

**REPORT OF JOINT COMMITTEE IN COMPLIANCE OF ORDER
DATED 03.07.2019 OF HON'BLE NGT, PRINCIPAL BENCH,
NEW DELHI IN THE MATTER OF M/S VAPI SPECTROCHEM
PVT LTD & M/S PERCYNIC CHEMICAL, VAPI IN OA NO. 823
OF 2018 (RANVEER SINGH VS STATE OF GUJARAT)**

(As per order of Hon'ble NGT, Principal Bench, New Delhi in OA No. 823/2018 dated 03.07.2019 in
the matter of Ranveer Singh Vrs. State Of Gujarat)

**Prepared
By**

	
CENTRAL POLLUTION CONTROL BOARD Regional Directorate (West), Vadodara	GUJARAT POLLUTION CONTROL BOARD Regional Office, Vapi

FOR SUBMISSION TO

**HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

AUGUST 2019

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MATTER OF M/S VAPI SPECTROCHEM PVT LTD & M/S PERCYNIC CHEMICAL,
VAPI IN OA NO. 823 OF 2018 (RANVEER SINGH VS STATE OF GUJARAT)**

1.0 BACKGROUND:

Hon'ble National Green Tribunal (NGT), Principal Bench, New Delhi had passed an order on 18.12.2018 in Original Application No. 823/2018 (Ranveer Singh Vs State of Gujarat) for the joint committee comprising of CPCB & GPCB to furnish a report with reference to complaint alleging M/s Vapi Spectrochem Pvt Ltd and M/s Percynic Chemicals discharging harmful chemicals called Aniline in the ground water which is harmful to public health and in violation of the Water (Prevention & Control of Pollution) Act, 1974. The Application is registered based on a complaint received by e-mail.

Meanwhile, based on the complaints received from Shri Ranveer Singh, GPCB had visited the two industries M/s Percynic Chemicals plot No. A2/12 & M/s Vapi Spectrochem Pvt Ltd, Plot No. 3A & 3B in Phase-I, GIDC, Vapi and further issued closure directions under section-5 of E (P) Act, 1986 due to violation of Hazardous & Other Waste (Management & Transboundary Movement) Rules, 2016 to both the industries and subsequently electricity (on 10.10.2018) and water supply had been disconnected (on 15.10.2018).

In accordance to the said order dated 18.12.2018 of Hon'ble NGT, team comprising of officials from the Regional Directorate (West) of Central Pollution Control Board (CPCB) and Regional Office (RO), Gujarat Pollution Control Board (GPCB), Vapi had carried out joint inspection-cum-monitoring at M/s Percynic Chemicals & M/s Vapi Spectrochem Pvt. Ltd, Phase-I, GIDC Estate Vapi on 28.12.2018 & 01.01.2019 and report (January 2019) submitted to Hon'ble NGT by email on dated 17.01.2019.

Based on the consideration of the report (January 2019), Hon'ble NGT passed an order on 01.03.2019 and directed the joint committee to take further appropriate action in the matter and to oversee assessment and collection of compensation for the damage caused, preventive and remedial action for restoration of the environment.

Accordingly, the committee carried out inspection-cum-monitoring and prepared report (May 2019) which is submitted to Hon'ble NGT by GPCB which is attached as **Annexure-1**. Further, Hon'ble NGT passed an order on 03.07.2019 (**Annexure-2**) with directions to file a fresh report be filed by the joint committee in which justification for revoking the closure order without adequate precautionary measures to check the pollution be shown and mention the cost of restoration for the damage caused to the environment and if facts warrant, revised compensation be recovered, apart from other preventive and remedial measures in accordance with law.

The industry was visited on 14.08.2019 by the following CPCB & GPCB officials (committee members and other GPCB officials)

1. Shri Pratik D. Bharne, Scientist-E, CPCB, RD, Vadodara
2. Shri Samarth Ninama, Jr Scientific Asstt, CPCB, RD, Vadodara
3. Shri B.R. Gajjar, Regional Officer, GPCB, RO, Vapi
4. Shri B.G. Hadiya, Asstt Env Engineer, GPCB, RO, Vapi

Shri Nishit Merchant and Shri Shashank Merchant, Directors & other industry employees were present during the inspection and provided the information.

2.0 REPORT OF THE JOINT COMMITTEE (MAY 2019) AS PER ORDER 01.03.2019 (Annexure-1)

During the first inspection-cum-monitoring committee on 28.12.2018 as per order of Hon'ble NGT dated 18.12.2018, certain recommendations were given in the report (January 2019) which was filed to the NGT. Further, Hon'ble NGT passed an order on 01.03.2019 for further appropriate action in the matter and to oversee assessment and collection of compensation for the damage caused, preventive and remedial action for restoration of the environment.

Accordingly, the committee (GPCB& CPCB) carried out second inspection-cum-monitoring on 20.04.2019 and prepared joint report(May 2019) which was submitted on 31.05.2019 to Hon'ble NGT by GPCB. After submission of said Joint committee report (May 2019), GPCB being nodal agency (as per order of Hon'ble NGT dated 18.12.2018), submitted action taken report to Hon'ble NGT through e-mail (ngt.filing@gmail.com; filing.ngt@gmail.com) on 25.06.2019 with signature of GPCB official.

2.1 EXCERPTS FROM OBSERVATIONS & CONCLUSION OF THE REPORT OF THE JOINT COMMITTEE (MAY 2019):

In accordance with order dated 01.03.2019, the industry was asked to submit the Environmental Site Assessment (ESA) Report, as party responsible for illegal disposal, prepared by experienced professional/organization as per CPCB guideline-*"Implementing liabilities For Environment Damages Due to handling & Disposal of Hazardous Waste and Penalty, 2016"*. Further, industry submitted its ESA report prepared by M/s Pollucon Laboratory, which is recognized under Environment (Protection) Act, 1986 and accredited by National Accreditation Board for Laboratories (NABL). Thereafter, the joint committee made inspection and carried out monitoring soil and groundwater on 20.04.2018 to cross verification of ESA-1 & ESA-2 and verified of compliance of recommendations made in the report of January 2019

The industry was not in operation since 10.10.2018 (power disconnected) due to closure direction from GPCB. The unit took remedial actions. The industry has spent Rs. 14,07,284/- for waste and contaminated soil disposal to TSDF (M/s VGEL), Rs. 1,60,654/- for piezo metric well for sampling and Rs. 7,90,590/- for various testing and studies. Thus, for removing waste, contaminated soil, providing piezo metric well & for testing of contamination unit spent Rs. 23, 58,528/-.

Based on ESA report and inspection of the committee, a report of May-2019 was prepared & main gist of the report is as follow,

- Remaining contaminated soil is disposed off(after first visit of the committee) at TSDF site in addition to earlier disposal. In total, the industry has removed 770 MT iron waste & contaminated soil (total since 22.10.2018-14.03.2019) and disposed to TSDF, Vapi through manifest, as remediation.
- Soil is not contaminated with aniline, TCA and TNCB due to removal of waste and contaminated soil. The analysis of samples of random soil sampling by the committee was carried out on 20.04.2019. In it- Iron, Zinc, Lead, Cadmium, Nickel, Copper, Manganese shows the concentration below screening levels and some are also BDL.).
- Aniline, TCA & TNCB not detected in groundwater as per ESA study and committee recent sampling (20.04.2019) results. The metals concentration levels shows below screening levels except Nickel, Manganese and Iron per ESA study. The analysis of samples of recent random groundwater sampling by Committee (on 20.04.2019) shows BDL for Iron, Zinc, Lead, Cadmium, Nickel whereas the concentration of Copper near about with reference samples.
- No injuries, fatality or adverse impact to operation team. No adverse health effect on workers as per medical report is observed.

The industry has already excavated iron waste (which was dumped earlier) and excavated contaminated soil from the three premises and disposed to TSDF (M/s VGEL), as remediation. The remaining iron waste has been stored in designated storage area in Plot-3A. The industry has obtained CTE for the converting iron waste to iron pigment as product and provided required machinery (pulverizer along with APCD). These are the preventive measures adopted by the industry. The industry has complied with other recommendations of the earlier report (January 2019).

Penalty: As per the recommendation in the earlier report (January 2019), penalty should be imposed based on the CPCB guidelines “Implementing Liabilities for the Environmental Damages due to handling & Disposal of hazardous Waste and penalty”. Accordingly, it is recommended that as industry has violated Hazardous & Other Waste (Management & Trans boundary Movement) Rules 2016 under the Environment (Protection) Act, 1986 by illegal dumping of hazardous waste (iron waste) and also recently dumped overburden

soil/contaminated soil near Rata village (which removed and sent to TSDF due to complaints to GPCB). The penalty of Rs. 2,00,000 should be taken due to these two violations (Maximum Rs.1,00,000 per violation, as per guideline on implementing liabilities for environmental damages due to handling & disposal of hazardous waste and penalty.)

Environmental Compensation:

In addition to the penalty, though the industry has removed the waste and contaminated soil and sent to TSDF for disposal (as restoration/remediation), Environmental Compensation, as deterrent effect, as follows should be taken. Environmental compensation is calculated as per formula given in Hon'ble NGT Order in matter OA No. 593/2017, dated on 19.02.2019, as Environment Compensation = PI (Pollution Index of industrial sector) x N (Number of days of violation took place) x R (A factor in Rupees (₹) for EC) x S (Factor for scale of operation) x LF (Location factor). Thus, Environment Compensation of Rs. 13, 08,000/- should be taken from the industry.

