

SPEED POST

F.No.B-520(Dist)/2019-20/IPC-III/13034

February 21, 2020

To

**The Chairman,**  
Pollution Control Board-Assam,  
Bamunimaidam, Guwahati,  
Assam-21

**Directions under section 18(1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 & the Air (Prevention & Control of Pollution) Act, 1981 in the matter of M/s Brahmaputra Biochem Pvt Ltd. (Distillery), Vill No. 02, Jambari, AIIDC Phase-III, Kamrup, Assam**

WHEREAS, among others, under Section 17 of the Water (Prevention and Control of Pollution) Act, 1974, one of the functions of the State Pollution Control Board (SPCB)/Pollution Control Committee (PCC), constituted under the Water (Prevention & Control of Pollution) Act, 1974 is to plan a comprehensive programme for prevention, control or abatement of pollution of streams, wells and air pollution in the State/UT and to secure the execution there; and

WHEREAS, under section 16 of the Water (Prevention & Control of Pollution) Act, 1974 and under Section 16 of the Air (Prevention & Control of Pollution) Act, 1981, one of the functions of the Central Pollution Control Board (CPCB), constituted under Water (Prevention & Control of Pollution) Act, 1974 is to coordinate activities of the State pollution Control Boards and Pollution Control Committees and to provide technical assistance and guidance to SPCBs/PCCs; and

WHEREAS, the SPCBs & PCCs are required to ensure installation and regular operation of the requisite pollution control facilities in the polluting industries; and

WHEREAS, there is need to inculcate habit of self-monitoring within the industries for complying with the prescribed standards and this can be achieved by the methods like installing online effluent and emission monitoring devices; and

WHEREAS, for strengthening the monitoring and compliance through self regulatory mechanism, online source emission and effluent monitoring systems need to be installed and operated by the industries on 'polluter pays principle' ;and

WHEREAS, online monitoring devices are essential for improving compliance as the conventional monitoring systems are not able to capture violations on regular basis; and

WHEREAS, directions u/s 18(1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 18(1) (b) of the Air (Prevention & Control of Pollution) Act, 1981, have been issued to all the SPCBs/PCCs on March 2, 2015 for further directing 17 categories of industries (including **distilleries**) and common treatment facilities for installation of online continuous effluent/emission monitoring system by 30.06.2015; and

WHEREAS, it was observed that despite of efforts made by the SPCBs/PCCs in their states for installation of online monitoring system, it had not yielded desired results and till June, 30, 2015, most of the industries were not transmitting online data to the CPCB Server; and

WHEREAS, a notice u/s 5 of E(P) Act, 1986 was issued to all the 17 category of highly polluting industries during July-August, 2015 by the CPCB for installation of online monitoring system and provide connectivity with CPCB server; and

WHEREAS, CPCB website <http://cpcb.nic.in/online-Monitoring-Industrial-Emission-Effluent/> contains all the details related to on line monitoring system like parameters to be monitored, data submission procedure, guidelines, FAQ etc, which may be referred; and

WHEREAS, CPCB had further issued directions u/s 18(1)(b) of Water Act, 1974 and Air Act, 1981, to SPCBs/PCCs on 23.04.2018 regarding installation and connectivity of Online continuous Emission/Effluent Monitoring System (OCEMS) in 17 categories of industries, to the effect that,

- SPCBs/PCCs shall issue the closure direction u/s 33A of the Water (Prevention and Control of Pollution) Act, 1974 and 31A of the Air (Prevention and Control of Pollution) Act, 1981 to existing industries falling under 17 categories of industries and common treatment facilities, commissioned on or before 28.02.2017 (with whom CPCB has not made any prior communication regarding installation of OCEMS), if found operating without installation and connectivity of online continuous effluent emission monitoring system (OCEMS).
- SPCBs/PCCs shall incorporate a specific condition in the consent order (CTO) of a newly established industry falling under 17 categories of industries and common treatment facilities, commissioned after 28.02.2017 that they shall install continuous effluent/emission monitoring system (OCEMS) and connect with CPCB server before start of operation; and

WHEREAS, M/s Brahmaputra Biochem Pvt Ltd, Village No. 02, Jambari, AIIDC Phase-III, Kamrup, Assam (herein after referred to as "the unit") was inspected by a team from CPCB RD, Shilong on December 12-13, 2019, and following observations were made:

- The unit is a grain based distillery with an installed capacity of 60 KLD, commissioned in the year 2016 along with a captive power plant of 2MW. It also operates a coal based boiler with a steam generation capacity of 25 MT/hr.

- An ETP of 420 KLD capacity comprising of UASBR, Aeration Tank, Tube settler, Multi Media filters (MGF & ACF) and sludge drying beds is installed and the treated effluent is completely recycled as reported by the unit and is achieving ZLD.
- As per consent to operate issued by Assam SPCB, the unit has been prescribed with discharge standards for the treated effluent from ETP; however as per EC clearance issued by MoEF&CC, the unit has to maintain ZLD (Zero Liquid Discharge).
- The unit has installed OCEMS for PM in the CPP stack and provided its connectivity to the CPCB server.
- However, the unit has not installed and connected flow meters and online PTZ cameras as required by distillery units adopting ZLD.
- The unit generates used oil, empty containers of chemicals, resins etc. from DM plant (Capacity 20 KLD) as Hazardous waste. However, the unit does not have authorization under the HW and Other Wastes (M & TM) Rules, 2016 as amended.
- The unit has not provided display board at the entrance of the factory to show generation of HW, Hazardous Chemical etc.

NOW THEREFORE, in view of the above and in exercise of powers conferred to the Chairman, Central Pollution Control Board under section 18 (1) (b) of Water (Prevention & Control of Pollution) Act, 1974, you are hereby directed to ensure compliance to the following;

1. The Unit, M/s. Brahmaputra Biochem Pvt Ltd, Village No. 02, Jambari, AIIDC Phase-III, Kamrup, Assam shall not be permitted to operate until the required flow meters and online PTZ cameras as specified in CPCB guidelines for distillery units adopting ZLD are installed and connected to CPCB & SPCB server..
2. The Consent to operate issued to the unit shall be suitably amended according to the conditions specified in the EC, so as to incorporate the adoption ZLD.
3. An updated display Board at the entrance of the unit to display the generation of HW, Hazardous chemicals, etc. as per Hon'ble Supreme Court directive in WP(C) No. 657/1995 shall be provided by the unit.
4. The unit shall make an inventory of all the hazardous wastes it generates including empty chemical drums, ETP sludge etc. and shall obtain authorization from Assam Board under the H & OW (M & TM) Rules 2016 at the earliest.

Necessary actions for compliance of the above directions may therefore be taken and an action taken report shall be submitted to CPCB within 30 days of receipt of directions.

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(RAVI S. PRASAD)
  
CHAIRMAN

Copy to:

1. **The Advisor (CP Division)** : For information, please.  
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Change, Prithvi Wing, 2<sup>nd</sup> Floor, Room No.  
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2. **The Regional Directorate** : For information. please.  
Central Pollution Control Board  
“TUM-SIR”, Lower Motinagar Near Fire  
Brigade H.Q. Shillong- 793 014
- ✓ 3. **Divisional Head, IT Division, CPCB** : For uploading at CPCB  
website, please
4. **The Div. Head, I.P.C-III, CPCB**

(PRASHANT GARGAVA)  
MEMBER SECRETARY