



TAMIL NADU POLLUTION CONTROL BOARD

Proc No: T2/ TNPCB /HWM/F. 0934/TRY/HW-MT-2/2021 dt: 8.5.2021

Sub.: TNPCB – HW Management - M/s Sri Chamundeeshwari Metals, S.F.No. 301/3 Varaganeri Village, Thiruchirapalli East Taluk, Thiruchirapalli District – Show Cause Notice issued under Section 5 of the Environment (Protection) Act, 1986 for the violation of the provisions of the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 as amended - Regarding.

Ref.: 1. TNPCB Proc No. T2/TNPCB/F.0934TRY/HWA/RS/TRY/2017 dated 28.7.2017.
2. TNPCB Proc No. F.0934TRY/RS/DEE/TNPCB/TRY/W&A/2017 dated 28.7.2017
3. Inspection of the unit on 27.2.2021 by HWM- Monitoring Team 2/ Trichy

WHEREAS, you are operating an industry in the name of M/s Sri Chamundeeshwari Metals at S.F.No. 301/3 Varaganeri Village, Thiruchirapalli East Taluk, Thiruchirapalli District for the processing of used lead acid batteries as per the TNPCB permission obtained vide references (1) & (2).

WHEREAS, Consent under Water Act & Air Act have been issued to your industry vide reference (2) cited for the collection of used lead acid batteries from various agencies and processing for segregation into plastic scraps and metal scraps as products to sale for secondary uses subject to compliance of certain conditions mentioned therein.

WHEREAS, Authorization under Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 (herein after referred as 'HOWM Rules, 2016') has been issued with Pass Book to your industry vide reference (1) cited for collection, reception, transportation, storage and pre-processing of waste lead acid batteries, whole or crushed of quantity 1800 T/A (A1160, Part-a of Schedule-III) subject to compliance of certain conditions mentioned therein.

WHEREAS, during inspection of your industry on 27.2.2021 by TNPCB-HWM: Monitoring Team-2/TRY, the following non compliances with respect to permitted activities & hazardous waste management were observed:-

1. The unit was found not carrying out permitted activity (processing of used lead acid batteries to segregate into plastic & metal scraps) within

No. 76, MOUNT SALAI, GUINDY, CHENNAI - 600 032.

Telephone : 22353134 to 141, Fax : 044-22353068

Email : tnpcb-chn@gov.in Web : www.tnpcb.gov.in

the premises for which consent/authorisation granted by TNPCB. This is non-compliance/violation of Additional Special Conditions of (7), (19) & (20) of Authorisation issued under HOWM Rules, 2016 vide proc dated 28.7.2017.

2. The unit's premises (hall of size 6mx4m) was found functioning as office for the business of procurement of waste lead acid batteries from various agencies within country for trading.
3. As per records furnished, the waste lead acid batteries are mostly procured from railways and send directly to actual user/recyclers at Malur & Bangalore in Karnataka, Faizabad & Kanpur in Uttar Pradesh (outside Tamil Nadu State) from the railway depots and involved in trading activity against the permission granted by TNPCB. It is a violation of additional specific condition (20) of Authorisation granted vide Proc dated 28.07.2017 under HOWM Rules, 2016.
4. As per Annual Returns 2019 - 2020, the unit had procured waste batteries of quantity 255.73 MT during 2019-20 with beginning stock of 5 MT and recycled waste batteries of quantity without segregation into plastic & metal scraps. This is clear evident that the unit is involved in trading activity against the permission of TNPCB.
5. The unit did not produce copies of the Authorization obtained by the generators of waste batteries from where the procurement done during 2019-2020. It is a violation of additional specific condition (2) of Authorisation granted vide Proc dated 28.07.2017 under HOWM Rules, 2016.
6. The unit has not maintained pass book issued along with authorisation granted vide proc dated 28.07.2017 properly for making entries during procurement of waste batteries from generator and also not maintained movement document (Form-10) for transporting the hazardous waste from generator place to actual user end (processing at your unit) and not submitted manifest to TNPCB for every transport. It is a non-compliance of additional specific condition (11) & (15) of Authorisation granted vide Proc dated 28.07.2017 under HOWM Rules, 2016.
7. The unit has failed to ensure handling of acid drained batteries only from procurement end as per additional specific condition (6) of Authorisation granted vide Proc dated 28.07.2017 under HOWM Rules, 2016.
8. The unit has not furnished monthly return regarding the scrap battery processed and lead scrap and plastic scrap generated and sold to district office, TNPCB, Trichy. It is a non-compliance of additional specific condition (20) of Authorisation granted vide Proc dated 28.07.2017 under HOWM Rules, 2016.
9. The unit uses Authorisation granted by TNPCB vide Proc dated 28.07.2017 under HOWM Rules, 2016 for procurement of waste batteries from various agencies within the country for trading purposes (send to actual user of recycler) without permitted activity of TNPCB. This is violation of provisions of the HOWM Rules, 2016

WHEREAS, power to suspend or cancel an authorization has been provided under Rule (7) of HOWM Rules, 2016. "The State Pollution Control Board, may, if in its opinion the holder of the authorization has failed to comply with any of the conditions of the authorization or with any provisions of the Act or these rules and after giving him a reasonable opportunity of being heard and after recording reasons thereof in writing, cancel or suspend the authorization issued under rule 6 as it considers necessary".

NOW, therefore, in view of the above facts and in exercise of the powers delegated to TNPCB, under Section 5 of the Environment (Protection) Act 1986, you are hereby directed to show-cause why Authorization issued by TNPCB vide Proc No. T2/TNPCB/F.0934TRY/HWA/RS/TRY/2017 dated 28.7.2017 under HOWM Rules 2016 to your industry shall be cancelled/withdrawn in view of violations committed on non-compliance of conditions mentioned above and not carrying out permitted industrial activities and doing trading using Authorization granted for procurement purposes only and further to initiate action invoking powers under Rule 23(2) of the HOWM Rules, 2016.

A reply to the show cause notice shall be furnished so as to reach to this office **within 15 days** from the date of receipt of this notice, failing which TNPCB will be constrained to initiate legal action as deemed necessary and appropriate in the circumstances under the Environment (Protection) Act 1986, as amended.

The receipt of the proceedings shall be acknowledged.


for CHAIRMAN
8/6/17

To

✓ The Proprietor
M/s Sri Chamundeeshwari Metals,
Plot No. 3/3A, Chennai Bypass Road,
Senthaneerpuram,
Trichy -4

Copy to

DEE/TRY, JCEE(M), Trichy & HWM – Monitoring team – 2/TRY