Base on the observations and conclusions following recommendations were made in the Report May 2019:

- The penalty of Rs. 2,00,000 may be taken from the industry due to illegal dumping of waste which was violation of HoW (M & TM), Rules 2016 under E (P) Act, 1986
- Environmental Compensation of Rs. 13,08,000 may be taken from the industry.
- The industry should carry out the groundwater and soil sampling on six monthly basis and results shall be submitted to GPCB.

3.0 REVOCATION OF CLOSURE ORDERS ISSUED BY GPCB:

Based on environmental compliance measures taken by the industry and as per observations of the joint committee report of May 2019, GPCB vide order dated 16.06.2019 (**Annexure-3**) revoked closure order dated 15.10.2018 issued to M/s Vapi Spectrochem Pvt Ltd, similarly, vide revocation order dated 04.07.2019 (**Annexure-4**), revoked the closure order dated 15.10.2018 issued to M/s Percynic Chemicals, based on environmental compliance & there is no industrial activity carried out by unit on this plot.

- Unit has removed 770 MT of hazardous waste and contaminated soil from M/s Percynic Chemicals, A/2-12, Phase-1, GIDC, vapi and from M/s Vapi Spectrochem

Pvt Ltd Plot 3A & 3 B phase-1, GIDC Vapi and disposed to TSDF Vapi through manifest

- The unit has submitted preliminary assessment report of contaminated site as per CPCB guideline for implementing liability for environmental damages due to handling and disposal of hazardous waste and penalty
- The committee has submitted report to the Hon'ble NGT in matter of OA No. 823 /2018

With conditions to pay penalty of Rs. 2,00,000/- and Environmental Compensation Rs.13,08,000/- and unit shall carry out groundwater and soil sampling on every six month and shall submit the results to GPCB.

Upon receipt of revocation order, the industry- M/s Vapi Spectrochem Pvt Ltd paid (1) Rs. 13,08,000/- as Environment Compensation on 21.06.2019(2) Rs. 2,00,000/- as penalty on 21.06.2019 for illegal dumping of hazardous waste through RTGS in GPCB.

4.0 SUBMISSION OF THE JOINT COMMITTEE WITH REFERENCE TO ORDER DATED 03.07.2019 OF HON'BLE NGT

4.1 REGARDING JUSTIFICATION FOR REVOCATION OF CLOSURE:

It was found and as mentioned in the second report (May 2019) that the industry has complied with recommendations of the first report of the committee, the industry has already excavated iron waste and contaminated soil from three plots and disposed to TSDF (M/s VGEL) as remediation/restoration, remaining iron waste store in the designated storage area in the premises of M/s Vapi Spectrochem Pvt Ltd, Plot No. 3A, and the industry has obtained CTE for converting iron waste to iron pigment as product and provided required machinery (pulveriser along with APCD). These preventive measures are taken by the industry to prevent any contamination of soil/groundwater. As per second monitoring report of the committee (May 2019), there was no contamination of Aniline as alleged by complainant in groundwater as well as soil samples. Further, the industry-M/s Vapi Spectrochem Pvt Ltd paid (1) Rs. 13,08,000/- as Environment Compensation on 21.06.2019(2) Rs. 2,00,000/- as penalty on 21.06.2019 for illegal

dumping of hazardous waste through RTGS in GPCB. Besides this, the unit is penalized in terms of loss of any functional gain due to closure of almost 8 months of period.

Based on environmental compliance measures taken and as per observations of the joint committee report of May 2019, closure order dated 15.10.2018 issued to M/s Vapi Spectrochem Pvt Ltd was revoked vide revocation order dated 16.06.2019, similarly the closure order dated 15.10.2018 issued to M/s Percynic Chemicals was also revoked by GPCB vide revocation order dated 04.07.2019. Thus, the M/s Vapi Spectrochem Pvt Ltd was remained closed for about 8 months whereas M/s Percynic Chemicals was already closed since long.

GPCB has initiated criminal prosecution under section 19 of the Environment (protection) Act, 1986 against M/s Vapi Spectrochem Pvt Ltd on 04.04.2019 vide Criminal Case No - 1084/2019 in Taluka Court, Vapi.

In addition, Committee had recommendation "Unit shall carry out ground water and soil sampling on six month basis and result shall be submitted to GPCB" so it was for self-regulation through industrial unit in addition to surveillance monitoring of GPCB.

4.2 REGARDING COST OF RESTORATION AND ADEQUACY OF AMOUNT OF COMPENSATION TO MEET SUCH COST

It is mentioned in the report of the Joint Committee (May 2019) that as per the direction of the GPCB, the industry has excavated/removed the iron waste and contaminated soil from three plots (total 770 MT) and disposed to TSDF (M/s VGEL), Vapi for proper disposal as restoration/remediation. The industry- M/s Vapi Spectrochem Pvt Ltd has spent Rs. 14,07,284/- for waste and contaminated soil disposal to TSDF (M/s VGEL), Rs. 1,60,654/- for piezo metric well for sampling and Rs. 7,90,590 for various testing and studies. In total, the industry has spent Rs. 23,58,528/- towards removing waste& contaminated soil, providing piezo metric well & testing of contamination/studies.

Further, as per committee recommendations, and subsequent GPCB order, the industry-M/s Vapi Spectrochem Pvt Ltd has deposited Penalty of Rs. 2,00,000 and Environmental Compensation of Rs. 13,08,000 to GPCB.

As mentioned in the conclusion of Joint Committee Report (May 2019), industrial unit-M/s Vapi Spectrochem Pvt Ltd has completed remediation/restoration by way of removing iron waste and contaminated soil from M/s Percynic Chemicals plot No. A2/12 & M/s Vapi Spectrochem Pvt Ltd, Plot No. 3A & 3B in Phase-I, GIDC, Vapi to TSDF and which is reported in ESA-1 & ESA-2, as well in Joint committee report (May-2019). It reveals that soil is now not contaminated with Aniline, TCA and 2,4,5 chlorobenzene (raw materials/product). Regarding ground water, Aniline, TCA and 2,4,5 chlorobenzene were not detected and heavy metals such as Iron, Zinc, Lead, Cadmium, Nickel shows Below detectable Limit and copper is near about reference sample. So as in view of above, further remediation/ restoration is not required, and therefore there shall not be restoration cost opined by the Joint Committee.

4.2.1 Environmental Compensation from M/s Percynic Chemicals:

As the industrial premises M/s Percynic Chemical was used for the illegal/unauthorized disposal of Iron Oxide waste by M/s Vapi Spectrochem Pvt Ltd and GPCB has issued closure as well as revocation directions, the Environmental Compensation of the same amount i.e. Rs. 13,08,000 may be taken from M/s Percynic Chemicals.

4.3 Submission regarding Inspection-cum-Monitoring by GPCB & Joint Committee (GPCB & CPCB)

It is mentioned in the order that...*“polluting unit itself to carry out the sampling hardly meets the mandate of law. The regulator Board cannot avoid its statutory duty as guardian and protector of environment. The report purports to be only by the Gujarat State PCB while the order of this Tribunal was for a report to be given by the joint Committee which was also to comprise of the CPCB.....”*

It is submitted that The as per Joint committee Report (may 2019) and revocation order dated 16.06.2019, it is mentioned that “Unit shall carry out ground water and soil sampling on six month basis and result shall be submitted to GPCB”. This was recommended for the self-regulation through industrial unit in addition to surveillance monitoring of GPCB.

Based on the complaint (dated 15.09.2018) received from Shri Ranveer Singh, GPCB had started inspection on 15.09.2018 and continued inspection-cum-monitoring of two industries M/s Percynic Chemicals plot No. A2/12 & M/s Vapi Spectrochem Pvt Ltd, Plot No. 3A & 3B in Phase-I, GIDC, Vapi and issued closure directions under section-5 of E (P) Act, 1986 due to violation of Hazardous & Other Waste (Management & Transboundary Movement) Rules, 2016. The units were visited no. of times for the verification of the compliance of the closure direction.

Further, joint committee (GPCB & CPCB) carried out inspection-cum- monitoring on 27.12.2018 & 20.04.2019 as per Hon’ble NGT order dated 18.12.2019 and 01.03.2019 and submitted joint committee reports in stipulated time. The Joint committee reports were filed to Hon’ble NGT by GPCB being Nodal Agency.

4.4 Regarding cost of rupees one lakh be deposited by the Gujarat State PCB with the CPCB within one month

As per Hon’ble NGT Order dated 03.07.2019.... *“cost of Rupees one lakh be deposited by the Gujarat State PCB with the CPCB within one month for acting against the letter and spirit of order of this Tribunal.....”*.

In this regard, GPCB has deposited Rs. 1 lakh vide UTR No. SBIN319217290123 689726 dated 05.08.2019, with the CPCB.

5.0 Inspection of Joint Committee on 14.08.2019:

Subsequent to the order dated 03.07.2019, the committee visited the industry- M/s Vapi Spectrochem Pvt Ltd and observed that the industry was operational at @ 50 % capacity and industry was started its operation from 20.06.2019. The iron waste was found stored at designated place under the shed on cemented platform. The house keeping was found normal.

The committee also visited premises of M/s Percynic Chemicals, Plot No. A2/12 and Open plot of M/s Vapi Spectrochem Pvt Ltd, Plot No. 3B and it was found that there was no dumping of iron waste. The photographs taken during the visits are provided at **Annexure-5**.

During earlier visits on 27.12.2018 and 20.04.2019, M/s Percynic Chemical, Plot No. A2/12, was open and shed without any machinery. However, during the recent visit on 14.08.2019, it was observed that the premise has been rented for engineering purpose. Engineering machineries were observed within the shed and repairing of the shed was going on.

6.0 Recommendation:

- Environmental Compensation of Rs. 13,08,000 may be taken from M/s Percynic Chemicals.



