

Speed Post

B-190198/WQM-II(RG)/CPCB/Sugar/51/2016-17 18541

March 13, 2018
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To,

**M/s Modi Industries Ltd.,
Modinagar, Ghaziabad,
U.P.-201204**

**DIRECTION UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986-
NOTICE THEREOF**

WHEREAS, the Central Government has notified the standards for discharge of environmental pollutants from various categories of industries under the Environment (Protection) Act, 1986 and the rules framed there under; and

WHEREAS, the Ministry of Environment & Forests, Govt. of India, vide notification S.O.157(E) of 27.02.1996 has delegated powers vested under Section 5 of the Environment (Protection) Act, 1986 (29 of 1986) to the Chairman, Central Pollution Control Board (CPCB), to issue direction to any industry, Municipal Corporation, Municipal Council, Cantonment Board to any local or other Authority for the violation of emission and effluent standards notified under the Environment (Protection) Rules, 1986; and

WHEREAS, it is obligatory on the part of industries to install effluent treatment plants (ETPs) to comply with the effluent discharge standards as notified under the Environment (Protection) Act, 1986 and the Rules framed thereunder and also to meet the consent conditions granted by State Pollution Control Board (SPCBs) / Pollution Control Committees (PCCs); and

AND WHEREAS, CPCB issued direction dated 05.06.2017 to the Unit under section 5 of Environment Protection Act, 1986 to remain closed till compliance with the following directions:

1. i. The Unit shall submit the following reports to CPCB duly validated by reputed institutions like National Sugar Institute, Kanpur/Vasandada Sugar Institute, Pune /IITs within 60 days;
 - a) ETP adequacy assessment reports;
 - b) time bound action plan for ETP augmentation & upgradation upto tertiary treatment level; to comply with the standards notified G.S.R. 35 (E), MoEF&CC January 14, 2016 for effluent disposal, & waste water conservation.
 - c) water audit and mass balance report to establish waste water generation rate;
 - d) action Plans to achieve the notified effluent discharge quality and generation standards.
 - e) irrigation management plan as per the new notified standards on January 14, 2016; and
- ii. The Unit shall restrict the storage capacity of lined lagoon upto 15 days of effluent generation.

(Contd..2/-)

- iii. The Unit shall meet the BOD-30mg/l standards for discharging any effluent on land /surface water body whereas effluent stored in lined lagoons/tanks of capacity not more than 15 days shall comply with BOD-100 mg/l standards.
2. The Unit shall stabilize the ETP by September 2017 before commencing of the new crushing season. The unit will not be allowed to resume manufacturing operations till stabilization of ETP system.
3. The Unit shall upgrade of process technology, ETP system & adapt the best practice in a time bound manner and submit a report to CPCB before starting the next crushing season.
4. The Unit shall seek permission from CPCB, after compliance with the above mentioned directions before resumption of manufacturing operations.

AND WHEREAS, the CPCB received adequacy assessment report vide letter dt. 15.09.2017 on 19.09.2017 from the Unit prepared by VSI, Pune; and

AND WHEREAS, CPCB issued direction dated 27.11.2017 under section 5 of Environment (Protection) Act, 1986 to the Unit to comply with the following directions.

1. The Unit shall start its operation only after obtaining valid consent from the concerned State Pollution Control Board.
2. The Unit shall submit completion report of action plan validated by the same institute regarding the upgradation of ETP as per the recommendation within 7 days.
3. The Unit shall install & Commission ETP system upto tertiary treatment level including adequate treatment system for spray pond overflow effluent in case of double sulphitation process (Brine recovery system to be installed in case of sugar refinery having Ion Exchange Process for sugar melt de-colorization).
4. The Unit having high pressure boiler (>45 Kg/cm²) shall install & Commission Condensate Polishing Unit (CPU) within 45 days for treatment of condensate water to ensure its reuse & recycle within the process.
5. The Unit shall restrict the effluent storage capacity to 15 days.
6. The Unit shall utilise treated effluent meeting the prescribed norms for irrigation as per the irrigation management plan validated by expert institutions namely, NSI, Kanpur/ VSI, Pune/ Agricultural Institutions.
7. The Unit shall implement the observation and recommendation of the adequacy report within 45 days.
8. The Unit shall get the verification of implement status of the recommendation of adequacy report including ETP performance assessment & effluent generation assessment done by the same institute which carried out adequacy assessment and submit the report to CPCB within 45 days from date of resumption of manufacturing operations.
9. The analysis result of the treated effluent shall also be submitted within 45 days through EPA recognised laboratories.

