



## TAMIL NADU POLLUTION CONTROL BOARD

**Proc No. T2/TNPCB/F.24157/CBS/HW-MT-3/2021 dated: 05.10.2021**

**Sub:** TNPCB - HWM - M/S. Sri Balaaji Industries, Unit -II, SF No. 16/4 Mettupalayam Village, Kinathukadavu Taluk, Coimbatore District - Direction under Section 5 of the Environment (Protection) Act, 1986 issued for the violation of provisions of the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 as amended -Regarding.

**Ref:**

1. HW-Authorisation Proc. No JCEE(M)/TNPCB/CBE/F.HWM0500/RS/2015 dated: 9.12.2015.
2. Inspection of the unit on 27.10.2020 by TNPCB HWM: Monitoring Team-3/CBE.
3. SCN Proc No. T2/TNPCB/F.24157/CBS/HW-MT-3/2020 dated: 09.04.2021
4. Unit's reply dated 17.04.2021
5. DEE Lr No. DEE/TNPCB/F.CBS-0869/0S/2021 dated 19.8.2021

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WHEREAS, you are operating a used oil reprocessing unit in the name of M/S. Sri Balaaji Industries, Unit — II located at SF No. 16/4 Mettupalayam Village, Kinathukadavu Taluk, Coimbatore District.

WHEREAS, Authorization under Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 was issued to your unit vide reference first cited for generation & handling of hazardous waste items 5.1- used/ spent oil, 4.4- organic residues from process, 4.5 — Spent clay & 34.3 chemical sludge from waste water treatment under Schedule-I of the said Rules subject to compliance of certain conditions mentioned therein.

WHEREAS, during inspection of the unit on 27.10.2020 by TNPCB -HWM: Monitoring Team-3/CBE, certain violations /non compliances with respect to hazardous waste management were observed and based on the inspection report of the TNPCB - HWM: Monitoring Team, a Show Cause Notice (SCN) under Section 5 of the Environment (Protection) Act, 1986 was issued to the unit vide reference third cited for the violation of provisions of the HOWM Rules, 2016.

WHEREAS, you have furnished reply vide reference fourth cited to the show cause notice issued for the violation of provisions of the HOWM Rules, 2016 with action taken report.

- 2 -

WHEREAS, DEE, TNPCB, Coimbatore has furnished report vide reference fifth cited on the action taken by the unit on the violation points mentioned in the Show Cause Notice issued vide reference third cited with recommendations to issue directions under Section 5 of the Environment (Protection) Act, 1986 for improvements including levy of financial penalty.

WHEREAS, the occupier of the unit shall be liable to pay financial penalties as levied for any violation of the provisions under HOWM Rules, 2016 by SPCB/PCC, as per the provision of the Rule 23(2) of HOWM Rules, 2016.

WHEREAS, the violations/non-compliances with respect to hazardous waste management observed by TNPCB - HWM: Monitoring Team-3/CBE during inspection of the unit on 27.10.2020 are only procedural violations & not caused to environmental damage which are classified under "Category-A" violations as per the CPCB guidelines issued during July, 2019 for Enforcement Framework for Effective Implementation of HOWM Rules, 2016.

WHEREAS, the Environment Tools for "Category A" violations is mentioned as (i) issuance of SCN u/s 5 of Environment (Protection) Act, 1986 about why financial penalty be not levied outlining various procedural violations observed and thereafter (ii) issuance of directions to pay financial penalty on each such violations & directions for improvements.

WHEREAS, Show Cause Notice u/s 5 of the Environment (Protection) Act, 1986 was issued to the unit vide proc dated 09.04.2021 mentioning seven procedure violations under HOWM Rules, 2016, for which financial penalty shall be levied. As per the Guidelines issued by CPCB on Implementing Liabilities for Environmental Damages due to Handling & Disposal of Hazardous Waste and Penalty, the financial penalty has to be levied by the concerned SPCB/PCC for any violation under HOWM Rules, 2016 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. In case of non-compliance/violation of several provisions of the said Rules, the total financial penalty amount may be arrived by adding up number of provisions violated.

NOW THEREFORE, in exercise of powers conferred under section 5 of the Environment (Protection) Act, 1986, TNPCB issues following directions to the unit of M/ s Sri Balaaji Industries, Unit-II located at No. 16/4, Mettupalayam village, Kinathukadavu taluk, Coimbatore district for strict compliance.