B.R. Gajjar,
Regional Officer, GPCB, Vapi



Pratik Bharne
Scientist 'E', CPCB, RD, Vadodara

**REPORT ON JOINT INSPECTION OF
M/S VAPI SPECTROCHEM PVT LTD AND M/S
PERCYNIC CHEMICAL, VAPI IN COMPLIANCE
OF ORDER OF HON'BLE NGT, PRINCIPAL
BENCH, NEW DELHI**

(As per order of Hon'ble NGT, Principal Bench, New Delhi in OA No. 823/2018 dated 01.03.2019 in the matter of Ranveer Singh Vrs. State Of Gujarat)

**Prepared
By**

	 Gujarat Pollution Control Board
CENTRAL POLLUTION CONTROL BOARD Regional Directorate (West), Vadodara	GUJARAT POLLUTION CONTROL BOARD Regional Office, Vapi

FOR SUBMISSION TO

**HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

MAY 2019

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REPORT OF JOINT INSPECTION OF M/S VAPI SPECTROCHEM PVT LTD AND M/S PERCYNIC CHEMICAL, VAPI IN COMPLIANCE OF ORDER OF HON'BLE NGT, PRINCIPAL BENCH, NEW DELHI IN THE MATTER OF RANVEER SINGH VRS. STATE OF GUJARAT [OA No.823/2018]

1.0 BACKGROUND:

Hon'ble National Green Tribunal (NGT), Principal Bench, New Delhi had passed an order on 18.12.2018 in Original Application No. 823/2018 (Ranveer Singh Vs State of Gujarat) for the joint committee comprising of CPCB & GPCB to furnish a report with reference to complaint alleging M/s Vapi Spectrochem Pvt Ltd and M/s Percynic Chemicals discharging harmful chemicals called Aniline in the ground water which is harmful to public health and in violation of the Water (Prevention & Control of Pollution) Act, 1974. The Application is registered based on a complaint received by e-mail. In accordance to the said order, team comprising of officials from the Regional Directorate (West) of Central Pollution Control Board (CPCB) and Regional Office (RO), Gujarat Pollution Control Board (GPCB), Vapi had carried out joint inspection-cum-monitoring at M/s Percynic Chemicals & M/s Vapi Spectrochem Pvt. Ltd, Phase-I, GIDC Estate Vapi on 28.12.2018 & 01.01.2019 and report submitted to Hon'ble NGT by email on dated 17.01.2019.

Based on the consideration of the report, Hon'ble NGT passed an order on 01.03.2019 (**Annexure-1**) and directed the joint committee to take further appropriate action in the matter and to oversee assessment and collection of compensation for the damage caused, preventive and remedial action for restoration of the environment.

The recommendations of the report are reproduced as:

“RECOMMENDATIONS:

- *Penalty should be imposed based on the CPCB guidelines “Implementing Liabilities For Environmental Damages Due to Handling & Disposal of Hazardous Waste and Penalty “January 2016, as the industry has illegally dumped huge quantum of iron waste on ground in their premises,*

- *Detailed assessment of contamination in soil as well as groundwater should be carried out. Further, depending upon the contamination, remediation of contamination may be carried out.*
- *The industry should provide proper air pollution control system to recovery unit & pulverizer for iron waste collection and further making of product- Iron Oxide Black (as per CTE) to avoid iron dust in the area.*
- *The industry should provide proper dike system for the storage tanks of 2,4,5Trichloro nitro benzene & storage area for other Chemicals to avoid any spillage on ground in case of emergency.*
- *The industry should recover 2,4,5 TCA from intermediate cut i.e. 2,4,5 TCA & iron oxide which have stored in both the premises.*
- *There should be designated areas for the storage of raw material, waste and products. Boiler ash should be properly disposed off.*
- *Housekeeping should be improved. “*

Accordingly, the industry (M/s Vapi Spectrochem Pvt Ltd) was visited on 09.04.2019 by the officials of the CPCB & GPCB. Based on the visit and considering CPCB Guidelines on “Implementing liabilities for Environment damages due to handling & disposal of Hazardous waste and penalty”, the industry was asked on 13.04.2019 carry out Environmental Site Assessment (ESA) studies as mentioned in said guidelines. Further, the industry has carried out Environmental Site Assessment Studies (ESA-1 & ESA-2) from M/s Pollucon Laboratories pvt Ltd, (recognized under E (P) Act and NABL accredited) and submitted report.

The industry was visited on 20.04.2019 by the following CPCB & GPCB officials (committee members and other GPCB officials)

1. Shri Pratik D. Bharne, Scientist-E,CPCB,RD(W),Vadodara
2. Shri B.R. Gajjar, Regional Officer, GPCB, RO, Vapi
3. Shri B.G. Hadiya, AsttEnv Engineer, GPCB, RO, Vapi
4. Shri N. M. Kawar, Sr Scientific Assistant, GPCB, RO, Vapi

Shri Nishit Merchant, Director & other industry employees were present during the inspection and provided the information.

2.0 ENVIRONMENTAL SITE ASSESSMENT (ESA 1 & 2):

One of the recommendations of the earlier report (January 2019) was for detailed assessment of contamination in soil as well as groundwater should be carried out and further, depending upon the contamination, remediation of contamination may be carried out. Accordingly, the industry was asked to submit Environmental Site Assessment Report as per Guidelines on implementing liabilities for Environment damages due to handling & disposal of Hazardous waste and penalty (CPCB Jan 2016).

The industry submitted ESA-1 & ESA-2 reports. The ESA was carried out by M/S Pollucon Laboratories Pvt. Ltd., Surat which is recognized under E (P) Act, 1986 and NABL accredited laboratory.

The laboratory carried out soil and groundwater samplings on 08.02.2019 to see any contamination of soil, ground water from premises where earlier iron waste were dumped which were subsequently removed/scrapped and waste & contaminated soil were disposed to TSDF (VGEL), Vapi. Reference samples, away from impacted site/industrial premises, were also collected for comparison purpose.

The details of sampling locations for soil sampling and ground water sampling are given in **Table:1** and **Table:2** respectively. The parameters were selected based on the raw material (Trichloro Nitro Benzene, Cast Iron Powder), product (Trichloro Aniline) and other metals in Cast Iron Powder which is one of raw material. The soil samples analyzed for parameters -pH, Aniline, Trichloro Aniline, Trichloro Nitro Benzene, Fe and other heavy metal like Zn, Cu, Pb, Cd, Mn, Cr and Ni. The groundwater samples analyzed for parameters- pH, TSS, TDS, BOD, COD, NH3-N, TKN, Aniline, Trichloro Aniline (TCA), Trichloro Nitro Benzene (TCNB), Fe and other heavy metal like Zn, Cu, Pb, Cd, Mn, Cr and Ni. The Analysis results of soil sampling and groundwater sampling are given in **Annexure-2 & Annexure-3** respectively.

Table 1: DETAILS OF SOIL SAMPLING LOCATION- M/S PERCYNICCHEMICAL&M/s VAPI SPECTROCHEM PVT LTD (Plot 3 A & 3B)

Sample Code	Location Description(s)
	Premises of M/s Vapi Spectrochem Pvt Ltd Plot 3 B (Vacant plot)
S-1	Location -1, Top layer (N20°20'55.9"E072°54' 52.7")
S-2	Location -1, 40Ft (N20°20' 55.9"E072°54'52.7")
S-3	Location -1, 60 Ft (N20°20' 55.9"E072°54'52.7")
	Premises of M/s Vapi Spectrochem Pvt Ltd Plot 3 A (Industrial unit)
S-4	Location -2, Top layer (N20°20'59"E072°54'54.2")
S-5	Location -2, 40 Ft (N20°20' 59"E072°54'54.2")
S-6	Location -2, 60 Ft (N20°20' 59"E072°54'54.2")
	Premises of M/s Percynic Chemicals (Shed & vacant plot, no industrial activity)
S-7	Location -3, To player (N20°20'58"E072°54' 51.5")
S-8	Location -3, 80 Ft (N20°20' 58"E072°54'51.5")
S-9	Location -3, 120 Ft (N20°20' 58"E072°54'51.5")
S-10	Nr. CAAQM Station, COE, Ph-1, Vapi GIDC@350m away from M/s. Vapi Spectrochem Pvt. Ltd. (Reference Samples)
S-11	Chanod Village (Dongari Faliya) ((Reference Samples)
S-12	Rata Village(N20°37'92.91"E 72°96'19.98")
S-13	Rata Village (N20°37'97.10"E 72°96'20.89")

Table 2: DETAILS OF GROUNDWATER SAMPLING LOCATION-M/S PERCYNIC CHEMICAL & M/s VAPI SPECTROCHEM PVT LTD (Plot- 3A & 3B)

	Premises of M/s Vapi Spectrochem Pvt Ltd Plot 3 B (Vacant plot)
GW-1	L-1/B-1/65Ft (N 20°20' 55.9" E072°54'52.7")
GW-2	L-1/B-2/32Ft (N 20°20' 56.0" E072°54'52.9")
GW-3	L-1/B-3/95Ft (N 20°20' 56.0" E072°54'52.5")
	Premises of M/s Vapi Spectrochem Pvt Ltd Plot 3 A (Industrial unit)
GW-4	L-2/B-1/40Ft (N 20°20' 57.7" E072°54'55.0")
GW-5	L-2/B-2/65Ft (N 20°20' 59.2" E072°54'54.4")
GW-6	L-2/B-3/40Ft (N 20°20' 58.9" E072°54'54.4")
	Premises of M/s Percynic Chemicals (Shed & vacant plot, closed unit)
GW-7	L-3/B-1/120Ft (N20°20' 58.1"E072°54' 51.5")
GW-8	L-3/B-2/28Ft (N 20°20' 58.0" E072°54'51.5")
GW-9	L-3/B-3/40Ft (N 20°20' 57.6" E072°54'51.5")
	Reference Samples
GW-10	Bore well of Shri Bhikhubhai Shukalbhai Patel, DhodiyaWad, Sulpad Vapi-@800m away from M/s. Vapi Spectrom Pvt. Ltd.
GW-11	Chanod Village(Dongari Faliya)

3.0 INSPECTION BY GPCB & CPCB (COMMITTEE):

M/s Vapi Spectrochem Pvt Ltd and M/s Percynic Chemicals were visited on **20.04.2019** to verify the recommendations made in earlier report and also in Hon'ble NGT order dated 01.03.2019. The report Environmental Site Assessment Report (ESA-I & ESA-II) which was submitted by the M/s Vapi Spectrochem Pvt Ltd were verified.

