

# MAHARASHTRA POLLUTION CONTROL BOARD

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## Circular

*Sub : Identification of Isolated storages and Importer of Hazardous Chemicals under Manufacturing, Storage, Import, Handling Rules 1989 and Amended Rules 2000.*

*Ref: Minutes of 149 Board Meeting*

Ministry of Environment and forest has notified the Manufacture, Storage and Import Of Hazardous Chemicals Rules, 1989 and Amended thereto on 2000, under Environment Protection Act, 1986. These rules deals with safety and Environmental Aspects associated with the various Toxic, Flammable, and Explosive Chemicals. As per Schedule 5(3), and Rule 18 of the MSIHC rules, it is statutory responsibility of the Board in utmost implementation of MSIHC rules.

Sequel to this, MPCB constituted the committee vide office order no. BO/RO-P&P/office-Order/TB-2864 dated 02/05/2008, for scrutiny of such application received for storage Hazardous chemicals. MPCB is granting consent to Tank farms for such Industries after dues discussion in the Tank farm committee meeting and thorough verification of the necessary documents received from the Regional Offices.

In order to streamline the consent processing of Isolated storages/tank farms, the ~~circular~~ vide MPCB/RO(HQ)/Circular/B-1429 was issued on 02/03/2009 detailing the necessities of suitability of site/location required in dealing with such tank farm issues. The necessary documents required as communicated vide this circular are;

1. Maps of the sites prepared by the industry for storage and handling of hazardous Chemicals, approved by Department of Explosive, Industrial Safety and Chartered Engineer approved



2. Copies of necessary applicable clearance i.e. environmental location RRZ, CRZ, other environmental sensitive areas, etc. obtained from statutory organization.
3. Copies of necessary licenses obtained from statutory organization
4. Copies of previous consent granted by board, if any.
5. In accordance with the provision of Manufacture, Storage and Handling of Hazardous Chemicals Rules, 1989 and its Amendments of 2000, occupier shall submit Safety Audit reports, on-site emergency plans, disaster management plans prepared to prevent accidents.

The storage and Handling of such Chemicals are of high environmental concern involving high risk of accidents, fire hazards, toxicity, etc. To have in hand data of such industries manufacturing, storing, handling and importing such flammable, explosive and toxic chemical the Regional level surveys must be carried out.

There are two broad categories incorporated in the MSIHC Rules, 2000.

***Part A: Isolated Storage of Hazardous Chemicals.***

Isolated storage in context of the rules, refers to storage at installation which were not listed in Schedule 4 and applied only to the short list of chemicals included in the schedule 2 (25 specific chemicals and 5 class of flammable chemicals) of the said rule. Activities which falls under this category are substances held on site which are purely for storage purpose, such as separate warehouse, transit depots and tank farms while storage at installation which fall outside the scope of Schedule 4 and where hazardous chemicals may be regarded as ancillary to the process e.g. LPG depots.

It is mandatory on the part of an occupiers engaged in storages of hazardous chemicals(isolated storage), are responsible and are required to obtain site approval from the MPCB and submit a written report containing particulars specified in Schedule-7 atleast three months before commencing such activities.. Also an occupier of isolated storages shall identify major accidents hazards, submit proof of safe operation, reporting of major accidents, preparation of onsite-emergency plans, risk analysis plan, chemical disaster management plans, preparation of safety and safety audit reports and submit it to MPCB for verification. Further it is mandatory on the part of an occupier to inform people likely to be affected in the vicinity.



Board has considered application of Transit Depots and Tank farms used for storage purpose covered under the water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981 and Hazardous Waste (Management, Handling and Trans Boundary) Rules, 2008. It has been observed that hazardous chemicals are stored in an unscientific manner at many places in the state. Such isolated storages have given rise to accidents due to release/spillage of toxic and hazardous chemicals endangering public health and safety thereby causing adverse impact on the environment. Due to unscientific handling of hazardous chemicals, a major fire broke in some chemical godowns causing serious threat to human lives, loss of property and severe damage to the environment. To streamline the process of Isolated Storage of Hazardous chemicals, the Industries within jurisdiction of the MPCB need to be documented on following grounds;

1. Inventorization of the Industry / Tank farms / Storage facility
2. The product details undertaken for storage / transportation
3. MSDS data sheets
4. Approved Tank farm maps by Department of Explosive.
5. Local body NOC
6. Adequate safety measures, plans approved by Department of Industrial Safety.
7. Environmental Clearance for the project from competent authority, if applicable.
8. Routine visits of the tank farms.
9. Any other information.

***Part B: Import of Chemicals listed under Part II of MSIHC Rules.***

The import of the chemicals refers to the import of Hazardous Chemicals which satisfy the criterion laid down in Part I of Schedule I in column 2 of Part II of this schedule. There are 684 chemicals listed in this Part II of this schedule. It is mandatory for importer of such hazardous chemicals to submit prior intimation of the import of hazardous chemicals to the MPCB before 30 days or as reasonable possible but not later than the date of import in the prescribed format and satisfy the Board authority towards safety measures or environmental consideration taken to avoid major chemical accident.



The Importer shall also submit the details on, port of entry in India ,Mode of transport from exporting country to India, the quantity of chemicals being imported and Complete product safety information. The importer of Hazardous chemicals or a person working on his behalf shall also ensure that the transport of Hazardous Chemicals from the port of entry to the ultimate destination shall be in accordance with the central motor Vehicles Rules 1989. The importer shall also maintain the record of the Hazardous chemicals and such record shall be made available for inspection to MPCB

In accordance with the provision of Rule18 (3A) of the MSIHC Rules, if, Board is of the opinion that the hazardous chemicals should not be imported on the safety or environmental consideration, it may issue directions for stoppage of such import. **In the 149 Board Meeting, the item of Implementation of Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989, and Amendments thereto was placed at item No. 6. It is decided to give NOC to the importers on payment of fees of Rs. 2000 if the industry request to such NOC from the Board.** To streamline the process of import of Hazardous chemicals listed in Part II of the MSIHC Rules, the importers within jurisdiction of the MPCB needs to be documented with the following grounds;

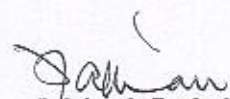
1. Inventionization of the Importers
2. The product details
3. MSDS data sheets
4. Bill of Lading
5. Import Export License from the competent authority.
6. Temporary storage facility/ provider
7. Port of entry, Name of Chemicals, Quantity and Mode of Transport.
8. Any other information

In order to rationalize the further consequences related to Storage, Handling and Import of such chemicals, All Heads of the Department and Regional officers are directed to;

1. Submit the details of such projects/Industries/firm/agents to Regional Officer(HQ) within 10 days from the issue of this circular.
2. Maintain the records of the visits carried out by Regional offices for verification of the stipulated consent conditions.

3. The frequent visit to the isolated storages facilities shall be carried out by Regional Offices to verify the status and quality of hazardous chemicals.
4. Ensure the Ambient Air quality monitoring in the vicinity of the Isolated storages for set parameters.
5. Ensure that the Import and Isolated storages of the hazardous Chemicals is in accordance with MSIHC Rules 2000.

The Board has started implementation of this procedure in order to scrutinize the application referred to it by following the procedure subject to post facto approval of Ministry of Environment and Forest, Government of India.

  
(Mahesh Pathak IAS)

Member Secretary

To  
PCI-I, PCI-II, PCI-111, Regional Officer(HQ), Regional Officer Mumbai, Navi Mumbai,  
Thane, Raigad, Kalyan, Pune, Nasik, Aurangabad, Kolhapur, Amravati, Nagpur,  
Chandrapur,