established. The response has been examined and it is noted that the connectivity of the OCEMS installed by the unit has been established with CPCB Server; and

WHEREAS, a meeting of the committee for revocation of closure directions was held on 07.11.2017 and it recommended for revocation.

NOW, therefore in view of above, the closure direction dated April 06, 2017 issued u/s 5 of the Environment (Protection) Act, 1986 to M/s. JSW Steel (Salav) Ltd., (Formerly M/s. Welspun Maxsteel Ltd.) Vill - Salav, P.O.- Revdanda, Tal - Murud, Dist - Raigad, Maharashtra is hereby revoked with the following conditions:

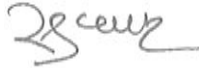
- (i) The industry shall operate only with valid consent under the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, & Authorization under H&OW (M&TBM) Rules, 2016.
- (ii) The industry shall ensure continuous data transmission from online emission and effluent monitoring systems to CPCB and SPCB servers.
- (iii) The present directions shall have no contravention and be subject to any further directions of Hon'ble High Court of Judicature at Bombay in WP No. 5381 of 2017.
- (iv) If any non-compliance is found with respect to any of the aforesaid conditions or relevant matter under the provisions of the Environment (Protection) Act, 1986, this Revocation Order will stand cancelled automatically and Closure Directions issued vide letter No. B-33014/3/2017/IPC-II/1509, dated 06.04.2017 shall stand revived with immediate effect.
- (v) Any expansion of the existing project in future shall be intimated to CPCB/SPCB and applicability /scope of the installation of OCEMS will be subjected to further verification.


[S. P. S Parihar]
Chairman

Copy to:

1. The Chairman
Maharashtra Pollution Control Board
Kalpataru Point, 3rd and 4th Floor,
Opp. Cine Planet, Sion Circle,
Mumbai - 400022
2. The Additional 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
3. The Chairman & MD
Maharashtra State Electricity Distribution Company Limited.
Hongkong Bank Building,
M.G. Road, Fort, Mumbai - 400001
4. The Regional Directorate (West)
Central Pollution Control Board
Parivesh Bhawan,
Opp. VMC Ward Office No. 10
Subhanpura, Vadodara - 390023 (Gujarat)
5. The Divisional Head- IT, CPCB, Delhi
6. The Divisional Head- IPC-VI, CPCB, Delhi

-To carryout inspection of the unit within one month for submission of the report before the committee as per decision dt 7.11.2017


[A.Sudhakar]
Member Secretary