3.1 MONITORING OF SOIL AND GROUNDWATER

During inspection, 4 Nos. of soil samples & 3 Nos. of ground water samples along with reference/control samples were randomly collected from similar locations as mentioned in the ESA report which was submitted by the M/s Vapi Spectrochem Pvt Ltd for validation.

Samples were submitted to M/s Enpro Enviro Tech and Engineers Pvt. Ltd., Surat which is approved under E (P) Act, 1986 & NABL accredited laboratory. The details of sampling locations of Soil sampling and Groundwater sampling and relevant parameters are given in **Table 3 & Table 4** respectively. The parameters were selected based on the raw material (Trichloro Nitro Benzene, Cast Iron Powder), product (Trichloro Aniline) and other metals in Cast Iron Powder which is one of raw material. The Analysis results of the soil & groundwater sampling is provided at **Annexure-4 & 5** respectively.

TABLE 3: SOIL SAMPLING –GPCB & CPCB COMMITTEE VISIT – ON 20.04.2019

Sample Code	Sampling location(s)	Parameter(s)
S-A	Center, Vapi Spectrochem Pvt. Ltd., Plot No-3A, Ph-I, GIDC Vapi, Dist: Valsad	pH, Aniline, Trichloro Aniline, Trichloro Nitro Benzene, Fe and other heavy metal like Zn, Cu, Pb, Cd, Mn, Cr, Hg, Ni
S-B	South side, Vapi Spectrochem Pvt. Ltd., Plot No-3B, Ph-I, GIDC Vapi, Dist: Valsad	
S-C	NE side, Precynic Chemicals, Plot No-A2/12, Ph-I, GIDC Vapi, Dist: Valsad	
S-D	Centre, Percynic Chemicals, Plot No-A2/12, Ph-I, GIDC Vapi, Dist: Valsad	
S-E	Nr CAAQM station Center of Excellence, Ph-I, GIDC Vapi, Dist: Valsad (Reference/Control Sample)	

TABLE 4: GROUND WATER SAMPLES–GPCB & CPCB COMMITTEE VISIT – ON 20.04.2019

Sample Code	Sampling location(s)	Parameter(s)
GW-A	Piezometric well -2 Vapi Spectrochem Pvt. Ltd., Plot No-3A, Ph-I, GIDC Vapi	pH, TSS, TDS, BOD, COD, NH ₃ -N, TKN, Aniline, Trichloro Aniline, Trichloro Nitro Benzene, Fe and other heavy metal like Zn, Cu, Pb, Cd, Mn, Cr, Hg, Ni
GW-B	Piezometric well -2, Vapi Spectrochem Pvt. Ltd., Plot No-3B, Ph-I, GIDC Vapi	
GW-C	Piezometric well -3 Percynic Chemicals, Plot No-A2/12, Ph-I, GIDC Vapi	
GW-D	Bore well, Bhikhubhai Shukalbhai Patel, Dhodiya wad, Sulpad, Vapi	

4.0 OBSERVATIONS & FINDINGS:

The following observations/findings are made based on ESA report and Committee inspection and monitoring:

4.1 SOIL :

Earlier, during the visit & sampling of GPCB & CPCB (Committee) on 27.12.2018 & 01.01.2019 (Report January 2019), the sampling results of some of soil samples showed presence of TCA & TCNB. Some areas of plot (north east corner and center of the plot) of M/s Percynic Chemicals and M/s Vapi Spectrochem Ltd, plot 3 B (Vacant plot) were having still contaminated soil. The industry further removed contaminated soil after first visit (27.12.2018) and sent to TSDF for disposal.

The industry had disposed about 617.72 MT of iron waste and contaminated soil before earlier committee visit on 27.12.2018 based on the directions received from GPCB. After earlier visit on 27.12.2018, the industry excavated/removed contaminated soil/overburden soil (152.47 MT) from plots and disposed to TSDF (**Photos-1 to 6, Annexure-6**).

As a results, it is revealed from the analysis results (please, refer **Annexure- 2** ESA study-08.02.2019) and the analysis of Committee (CPCB & GPCB) random soil sampling on dated

20.04.2019 (please refer **Annexure-4**), that Aniline, Trichloro Aniline (TCA) & Trichloro Nitro Benzene (TCNB) were not detected in the soil samples which shows that soil is now not contaminated with these raw material/products.

The metal analysis (**Annexure-2**ESA Study 08.02.2019) shows Zinc, Copper, lead, Cadmium, Chromium shows concentration below screening level as prescribed in the GUIDANCE DOCUMENT FOR ASSESSMENT AND REMEDIATION OF CONTAMINATED SITES IN INDIA under NPRPS, 1st Edition, December 2015, MoEF& CC, Gol., except Nickel. However, the concentrations of Nickel are near about and comparable with reference samples at two locations i.e. S-10 & S-11.

The analysis of samples of random soil sampling by the committee (on 20.04.2019) (please, refer **Annexure-4**), of Iron, Zinc, Lead, Cadmium, Nickel, Copper, Manganese shows the concentration below screening levels and some are also BDL.

4.2 GROUNDWATER:

Groundwater analysis results, as per earlier visit (27.12.2018) & monitoring (01.01.2019) (Report January 2019) where it was revealed that Aniline, TriChoro Aniline (TCA) (product) and Trichloro Nitrobenzene were not detected in all the groundwater samples.

It is revealed from the analysis results (please, refer **Annexure- 3** of groundwater samplings (ESA study- 08.02.2019) and the analysis of Committee (CPCB & GPCB) random groundwater sampling on dated 20.04.2019 (please refer **Annexure-5**) that Aniline, Trichloro Aniline (TCA) & Trichloro Nitro benzene (TCNB) are not detected in the ground water samples.

The concentrations of analyzed parameters (please, refer **Annexure- 3** of groundwater samplings (ESA study- 08.02.2019) particularly metals (Zinc, Copper, lead, Cadmium, Chromium) from piezo metric well samples are bellow screening level (groundwater for drinking level) as prescribed in the GUIDANCE DOCUMENT FOR ASSESSMENT AND REMEDIATION OF CONTAMINATED SITES IN INDIA under NPRPS, 1st Edition, December 2015, MoEF& CC, Gol., except Nickel, Manganese and Iron.

The analysis of samples of recent random groundwater sampling by Committee (on 20.04.2019) (please refer **Annexure-5**) shows BDL for Iron, Zinc, Lead, Cadmium, Nickel whereas the concentration of Copper near about with reference samples.

4.3 ASSESSMENT OF OTHER ENVIRONMENTAL IMPACTS:

	Remarks
Drinking water	Groundwater is not used for drinking purpose. Groundwater is not extracted and no bore well permission provided being GIDC industrial area. Water for domestic and industrial purpose is provided by GIDC form GIDC weir on River Damanganga.
Agriculture	Not applicable being in GIDC/industrial area. No agriculture land in the Vapi Ind area
Infrastructure /property	No damage to Infrastructure / public properly (roads, schools)
Resettlement /relocation	No resettlement /relocation.
Health	As per medical report of 24 Nos. employees of M/S Vapi Spectrochem Pvt. Ltd. conducted by M/S Medi Diagnostic Center. It is certified that employees Fit for normal work (Free from any skin, tuberculosis contagious or communicable disease) and there was no significant complaint from workers.
Injury	As per medical report, no significant complaint from workers
Loss of life	No fatality or No loss of life
Surface water	No impact on surface water as no major surface water bodies in the vicinity

4.4 PREVENTIVE AND REMEDIAL ACTION FOR THE RESTORATION OF THE ENVIRONMENT

As a result of action by GPCB, the industry has excavated/ removed iron waste and contaminated soil and disposed to the TSDF with Manifest system as per Hazardous and Other Waste (Management & Transboundary Movement) Rules 2016. During the earlier visit of the committee on 27.12.2018, some areas of plot (north east corner and center of the plot) of M/s Percynic Chemicals and M/s Vapi Spectrochem Ltd, plot 3 B (Vacant plot) were having contaminated soil. The industry further removed contaminated soil after first visit i.e. on 27.12.2018 and sent to TSDF for disposal. The industry had disposed about 617.72 MT of iron waste and contaminated soil before earlier committee visit on 27.12.2018 based on the directions received from GPCB. After earlier visit on 27.12.2018, the industry excavated/removed contaminated soil/overburden soil (152.47 MT) from plots and disposed to TSDF (**Photos-1 to 6, Annexure-6**). In total, the industry has disposed 770 MT of the iron waste and contaminated soil to TSDF, as remedial measures, after GPCB direction. It is informed by the industry that Rs. 14,07,284/- spent on waste and contaminated soil disposal to TSDF, Rs. 1,60,654 for piezo metric wells for sampling, Rs. 7,90,590 for various testing and studies.