1. The unit shall remit the **financial penalty of Rs. 7 Lakhs** for the procedural violations under HOWM Rules, 2016 as mentioned in the SCN issued vide Proc No. T2/TNPCB/F.24157/CBS/HW-MT-3/2020 Dt. 09.04.2021 within ONE MONTH. The penalty shall be remitted in the form of Demand Draft in favour of TNPCB, Environment Compensation Fund payable at Chennai.
2. The unit shall comply with the Guidelines issued by CPCB during January, 2010 for Environmentally Sound Recycling of Hazardous Wastes for used oil reprocessing using Environmentally Sound Technology (EST).
3. The unit shall apply for renewal of existing Authorization under HOWM Rules, 2016 (expired on 08.12.2020) within one month and restart its operation only with valid Authorization under HOWM Rules, 2016 obtained from TNPCB.
4. The unit shall comply with all provisions of the Hazardous and Other Wastes (Management 86 Transboundary Movement) Rules, 2016.
5. The unit shall store the hazardous wastes (4.4), (4.5) 86 (34.3) under Schedule-I on impervious floor under closed shed within the premises temporarily for a period not exceeding ninety days as per the Rule 8 of HOWM Rules, 2016.
6. The unit shall dispose the accumulated stock of HWs after obtaining valid Authorization under HOWM Rules, 2016 from TNPCB.
7. The unit shall maintain records in FORM-3 for hazardous waste generation, storage within the premises including disposal and furnish Annual Returns in FORM-4 for every financial year before 30th June to TNPCB.
8. The unit shall generate manifest document in Form-10 online available facility in OCMMS portal for transport of hazardous waste as per provisions of HOWM Rules, 2016 86 maintain the records 86 submit to TNPCB.
9. The unit shall update information on HW details in the display board installed at the factory entrance gate regularly.
10. The unit shall restart/ operate with valid Consent under Water Act & Air Act & Authorization under HOWM Rules, 2016.

Any failure to comply with above directions will attract the penal provisions under section 15 of the Environmental Protection Act, 1986

This is issued with the approval of the Competent Authority

The receipt of the proceedings shall be acknowledged.

  
5/10/2021  
for **CHAIRMAN**  
  
5/10/21

**To**

The Proprietor  
M/S. Sri Balaaji Industries Unit — II,  
No. 16/4 Mettupalayam Village, Kinathukadavu Taluk,  
Coimbatore District

**Copy to**

DEE/CBN, JCEE(M), CBE & HWM Monitoring team - 3



## TAMIL NADU POLLUTION CONTROL BOARD

**Proc No. T2/TNPCB/F.24157/CBS/HW-MT-3/2020 dated: 9.4.2021**

Sub: TNPCB - HWM - M/s. Sri Balaaji Industries Unit - II, No.16/4 Mettupalayam Village, Kinathukadavu Taluk, Coimbatore District - Show Cause Notice under Section 5 of the Environment (Protection) Act, 1986 issued for the violation of provisions of the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 as amended - Regarding.

Ref: 1. Proc. No JCEE(M)/TNPCB/CBE/F.HWM-0500/RS/2015 dt 9.12.2015  
2. Inspection of the unit on 27.10.2020 by HWM: Monitoring Team-3/CBE

WHEREAS, you are operating a used oil reprocessing unit in the name of M/s. Sri Balaaji Industries, Unit - II located at SF.No.16/4 Mettupalayam Village, Kinathukadavu Taluk, Coimbatore District.

WHEREAS, Authorization under Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 was issued to your unit vide reference first cited for generation & handling of hazardous waste items 5.1- used/spent oil, 4.4- organic residues from process, 4.5 - Spent clay & 34.3- chemical sludge from waste water treatment under Schedule-I of the said Rules subject to compliance of certain conditions mentioned therein.

WHEREAS, during inspection of the unit on 27.10.2020 by TNPCB - HWM: Monitoring Team-3/CBE, the following violations/non compliances with respect to hazardous waste management were observed:-

1. The unit is carrying out its operations intermittently without having valid Authorization under HWM Rules, 2016.
2. The unit is stocking used oil of quantity 10,000 lit in 54 barrels procured from various industries without regular processing & indulge in trading, which is not a permitted activity.
3. The unit has not maintained Form -III (Records Maintenance) which is a non-compliance of special conditions (1) of Part -IV of Authorization granted under HOWM Rules, 2016 vide Proc dated: 9.12.2015 and also violation of the Rule 6 (5) of HOWM Rules, 2016.
4. The unit has not maintained Pass Book issued by TNPCB and manifest document in Form -10 for the receipt of used oil from various industries which is a non-compliance of special conditions (1) of Part -IV of Authorization granted under HOWM Rules, 2016 vide Proc dated: 9.12.2015 and also violation of Rule 6 (7) of HOWM Rules, 2016.

5. The unit has not furnished Annual Returns for the period 2019-20 as mandatory under HOWM Rules 2016 in a stipulated time period.
6. The unit is storing process generated hazardous waste (10T) in barrels; beyond 90 days which is a non-compliance of special conditions (2) of Authorization granted under HOWM Rules, 2016 vide Proc dt: 9.12.2015 and also violation of Rule (8) of HOWM Rules, 2016.
7. Information of hazardous chemicals/wastes, air emission, effluent quality etc have not been updated on the HW display board installed at factory entrance which is a violation of the Hon'ble NGT(PB), New Delhi directions dated 26.08.2019 & 07.07.2020 in the OA No.804/2017.
8. The ETP provided by the unit is not in operable condition

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 financial penalty should not be levied as per Rule 23(2) of HOWM Rules, 2016 for the violations committed by the unit as mentioned above and on the non-compliance of conditions in Authorization granted under HOWM Rules, 2016 vide Proc dt: 9.12.2015. 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 imposed penalty and 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  


To

The Proprietor  
M/s. Sri Balaaji Industries Unit – II,  
No.16/4 Mettupalayam Village,  
Kinathukadavu Taluk,  
Coimbatore District

Copy to

DEE/CBN, JCEE(M), CBE & HWM – Monitoring team - 3