(Contd..3/-)

10. If the Unit fails to provide the verification report duly validated by the expert institutions, the Unit shall automatically stop all its manufacturing operations after 45 days from date of resumption of manufacturing operations.

WHEREAS, the Unit has not submitted the implementation status of recommendations of adequacy report to CPCB; and

AND WHEREAS, the Unit (M/s Modi Industries Ltd., Modinagar, Ghaziabad, U.P.) was inspected on 22.01.2018 by officials from CPCB, Delhi and following observations are made;

1. During the inspection, the Unit was found operational with a capacity of 4600 TCD. Etp of the Unit was in operation.
2. The Unit has installed the Oil & grease chamber at the ETP.
3. The Unit has applied for valid consent under Water (Prevention and Control of Pollution) Act, 1974 & Air (Prevention and Control of Pollution) Act, 1981 to UPPCB.
4. The analysis of treated effluent sample shows pH-7.57 as against norms of 5.5-9.0, **BOD-34 mg/l** against norms of 30 mg/l, COD-151 mg/l against norms of 250 mg/l and **TSS-65 mg/l** against norms of 30 mg/l.
5. The Unit has not submitted the irrigation management plan.
6. The Unit has not submitted the revalidated ETP adequacy assessment report within 45 days from the date of resumption to CPCB.

It is evident that the treated effluent discharge does not meet the prescribed discharge standards notified under Environment (Protection) Act, 1986, and partially treated effluent is discharged into ambient environment posing potential risk of river water pollution.

AND NOW, THEREFORE, in view of above observation and in exercise of the powers delegated to the Chairman, CPCB under section 5 of the Environment (Protection) Act, 1986, notice is served herewith to **show cause why the Unit (M/s Modi Industries Ltd., Modinagar, Ghaziabad, U.P.) should not be closed down** until all the necessary pollution control measures are planned and implemented so as to comply with the directions dated 27-11-2017 and also to comply with the prescribed effluent discharge standards notified under Environment (protection) Act, 1986 to the satisfaction of CPCB and also **why appropriate environmental compensation not be imposed.**

You are hereby given an opportunity to file your objections (if any) to the above proposed direction within 15 days from the receipt of this notice, failing which appropriate action shall be taken against the Unit without giving any further notice, in accordance with provisions of the Environment (Protection) Act, 1986.

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(S. P. SINGH PARIHAR)
CHAIRMAN
(Contd..4/-)

Copy to:

1. The Chairman

Uttar Pradesh Pollution Control Board,
Building No. TC-12V, Vibhuthi Khand,
Gomti Nagar, Lucknow – 226 010

:With request to ensure compliance of the directions.

2. Joint Secretary (CP Division)

Ministry of Environment, Forest & C.C
Prithvi Block, Indira Paryavaran Bhawan,
Jorbagh Road, New Delhi – 110 003

: For kind information, please.

3. The District Magistrate

Ghaziabad-201204, U.P.

:With request to ensure closure of the unit in compliance of the directions.

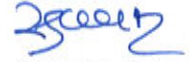
4. The Regional Directorate

Regional Director
Central Pollution Control Board, PICUP Bhawan,
Ground Floor, Vibhuti Khand, Gomti Nagar,
Lucknow – 226 010

: For follow up and ensuring compliance

5. The In-charge, IT Division, CPCB

6. Master file/Guard file WQM II, CPCB Delhi



(A SUDHAKAR)

MEMBER SECRETARY