Thus, source of contamination has been removed/ excavated and remaining iron waste has been stored in designated storage area in Plot-3A. The industry has already obtained CTE for the converting iron waste to iron pigment and provided required machinery (pulverizer along with APCD). These are the preventive measures took by the industry.

4.5 VERIFICATION OF RECOMMENDATIONS OF EARLIER REPORT (JANUARY 2019):

During visit on 20.04.2019, the recommendations of earlier report (January 2019) were verified and the observations on 20.04.2019 are tabulated in **Table 5**:

**TABLE 5: VERIFICATION OF RECOMMENDATIONS AS PER REPORT JANUARY 2019
(VISIT ON 20.04.2019)**

Sr. No.	Recommendations as per Report January 2019 (visit on 27.12.2018)	Compliance verification on 20.04.2019
1	The industry should provide proper air pollution control system to recovery unit & pulverizer for iron waste collection and further making of product- Iron Oxide Black (as per CTE) to avoid iron dust in the area.	The industry has provided enclosure to bag filter for recovery of iron waste. The industry has installed bag filter as an APCM followed by stack (Photograph No 7, 8 & 9 Annexure-6) to Pulverizer.
2	The industry should provide proper dike system for the storage tanks of 2,4,5Trichloro nitro benzene & storage area for other Chemicals to avoid any spillage on ground in case of emergency.	The industry has provided dike system at storage tanks of 2,4,5 Trichloro nitro benzene & storage area for other raw material (Photographs-10-14, Annexure-6) .
3	The industry should recover 2,4,5 TCA from intermediate cut i.e. 2,4,5 TCA & iron oxide which have stored in both the premises.	The industry has now properly stored intermediate cut of 2,4,5 TCA and shall recover 2,4,5 TCA after commissioning of industrial plant. Industry has obtained Consent To Establish (CTE) for production of Iron Oxide (Black & Red), Manganese Ore, Gypsum, Kaolin, Mica, Phosphate, Silica, Calcium Carbonate, Quartz and Talc (1000 MT/Month) from the iron waste.
4	There should be designated areas for the storage of raw material, waste and products. Boiler ash should be properly disposed off.	The industry has properly designated areas for the storage of raw material, waste and products. Further it was informed that, Boiler ash shall sell to brick manufacturer.
5	Housekeeping should be improved.	Housekeeping of plant area & factory premises improved.

5.0 PENALTY & COMPENSATION:

5.1 PENALTY:

As per the recommendation in the earlier report (January 2019), penalty should be imposed based on the CPCB guidelines "Implementing Liabilities for the Environmental Damages due to handling & Disposal of hazardous Waste and penalty".

As per guideline- "financial penalty to be levied by the concerned SPCB/PCC for any violation may be limited to maximum of one lakh rupees per provision violated so as to ensure that levying of financial penalty remain within the brief of the Environment (Protection) Act, 1986, since the said Rules have been notified under the Environment (Protection) Act, 1986. However, non-compliance may attract violation of one or several provisions of the said Rules and thus the total financial penalty amount may be arrived by adding up number of provisions violated. Further, additional fine up to Rupees five thousand rupees for every day may also be imposed in case of failure continues by the responsible party beyond period by which remedial/corrective measures would have been implemented as suggested by the SPCB/PCC."

Accordingly, it is recommended that as industry has violated Hazardous & Other Waste (Management & Transboundary Movement) Rules 2016 under the Environment (Protection) Act, 1986 by illegal dumping of hazardous waste (iron waste) and also recently dumped overburden soil/contaminated soil near Rata village (which removed and sent to TSDF due to complaints to GPCB). The penalty of Rs. 2,00,000/- should be taken due to these two violations.

5.2 ENVIRONMENTAL COMPENSATION

In addition to the penalty, though the industry has removed the waste and contaminated soil and sent to TSDF for disposal (as restoration/remediation), Environmental Compensation, as deterrent effect, as follows should be taken.

Environmental compensation is calculated as per formula given in Hon'ble NGT Order in matter OA No. 593/2017, dated on 19.02.2019, as follows:

Environment Compensation = PI (Pollution Index of industrial sector) x N (Number of days of violation took place) x R (A factor in Rupees (₹) for EC) x S (Factor for scale of operation) x LF (Location factor)

- Pollution Index (PI): 80 due to red category industry
- No of days of Violation Took Place (N): 218
(dated 15/09/2018 - date of first visit of GPCB to 20/04/2019 – date of compliance verified),
- A factor in rupees (R): 100 (Rs. 100 to Max 500)
- Factor for scale of operation (S) :0.5 (for small scale industries)
- Location factor (LF): 1.5 (being vapi polluted area))

Thus, Env Compensation: $80 \times 218 \times 0.5 \times 1.5 = \text{Rs. } 13,08,000/-$

6.0 CONCLUSION:

Based on the complaints received from Shri Ranveer Singh, GPCB had visited the two industries M/s Percynic Chemicals plot No. A2/12 & M/s Vapi Spectrochem Pvt Ltd, Plot No. 3A & 3B in Phase-I, GIDC, Vapi and further issued closure directions under section-5 of E (P) Act, 1986 due to violation of Hazardous & Other Waste (Management & Transboundary Movement) Rules, 2016 to both the industries and subsequently electricity (on 10.10.2018) and water supply have been disconnected (15.10.2018).

As per order dated 18.12.2018, the committee (CPCB & GPCB) had visited the industries on 27.12.2018 and found that M/s Percynic Chemicals was closed since long. M/s Vapi Spectrochem Pvt. Ltd. was not found in operation during the visit due to closure. The iron waste generated from the manufacturing of 2,4,5 TCA, instead of sending to TSDF, Vapi earlier dumped in their plots at 3A, 3B & M/s Percynic Chemicals , A2/12 on ground. M/s Vapi Spectrochem Pvt. Ltd. excavated 617.72 MT of waste and contaminated soil from 37,949 Sq.ft. of area from three plots and disposed to TSDF- M/s VGEL, Vapi. Committee prepared report and GPCB filed the report of the committee to Hon'ble NGT. Based on the consideration of the report (January 2019), Hon'ble NGT passed an order on 01.03.2019 and directed the joint committee to take further appropriate action in the matter and to oversee assessment and collection of compensation for the damage caused, preventive and remedial action for restoration of the environment.

In accordance with order dated 01.03.2019, the industry was asked to submit the Environmental Site Assessment (ESA) Report as responsible party as per CPCB guideline. Further, industry submitted its ESA report, and the committee made inspection and monitoring on 20.04.2018. The industry is not in operation since 10.10.2018 (power disconnected) due to closure direction from GPCB, unit took remedial actions. The industry has spent Rs. 14,07,284/- for waste and contaminated soil disposal to TSDF (M/s VGEL), Rs. 1,60,654/- for piezometric well for sampling and Rs. 7,90,590 for various testing and studies. Means for removing waste, contaminated soil, providing Piezometric well & for testing of contamination unit spent Rs. 23,58,528/- .

Based on ESA report and inspection of the committee, it is observed that-

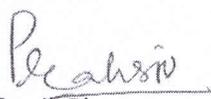
- ❏ Remaining contaminated soil is disposed off after first visit of the committee at TSDF site in addition to earlier disposal. In total, the industry has removed 770 MT iron waste & contaminated soil (total since 22.10.2018-14.03.2019) and disposed to TSDF, Vapi through manifest, as remediation.
- ❏ Soil is not contaminated with aniline, TCA and TNCB due to removal of waste and contaminated soil as per ESA Study and Committee Sampling results. The metals concentrations are below screening level except Nickel, however, near about and comparable with reference sample as per ESA study and below screening level as per committee recent sampling (20.04.2019) results.
- ❏ Aniline, TCA & TNCB not detected in groundwater as per ESA study and committee recent sampling (20.04.2019) results. The metals concentration levels shows below screening levels except Nickel, Manganese and Iron per ESA study. The analysis of samples of recent random groundwater sampling by Committee (on 20.04.2019) shows BDL for Iron, Zinc, Lead, Cadmium, Nickel whereas the concentration of Copper near about with reference samples.
- ❏ No injuries, fatality or adverse impact to operation team. No adverse health effect on workers as per medical report is observed.

Based on the above, location (i.e. GIDC, Industrial Area) and there is no permission to extract groundwater & also use of groundwater for any purpose (drinking & industrial), groundwater remediation may not be required. The industry has already excavated iron

waste (which was dumped earlier) and excavated contaminated soil from the three premises and disposed to TSDF (M/s VGEL), as remediation. The remaining iron waste has been stored in designated storage area in Plot-3A. The industry has obtained CTE for the converting iron waste to iron pigment as product and provided required machinery (pulverizer along with APCD). These are the preventive measures adopted by the industry. The industry has complied with other recommendations of the earlier report (January 2019).

7.0 RECOMMENDATIONS:

- The penalty of Rs. 2,00,000 may be taken from the industry due to illegal dumping of waste which was violation of HoW (M & TM), Rules 2016 under E (P) Act, 1986
- Environmental Compensation of Rs. 13,08,000 may be taken from the industry.
- The industry should carry out the groundwater and soil sampling on six monthly basis and results shall be submitted to GPCB.


