

MAHARASHTRA POLLUTION CONTROL BOARD

Regional Office, Navi-Mumbai

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Sec-11, C.B.D. Belapur,
Navi Mumbai- 400 614.

No: MPCB/RONM/ 2212270006

Date: - 27/12/2022

To,
M/s. Zirconium Chemicals Pvt Ltd,
Plot No. V-7, MIDC Taloja,
Tal. Panvel, Dist. Raigad.

Sub: - Proposed Directions under the provisions of Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 and Hazardous & Other Waste (Management and Trans-boundary Movement) Rules 2016.

Ref.:- 1. Consent to Operate issued by Board to your industry.
2. Analysis Reports communicated by MIDC/CETP Taloja vide email dtd. 31.10.2022 & 16.12.2022.
3. Various Orders / Judgments passed by Hon'ble National Green Tribunal, Principal Bench, New Delhi in O.A.No.125/2017 filed by Arvind Mhatre V/s MoEF & CC and Ors.

WHEREAS, the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 is applicable to the State of Maharashtra as declared in official gazette. **AND WHEREAS**, your industry falls under the said declared area.

AND WHEREAS, it is obligatory on your part to obtain Consent to Establish to your activity U/s 25 and Consent to Operate to your activity U/s 26 of the Water (Prevention & Control of Pollution) Act, 1974 and U/s 21 of the Air (Prevention & Control of Pollution) Act, 1981 and Authorization under Rule 6 of the Hazardous & Other Wastes (Management & Transboundary Movement) Rules 2016 & amended thereof (To be referred as Water Act, Air Act and HW (M&TM) Rules respectively) and to achieve the compliance thereof.

AND WHEREAS, it was obligatory on your part to take adequate control measures and to provide adequate and suitable pollution control equipment and take adequate measure to control pollution from all sources to achieve the standards prescribed by the Board as per Environmental (Protection) Act, 1986 and so as not to cause nuisance to surrounding area / inhabitants. It was also obligatory on your part to operate & maintain all pollution control systems & avoid cause nuisance to surrounding area.

AND WHEREAS, MIDC/ CETP has collected samples of the industry and communicated analysis reports to this office vide email dtd. 31.10.2022 & 16.12.2022 and reported that the samples collected on 04.10.2022, **COD-682 mg/lit**, again sample collected on 15.10.2022 **COD-450 mg/lit**, again sample collected on 09.11.2022 **COD-289 mg/lit**, again sample collected on 27.11.2022 **COD-578 mg/lit** shows exceeding parameters, which are exceeding the consented/prescribed environmental standards limits.

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AND WHEREAS, You have not operating & maintaining your effluent treatment plant (ETP) in an efficient and scientific manner, due to which effluent having high **COD** and not conforming consented standard. You have not provided adequate ETP to treat the trade effluent and which needs its up-gradation.

AND WHEREAS, The disposal of effluent is not confirming the prescribed standards and affect the performance of the CETP. Please note that non-confirming of consent condition attracts towards legal action against you under provision of Water (Prevention and Control Pollution) Act, 1974.

AND WHEREAS, Hon'ble National Green Tribunal, Principal Bench, New Delhi Judgment dtd.17.08.2018 in Original application No.125/2017 filed by Arvind Mhatre V/s MoEF & CC and Ors. Vide ref. No. 06. The Orders of the Tribunal in para.No.04 mention that on 11th May, 2018, it was noted that the CETP was not made functional. Accordingly, the Pollution Control Board was directed to ensure that the industries not operating their ETPs and releasing their untreated effluents be shut down.

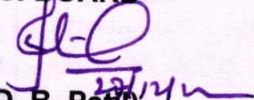
AND WHEREAS, after examining all the reports and records available with this office, I Regional Officer, Navi-Mumbai have come to the conclusion that you are knowingly and willfully violating the provisions of Water (P & CP) Act, 1974 and Air (P & CP) Act, 1981 read with Hazardous & Other Wastes (Management & Transboundary Movement) Rules 2016 and operating your industry without providing adequate pollution control systems.

NOW THEREFORE, in exercise of the powers conferred upon me by the Board u/s. 33A of the Water (Prevention & Control of Pollution) Act, 1974 and u/s. 31A of Air (P&CP) Act, 1981, you are hereby directed to:

- 1) Why your consent shall not be revoked?
- 2) Why your manufacturing activity shall not be stopped till you take the remedial measures in respect of above non-compliances?
- 3) Why the concerned competent authorities shall not be directed to disconnect water and / or electricity supply to your factory?

Your reply / objections if any shall be submitted within 04 days from the receipt of this notice failing which the Board will issue above directions as may deem fit in your case which may please be noted.

**FOR AND ON BEHALF OF THE
M. P. C. BOARD**


(D. B. Patil)
Regional Officer, Navi-Mumbai

Copy Submitted to:-

- 1) Regional Officer (HQ), MPC Board, Sion.

Copy to :-

- 1) Sub-Regional Officer, Taloja, MPC Board, Mumbai.
- He is directed to serve the copy to above said unit & submit compliance of the same time to time.
- 2) Master file.