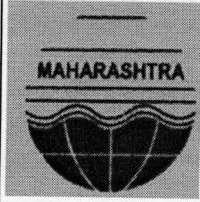


MAHARASHTRA POLLUTION CONTROL BOARD			
Phone :	4010437/4020781 /4037124/4035273		
Fax :	24044532/4024068 /4023516		
Email :	robmw@mpcb.gov.in		
Visit At :	http://mpcb.gov.in		
		Kalpataru Point, 3rd & 4th floor, Sion-Matunga Scheme Road No. 8, Opp. Cine Planet Cinema, Near Sion Circle, Sion (E), Mumbai - 400 022	

No. MPCB/RO(HQ)/H&OW/HW_AUTH-0000001961/B-22/1000029

Date: 28/11/2022

To
M/s. Fortune Metscrap,
Office at: Survey No. 224,
Barne Wasti, Moshi, Pune

Sub: Refusal of Application under Section 6(4) of the Hazardous & other Wastes (Management & Transboundary Movement) Rules, 2016.

Ref: 1) Application No. MPCB-HW_AUTH-0000001961.
2) Application forwarded by Sub Regional Officer Tarapur.
3) SCN issued by Board vide letter dtd: 24/08/2022.
4) Your reply dtd: 25/08/2022.
5) Letter from MOEF & CC dtd: 21/01/2022

.....

WHEREAS, you have applied for Grant of Authorisation under Rule 6 (1) of the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016.

AND WHEREAS, after scrutiny of the said application it is observed that you have applied for Ship Breaking Activity at Wrecksite of the Barge Gal Constructor in front of Wadrai Beach, Palghar Maharashtra (GPS Location- Latitude: 19° 39.822' N, Longitude: 72° 41.870' E).

AND WHEREAS, Board has issued Show Cause Notice for non-submission of CRZ clearance and Environmental Clearance for proposed activity of ship breaking.

AND WHEREAS, you have submitted reply to the Show Cause Notice issued vide letter dtd: 25/08/2022. Wherein you have stated that your activity is not Shipbreaking activity and it is removal of wreck or removal of a grounded ship as per the Shipbreaking Code (revised), 2013, Ministry of Shipping, Gol. Also you have further stated that if the Environmental Clearance/CRZ is mandatory to your said activity of removal of wreck or removal of a grounded ship, Maritime Board itself have asked them to obtain the same.

AND WHEREAS, in context of another similar application for drifted and grounded/ stuck ship due to Cyclone "NISARGA" hit on 03/06/2020 at area of PandraMad, Bhati Mirya, Ratnagiri, Maharashtra, MPC Board has communicate MoEF & CC for guidance vide letter dtd. 15/11/2021.

AND WHEREAS, as per the letter received from MOEF & CC referred above at Sr. No. 5, the Ship Breaking Activity comes under item 7(b) of EIA Notification, 2006 and as amended and covers "All ship breaking yards including ship breaking units" and further states that an exemption from applicability of environmental clearance cannot be granted for the said activity and asked MPC Board to advise the proponent to complete the application process on the Parivesh Portal of the Ministry under EIA Notification 2006 for grant of Environmental and CRZ clearance for one time Ship breaking activity.

...2/-

AND WHEREAS, you have not submitted Environmental Clearance along with the reply to SCN referred above at Sr. No. 3.

In view of above, your application for grant of of Authorisation is hereby refused under Section 6(4) of the Hazardous & other Wastes (Management & Transboundary Movement) Rules, 2016.

You may prefer an appeal in Form 12 under provisions of Rule 24 of the the Hazardous & other Wastes (Management & Transboundary Movement) Rules, 2016 to the Appellate Authority, against refusal order passed as per provision under Section 6(4) of the Hazardous & other Wastes (Management & Transboundary Movement) Rules, 2016 by the Maharashtra Pollution Control Board, in case aggrieved by the refusal order, within a period of 30 days from the date of receipt of this refusal order.

This refusal order is issued with the prior approval from the competent authority of the Board.



Regional Officer (BMW)

Copy to:

- 1) Sr. Law Officer (P & L Divn.)/ Regional Officer (BMW), MPCB, Mumbai – for information and necessary follow up.
- 2) Regional Officer, MPCB, Thane / Sub Regional Officer, MPCB, Tarapur - II – For information.