Pratik Bharne
Scientist 'E',
CPCB, RD, Vadodara


B. R. Gajjar
Regional Officer,
GPCB, Vapi

HON'BLE NGT, PB, NEW DELHI ORDER DATED 01.03.2019

Item No.09

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 823/2018

Ranveer Singh

Applicant(s)

Versus

State of Gujarat

Respondent(s)

Date of hearing: 01.03.2019

CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE S.P. WANGDI, JUDICIAL MEMBER
HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER

For Applicant(s):

For Respondent (s): Mr. Dhruv Pal, Advocate for Gujarat PCB

ORDER

1. The issue for consideration is causing of pollution by M/s Parshanik Chemical, Plot No. 3A & 3B, 1st phase, near Maheswari Logistics Godown, Vapi- Gujarat and M/s Vapi Spectorchem Pvt. Ltd., Plot No. A2/12, 1st Phase, near Amardeep Chemicals, GIDS, Vapi – Gujarat.
2. Vide order dated 18.12.2018, a Joint Committee comprising Central Pollution Control Board (CPCB) and Gujarat State PCB (GPCB) was required to furnish a factual report in the matter.
3. Accordingly, report has been received vide email dated 17.01.2019 finding illegal activities by M/s Vapi Spectorchem Pvt. Ltd. and M/s Parshanik Chemical. The conclusion and recommendations in the report are as follows:

“Conclusion:

Based on the complaints received from Shri Ranveer Singh, GPCB visited the two industries M/s Percycnic Chemicals plot No. A2/12 & M/s Vapi Spectrochem Pvt. Ltd., Plot No. 3A & 3B in Phase-I, GIDC, Vapi and further issued closure directions under section-5 of E (P) Act, 1986 due to violation of Hazardous & Other Waste (Management &

Transboundary Movement) Rules, 2016 to both the industries and subsequently electricity and water supply have been disconnected.

M/s Percynic Chemicals is closed since long. M/s Vapi Spectrochem Pvt. Ltd. Was not found in operation during the visit due to closure. The iron waste generated from the manufacturing of 2, 4, 5, TCA, instead of sending to TSDF, Vapi earlier dumped in their plots at 3A, 3B & M/s Percynic Chemicals, A2/12 on ground.

M/s Vapi Spectrochem Pvt. Ltd. excavated 617.72 MT of waste and contaminated soil from 37,949 Sqft of area from three plots and disposed to TSDF-M/s. VGEL, Vapi.

During visit on 27.12.2018 to M/s Percynic Chemicals, still black contaminated soil as well as waste in north-east corner and centre of plot observed. This contaminated soil & waste-21.54 MT excavated and disposed to TSDF Vapi after visit of team on 27.12.2018. Contaminated soil, waste become wet and wastewater accumulated due to entry of water (from storm water drain -GIDC water supply line leakage) inside the plot. Wastewater, groundwater (reference sample away from site) as well as soil & waste sampling carried out during the visit on 27.12.2018. Further, industry made arrangement for piezo metric wells in their three plot (3 nos. in each plot) and groundwater sampling carried out on 01.01.2019 from these piezo metric wells.

The Analysis Results of groundwater sampling reveals that Aniline is not detected at any samples. TriChoro Aniline (TCA) (product) and Trichloro Nitrobenzene are absent in all the groundwater samples. The concentrations of analyzed parameters for piezo metric wells samples are more than the concentration of parameters for borewell (reference sample-V-4) which is about 800 m in north-east direction of site shows contamination due to waste dumping.

It is observed from the analysis results of soil samples that Aniline is not detected at any samples, however, presence of TriChoro Aniline (TCA) (product of the Industry) observed in most of the soil sample. Presence of Trichloro Nitrobenzene (Raw material) observed in some soil sample.

As the industry has illegally disposed huge quantum of iron waste on ground in their premises, the penalty needs to impose based on CPCB Guidelines on "Implementing Liabilities For Environmental Damages Due to Handling & Disposal of Hazardous Waste and Penalty" January 2016.

As there is presence of Nickel & Copper in soil sample (samples-5 to 10) above screening level and presence of Nickel, Iron, Manganese & Chromium above screening level (for groundwater for drinking water) as prescribed in the GUIDANCE DOCUMENT FOR ASSESSMENT AND REMEDIATION OF CONTAMINATED SITES IN INDIA under NPRPS, 1st Edition, December 2015, MoEF & CC, GoI., it is required to do detailed assessment of contamination through reputed institute/organization.

RECOMMANDATIONS:

- *Penalty should be imposed based on the CPCB guidelines "Implementing Liabilities For Environmental Damages Due to Handling & Disposal of Hazardous Waste and Penalty" January 2016, as the industry has illegally dumped huge quantum of iron waste on ground in their premises.*
 - *Detailed assessment of contamination in soil as well as groundwater should be carried out. Further, depending upon the contamination, remediation of contamination may be carried out.*
 - *The industry should provide proper air pollution control system to recovery unit & pulverizer for iron waste collection and further making of product- Iron Oxide Black (as per CTE) to avoid iron dust in the area.*
 - *The industry should provide proper dike system for the storage tanks of 2, 4, 5 Trichloro nitro benzene & storage area for other Chemicals to avoid any spillage on ground in case of emergency.*
 - *The industry should recover 2, 4, 5 TCA from intermediate cut i.e. 2, 4, 5 TCA & iron oxide which have stored in both the premises.*
 - *There should be designated areas for the storage of raw material, waste and products. Boiler ash should be properly disposed off.*
 - *Housekeeping should be improved."*
4. The above findings show that there is violation of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016, water pollution and soil pollution. The recommendations are that penalties should be imposed on the polluters and remedial steps should be taken as suggested above.
5. We require the Joint Committee constituted in terms of order dated 18.12.2018 to take further appropriate action in the matter and to oversee assessment and collection of compensation for the damage caused, preventive and remedial action for restoration of environment. Compensation should be deterrent and adequate to meet the cost of restoration of environment.
6. Such actions may be completed within two months and an action taken report be submitted to this Tribunal by email at ngt.filing@gmail.com on or before 31.05.2019.

The matter may be put up for consideration on 03.07.2019.

Adarsh Kumar Goel, CP

S.P. Wangdi, JM

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

March 01, 2019
Original Application No. 823/2018
SN



ANNEXURE-2

ANALYSIS RESULTS OF SOIL SAMPLING AS PER ESA-2 (M/S POLLUCON LABORATORIES PVT. LTD., SURAT)

SR. NO	PARAMETERS	Screening levels#	S-1	S-2	S-3	S-4	S-5	S-6	S-7	S-8	S-9	S-10* CAAQMS CoE	S-11* Chanod Village (DongriF aliya)	S-12 Rata Village	S-13 Rata village
			Top layer	40 Ft	60 Ft	Top layer	40 Ft	60 Ft	Top layer	80 Ft	120 Ft				
1	pH	NS*	8.41	9.51	9.74	8.41	9.53	9.82	6.88	8.2	8.8	8.15	8.32	7.92	8.09
2	Aniline	NS*	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
3	Iron	NS*	7.18	6.32	6.52	4.12	4.36	4.82	9.25	4.87	7.6	3.48	3.26	4.18	3.82
4	Zinc	360	82.3	79.3	84.2	108	92	98	280	260	292	164	272	220	192
5	Copper	91	57.07	51.88	55.76	78	86	72	65.94	82	76	48.6	68.8	26.8	56.2
6	Lead	600	ND	ND	ND	ND	ND	ND	0.62	0.66	0.78	ND	1.8	8.2	5.6
7	Cadmium	22	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
8	Manganese	NS*	687	860	458	1280	860	920	670	810	680	396	428	480	372
9	Chromium	87	65.67	23.28	22.98	26.88	20	43.18	79.77	46.62	84.8	32.6	72.2	26.2	52.8
10	Nickel	50	58.2	60.1	90.2	98.2	195	174	89.34	104	132	122	98	142	126
11	Trichloro Aniline	NS*	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
12	Trichloro Nitro benzene	NS*	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND

Note:

- The concentration is expressed in mg/kg except Iron which is expressed in %.
- Sampling location description given in **Table1** in the report
- # Response level & Screening levels prescribed in the GUIDANCE DOCUMENT FOR ASSESSMENT AND REMEDIATION OF CONTAMINATED SITES IN INDIA under NPRPS, 1st Edition, December 2015, MoEF& CC, GoI.
- * Reference Sample

**ANALYSIS RESULTS OF GROUNDWATER SAMPLING AS PER ESA-2
(M/S POLLUCON LABORATORIES PVT. LTD., SURAT)**

Sr. No	Parameter	L-1/B-1/65 Ft GW-1	L-1/B-2/32Ft GW-2	L-1/B-3/95Ft GW-3	L-2/B-1/40Ft GW-4	L-2/B-2/65Ft GW-5	L-2/B-3/40Ft GW-6	L-3/B-1/120Ft GW-7	L-3/B-2/28Ft GW-8	L-3/B-3/40Ft GW-9	Bore well of Shri Bhikhubhai Patel, GW-10*	Chanod Village (DongriFaliya) GW-11*
1	pH	7.29	7.15	7.35	7.08	7.49	7.21	7.41	7.43	7.39	7.24	7.48
2	TSS	17	32	29	16	ND	96	82	12	22	12	18
3	TDS	2084	1520	1328	2620	436	1596	1680	1212	810
4	COD	22	56	33	110	33	121	44	28	36	18	10
5	BOD	6	12	8	3	7	35	15	9	10	5	3
6	NH3-N	0.65	0.82	0.56	0.75	1.1	1.8	0.86	0.62	0.58	0.56	0.086
7	TKN	8.6	9.9	1.62	8.4	11.6	5.2	5.2	9.2	8.16	6.8	3.4

Note:

- The concentration is expressed in mg/L, except pH, ND- Not detected.
- * Reference Samples

Table contd....ANALYSIS RESULTS OF GROUNDWATER SAMPLING AS PER ESA-2

Sr. No	Parameter	Screening level (Drinking water)	L-1/B-1/65 Ft GW-1	L-1/B-2/32Ft GW-2	L-1/B-3/95Ft GW-3	L-2/B-1/40Ft GW-4	L-2/B-2/65Ft GW-5	L-2/B-3/40Ft GW-6	L-3/B-1/120Ft GW-7	L-3/B-2/28Ft GW-8	L-3/B-3/40Ft GW-9	Bore well of Shri Bhikhubhai Patel, GW-10*	Chanod Village (DongriFaliya) GW-11*
8	Iron	0.3	1.62	3.46	0.093	0.15	4.2	0.53	ND	0.18	ND	0.086	0.186
9	Zinc	5.0	0.085	0.14	0.052	0.19	0.08	0.28	0.018	0.086	0.045	0.062	0.124
10	Copper	0.005	ND	ND	ND	0.062	0.028	0.022	0.012	0.033	0.018	0.059	0.038
11	Lead	0.01	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
12	Cadmium	0.003	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
13	Manganese	0.1	0.082	0.19	0.22	0.22	0.12	0.28	0.096	0.76	0.96	0.014	0.018
14	Chromium	NS	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
15	Nickel	0.02	0.092	0.084	0.115	0.06	ND	0.088	0.057	0.092	0.066	0.042	0.066
16	Aniline	NS	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
17	Trichloro Nitro Benzene	NS	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
18	Trichloro Aniline	NS	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND

Note:

- The concentration is expressed in mg/L, ND: Not detected
- # Response level & Screening levels prescribed in the GUIDANCE DOCUMENT FOR ASSESSMENT AND REMEDIATION OF CONTAMINATED SITES IN INDIA under NPRPS, 1st Edition, December 2015, MoEF& CC, GoI.
- * Reference Samples

**ANALYSIS RESULTS OF SOIL SAMPLES
COLLECTED DURING COMMITTEE INSPECTION ON 20.04.2019**

Parameter (s)	Screening level #	S-A	S-B	S-C	S-D	S-E (Ref Sample)
pH	NS	7.75	8.04	7.51	6.91	7.75
Aniline	NS	ND	ND	ND	ND	ND
Trichloro Aniline	NS	ND	ND	ND	ND	ND
Trichloro Nitro Benzene	NS	ND	ND	ND	ND	ND
Iron	NS	0.00062	0.0012	0.0042	0.0016	0.0011
Zinc	360	0.87	2.87	2.58	5.99	5.42
Copper	91	0.64	2.29	1.56	49.9	2.52
Lead	600	BDL	BDL	BDL	2.25	BDL
Cadmium	22	BDL	BDL	BDL	BDL	BDL
Manganese	NS	52.8	76.1	66.1	84.2	44.5
Total Chromium	87	21.5	15.7	9.8	32.1	12.9
Mercury	50	BDL	BDL	BDL	BDL	BDL
Nickel	50	BDL	BDL	BDL	19	BDL

Note: The concentration is expressed in mg/Kg except iron which is in %, NS – Not Specified

Response level & Screening levels prescribed in the GUIDANCE DOCUMENT FOR ASSESSMENT AND REMEDIATION OF CONTAMINATED SITES IN INDIA under NPRPS, 1st Edition, December 2015, MoEF& CC, Gol.

Sample Code	Sampling location
S-A	Center, Vapi Spectrochem Pvt. Ltd., Plot No-3A, Ph-I, GIDC Vapi, Dist: Valsad
S-B	South side, Vapi Spectrochem Pvt. Ltd., Plot No-3B, Ph-I, GIDC Vapi, Dist: Valsad
S-C	NE side, Precynic Chemicals, Plot No-A2/12, Ph-I, GIDC Vapi, Dist: Valsad
S-D	Centre, Precynic Chemicals, Plot No-A2/12, Ph-I, GIDC Vapi, Dist: Valsad
S-E	Nr CAAQM station Center of Excellence, Ph-I, GIDC Vapi, Dist: Valsad (Reference Sample)

ANNEXURE-5

**ANALYSIS RESULTS OF GROUNDWATER SAMPLES
COLLECTED DURING COMMITTEE INSPECTION ON 20.04.2019**

Parameter(s)	Screening level drinking water#	GW-A	GW-B	GW-C	GW-D (Reference Sample)
pH	6.5-8.5	7.57	7.40	7.38	7.21
Total Suspended Solids	--	15.6	7.4	8.4	9.2
Total Dissolved Solids	500	340	750	932	1270
COD	--	28.2	25.4	33.9	20.2
BOD (3 Days at 27°C)	--	3.3	3.4	4.9	2.9
Ammonical Nitrogen	--	0.9	0.36	0.43	0.5
Total Kjeldahl Nitrogen	--	2.7	1.2	4.93	1.14
Iron	0.3	BDL	BDL	BDL	BDL
Zinc	5.0	BDL	BDL	BDL	BDL
Copper	0.005	0.033	0.33	0.031	0.11
Lead	0.01	BDL	BDL	BDL	BDL
Cadmium	0.003	BDL	BDL	BDL	BDL
Manganese	0.1	0.025	0.047	0.15	0.013
Total Chromium	NS	0.015	0.063	BDL	BDL
Mercury	0.001	BDL	BDL	BDL	BDL
Nickel	0.02	BDL	BDL	BDL	BDL
Aniline	NS	ND	ND	ND	ND
Trichloro Aniline	NS	ND	ND	ND	ND
Trichloro Nitro Benzene	NS	ND	ND	ND	ND

Note- Concentration is expressed in mg/L, except pH, ND- Not Detected, BDL- Below Detectable Limit
Response level & Screening levels prescribed in the GUIDANCE DOCUMENT FOR ASSESSMENT AND REMEDIATION OF CONTAMINATED SITES IN INDIA under NPRPS, 1st Edition, December 2015, MoEF& CC, GoI.

Sample Code	Sampling location(s)
GW-A	Piezo metric bore well -2 Vapi Spectrochem Pvt. Ltd., Plot No-3A, Ph-I, GIDC Vapi
GW-B	Piezo metric bore well -2, Vapi Spectrochem Pvt. Ltd., Plot No-3B, Ph-I, GIDC Vapi
GW-C	Piezo metric bore well -3 Precynic Chemicals, Plot No-A2/12, Ph-I, GIDC Vapi
GW-D	Bore well, BhikhubhaiShukalbhai Patel, Dhodiya wad, Sulpad, Vapi (Reference/Control Sample)

ANNEXURE-6

PHOTOGRAPH TAKEN DURING INSPECTION



Photo-1 M/s Percynic Chemicals - Contaminated soil
(Photo on 27.12.2018)



Photo-2 M/s Percynic Chemicals - Contaminated soil removed/excavated (photo on 20.04.2019)



Photo-3 M/s Percynic Chemicals Contaminated soil
(Photo on 27.12.2018)



Photo-4 M/s Percynic Chemicals- Contaminated soil removed/excavated (Photo on 20.04.2019)



Photo-5 M/s Vapi Spectrochem Ltd, Plot 3 B (Vacant)
Contaminated soil/overburden soil (Photo on 27.12.2018)



Photo-6 M/s Vapi Spectrochem Ltd, Plot 3 B -
(Vacant)- Contaminated soil/overburden soil removed (Photo on 20.04.2019)



Photo-7



Photo-8



Photo-9

Enclosure to baghouse for iron oxide recovery and installed bag filter as a APCD



Photo-10



Photo-11



Photo-12

Dike system at storage tanks of 2,4,5Trichloro nitro benzene & storage areas for other Chemicals



Photo-13



Photo-14



Photo-15

Designated areas for the storage of raw material, waste and products & boiler ash

Item No.01

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No.823/2018

Ranveer Singh

Applicant(s)

Versus

State of Gujarat

Respondent(s)

Date of hearing: 03.07.2019

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE S.P. WANGDI, JUDICIAL MEMBER
HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

For Applicant(s): Mr. Dinesh Kr. Tiwary.

For Respondent (s): Mr. Dhruv Pal, Advocate for GPCB

ORDER

1. The issue for consideration is the remedial action against contamination of ground water by M/s Parshanik Chemical, Plot No. 3A & 3B, 1st phase, near Maheswari Logistics Godown, GIDC, VAPI – Gujarat and M/s Vapi Spectorchem Pvt. Ltd., Plot No. A2/12, 1st Phase, near Amardeep Chemicals, GIDS, Vapi- Gujarat.
2. Vide order dated 18.12.2018, a joint Committee comprising of the Central Pollution Control Board and the Gujarat State Pollution Control Board (GSPCB) was required to furnish an action taken report in the matter. Report dated 17.01.2019 was submitted which was considered vide order dated 01.03.2019. The report found violation of the Hazardous & Other Waste (Management & Transboundary Movement) Rules, 2016, water and soil pollution and recommended penalties and further coercive action. The Tribunal directed the Committee to oversee the assessment and collection of compensation, preventive and remedial action for restoration of the environment. The compensation was required to be adequate to meet

the cost of restoration. Further report has been filed by Gujarat State PCB vide email dated 01.07.2019 to the effect that penalty of Rs. 2 lakhs was required to be paid for illegal dumping of hazardous waste and compensation of Rs. 13,08,000/- was required to be paid for damage to the environment. The industry has been asked to carry out the ground water and soil samples and has been allowed to operate by revoking the closure order.

3. We are unable to find the action taken by the Gujarat State PCB to be satisfactory. The report does not show the cost of restoration and adequacy of amount of compensation to meet such cost. Leaving it to polluting unit itself to carry out the sampling hardly meets the mandate of law. The regulator Board cannot avoid its statutory duty as guardian and protector of environment. The report purports to be only by the Gujarat State PCB while the order of this Tribunal was for a report to be given by the joint Committee which was also to comprise of the CPCB. We disapprove such conduct of the Gujarat State PCB. Cost of Rupees one lakh be deposited by the Gujarat State PCB with the CPCB within one month for acting against the letter and spirit of order of this Tribunal. The Gujarat State PCB is free to recover the amount from erring officer. The amount will be spent by the CPCB for restoration of the environment.

4. Let a fresh report be filed by the joint Committee in terms of order dated 01.03.2019 on or before 31.08.2019 by email at judicial-ngt@gov.in which justification for revoking the closure order without adequate precautionary measures to check the pollution be shown and the cost of restoration for the damage caused to the environment be clearly mentioned. If facts warrant, revised compensation be recovered, apart from other preventive and remedial measures in accordance with law.

List the matter for further consideration on 12.09.2019.

Adarsh Kumar Goel, CP

S.P. Wangdi, JM

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

July 03, 2019
Original Application No.823/2018
AK





GUJARAT POLLUTION CONTROL BOARD

PARYAVARAN BHAVAN

Sector-10-A, Gandhinagar 382 010

Phone : (079) 23222425

(079) 23232152

Fax : (079) 23232156

Website : www.gpcb.gov.in

RPAD

REVOCATION OF CLOSURE DIRECTION ISSUED UNDER SECTION-5 OF ENVIRONMENT (PROTECTION) ACT- 1986 FOR THE VIOLATIONS OF THE HAZARDOUS & OTHER WASTE (MANAGEMENT & TRANSBOUNDARY MOVEMENT) RULES -2016 AS AMENDED FROM TIME TO TIME

WHEREAS you are having an industrial plant for the manufacturing of Organic Chemicals. located at Plot No: 3A & 3B, Phase-I, GIDC Estate Vapi-396195, Tal: Pardi, Dist: Valsad.

AND WHEREAS Gujarat Pollution Control Board has granted Consolidated Consent and Authorization (CC&A), AWH -73691, which is valid upto 16/07/2020 and amended thereof with certain conditions.

AND WHEREAS closure direction was issued under Section-5 of Environment (Protection) Act- 1986, as amended from time to time vide letter No. GPCB/CCA-VSD-437(2)/ID: 24762/471320 dated 05/10/2018.

AND WHEREAS, during the inspection of your industrial plant on 11/03/2019 and 17/11/2018 by the authorized officer of the Board, and observed that:

1. Unit has removed total 770 MT Hazardous Waste & Contaminated Soil from M/s. Percynic Chemical, A-2/12, Phase-I, GIDC Estate, Vapi-396195, Tal- Pardi and from M/s. Vapi Spectrochem Pvt. Ltd., Plot No: 3A & 3B, Phase-I, GIDC Estate Vapi-396195 and disposed to TSDF, Vapi through Manifest system.
2. Unit has submitted Preliminary Assessment Report of Contaminated site, as per CPCB Guidelines on Implementing Liabilities for Environmental Damages due to Handling & Disposal of Hazardous Waste and Penalty.
3. Committee has submitted Report to the Hon'ble NGT in the matter of O.A. No. 823/2018.

Outward No:5102

ORDER

Under the above circumstances, I, **K. C. Mistry, Member Secretary**, Gujarat Pollution Control board, in exercise of the power conferred under file No. Legal -G-28, for under Section-5 of Environment (Protection) Act-1986, is directed to revoke the closure order issued vide letter no. No. GPCB/CCA-VSD-437(2)/ID: 24762/471320 dated 05/10/2018 for 3 months from the date of issue of order with following specific conditions:

1. You shall carry out Ground water and soil sampling on six monthly basis and results shall be submitted to GPCB.
2. The Penalty of Rs.2,00,000 (Rs. 2 Lacs) may be taken from the industry due to illegal dumping of waste which was violation of HoW (M & TM), Rules 2016 under E (P) Act, 1986.
3. Environmental Compensation of Rs. 13,08,000 (Rs. 13 Lacs and 8 Thousand) may be taken from the industry.

For and on behalf of
Gujarat Pollution Control Board,


(K. C. Mistry)
Member Secretary

NO: GPCB/CCA-VSD-437(3)/ID-24762/

Date:

Issued to:

✓ M/S. VAPI SPECTROCHEM PVT. LTD.
PLOT NO: 3A & 3B, Phase-I
GIDC VAPI- 396195,
TAL: PARDI, DIST: VALSAD.

COPY TO: -

- 1) The Deputy Engineer (O & M)
Dakshin Gujarat Vij Company Limited,
G.I.D.C. Sub-Division Office,
Near G.I.D.C. Post Office,
Char Rasta, Vapi-396195.

With a request to re-connect the supply of Electricity with immediate effect for 3 Months from the issue date of this order to the industrial plant of M/s. Plot No: 3A & 3B, Phase-I, GIDC Estate Vapi-396195, GIDC Vapi, Dist.- Valsad, Tal- Pardi and intimate to us accordingly.



GPCB

GUJARAT POLLUTION CONTROL BOARD

PARYAVARAN BHAVAN

Sector-10-A, Gandhinagar 382 010

Phone : (079) 23222425

(079) 23232152

Fax : (079) 23232156

Website : www.gpcb.gov.in

- 2) The Executive Engineer,
Vapi Notified Area
Administrative Section,
Plot No: C-1/ 501, 2nd Floor,
GIDC Vapi, Killa Pardi,
Dist; Valsad

With a request to re-connect the supply of Electricity with immediate effect for **3 Months** from the issue date of this order to the industrial plant of M/s. Plot No: 3A & 3B, Phase-I, GIDC Estate Vapi-396195, GIDC Vapi, Dist.- Valsad, Tal- Pardi and intimate to us accordingly.

- 3) The Regional Officer,
G.P.C.B.-Vapi,
Plot No. C-5/124, N.H. No.-8,
Near Hotel Pritam, GIDC Vapi,
Dist: Valsad.....for inspection and submit detailed report of compliance.

For and on behalf of
Gujarat Pollution Control Board,

(K. C. Mistry)

Member Secretary

Outward No:510209,16/06/2019



GUJARAT POLLUTION CONTROL BOARD

PARYAVARAN BHAVAN

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Fax : (079) 23232156

Website : www.gpcb.gov.in

RPAD

REVOCATION OF CLOSURE DIRECTION ISSUED UNDER SECTION-5 OF ENVIRONMENT (PROTECTION) ACT- 1986 FOR THE VIOLATIONS OF THE HAZARDOUS & OTHER WASTE (MANAGEMENT & TRANSBOUNDARY MOVEEMENT) RULES'-2016 AS AMENDED FROM TIME TO TIME

WHEREAS you are having an open plot located at Plot No: A2/12, Phase-I, GIDC Vapi-396195, Tal: Pardi, Dist: Valsad.

AND WHEREAS closure direction was issued under Section-5 of Environment (Protection) Act- 1986, as amended from time to time vide letter No. GPCB/CCA-VSD-437(2)/ID: 24762/471321 dated 05/10/2018.

AND WHEREAS, during the inspection of your industrial plant on 11/03/2019 by the authorized officer of the Board, and observed that:

1. There is no industrial activity carried out by unit on this plot.
2. Committee has submitted report to the Hon'ble NGT in the matter of O. A. No. 823/2018.

ORDER

Under the above circumstances, I, **K. C. Mistry, Member Secretary**, Gujarat Pollution Control board, in exercise of the power conferred under file No. Legal -G-28, for under Section-5 of Environment (Protection) Act-1986, is directed to revoke the closure order issued vide letter no. GPCB/CCA- VSD-437(2)/ID: 24762/471321 dated 05/10/2018.

For and on behalf of
Gujarat Pollution Control Board,


(K. C. Mistry)

Member Secretary

NO: GPCB/CCA-VSD-437(4)/ID: 24762/

Issued to:

M/S. PERCYNIC CHEMICALS

PLOT NO: A2/12,

PHASE-I, GIDC VAPI-396195,

TAL: PARDI, DIST: VALSAD.

dated:

Outward No. GPCB/CCA-VSD-437(4)/07/2019

COPY TO: -

- 1) The Deputy Engineer (O & M)
Dakshin Gujarat Vij Company Limited,
G.I.D.C. Sub-Division Office,
Near G.I.D.C. Post Office,
Char Rasta, Vapi-396195.

With a request to re-connect the supply of Electricity with immediate effect from the issue date of this order to the industrial plant of M/s. Percynic Chemicals, located at Plot No: A2/12, Phase-I, GIDC Vapi-396195, Tal: Pardi, Dist: Valsad and intimate to us accordingly.

- 2) The Executive Engineer,
Vapi Notified Area
Administrative Section,
Plot No: C-1/ 501, 2nd Floor,
GIDC Vapi, Killa Pardi,
Dist; Valsad

With a request to re-connect the supply of Water with immediate effect from the issue date of this order to the industrial plant of M/s. M/s. Percynic Chemicals, located at Plot No: A2/12, Phase-I, GIDC Vapi-396195, Tal: Pardi, Dist: Valsad and intimate to us accordingly.

- 3) The Regional Officer,
G.P.C.B.-Vapi,
Plot No. C-5/124, N.H. No.-8,
Near Hotel Pritam, GIDC Vapi,
Dist: Valsad.....for verify and submit detailed report of compliance as above.

**For and on behalf of
Gujarat Pollution Control Board,**


**(K. C. Mistry)
Member Secretary**

Outward No:512268, 04/07/2019

ANNEXURE-5

PHOTOGRAPH TAKEN DURING INSPECTION ON DATED 14.08.2019

Photographs of M/s Vapi Spectrochem Pvt Ltd (Plot 3A)



Photographs of M/s Vapi Spectrochem Pvt Ltd (Plot 3B)



Photographs of M/s Percynic Chemicals (Plot A2/12)

