

SPEED POST

F.No.B-400(S)/1/IPC-III/211

March 28, 2018

To

M/s K. K. Wagh SSK Ltd. (Distillery),
A/p. Kakasaheb Nagar, Tal. Niphad, Dist. Nashik
Maharashtra

Sub: Directions under Section 5 of the Environment (Protection) Act, 1986 regarding installation of on-line effluent and emission monitoring system– Notice thereof

WHEREAS, Distilleries are identified as part of the 17 categories of highly polluting industries which have been discharging environmental pollutants directly or indirectly into the ambient air and water, having potential threat to cause adverse effect on the water and air quality; 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, CPCB has explored installation of Online Monitoring device in the other countries and has come to conclusion that the online monitoring devices are essential for improving compliance as the conventional monitoring systems not able to capture violations on regular basis; 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, a direction under section 18 (1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 was issued on February 05, 2014 to all the State Pollution Control Boards (SPCBs)/ Pollution Control Committees (PCCs) for installation of online emission monitoring system and online effluent monitoring system w.r.t. pH, COD, BOD, TSS and Flow parameters in Distillery; and

WHEREAS, CPCB has held stakeholder consultations with industrial associations and SPCBs/PCCs on 06.08.2014, 19.09.2014, 29.09.2014, 08.10.2014, 16.10.2014, 09.01.2015, 08.04.2015 and 16.06.2015 regarding time bound implementation of installation of these devices; and

WHEREAS it was clarified that flow meter & web camera may be installed in case of Units with Zero liquid discharge (ZLD) by March 31, 2015 vide guidelines uploaded on website of CPCB dated November 7, 2014; and

WHEREAS, considering the requests/ representations received from industries/ industrial associations/ SPCBs / PCCs, an extension of time up to June 30, 2015 for installation of online monitoring systems was granted vide direction dated March 02, 2015 under section 18 (1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981; and

WHEREAS, a letter vide dated May 29, 2015 was issued by the Chairman CPCB to all the SPCBs/ PCCs informing that no further extension of time will be

given after June 30, 2015 and withdrawal of consent to operate along with forfeiture of bank guarantee of non-complying Units will be the only option; and

WHEREAS, concerned SPCB/ PCC have issued directions under section 33A of the Water (Prevention & Control of Pollution) Act, 1974 and section 31A of the Air (Prevention & Control of Pollution) Act, 1981 to install the online monitoring system by June 30, 2015 and to submit bank guarantee of 100% of the cost of online emission & effluent monitoring system; and

WHEREAS, the Ministry of Environment & Forests, Government of India, vide Notifications No. S. O. 157 (E) of 27.02.1996 and S. O. 730 (E) dated 10.07.2002, has delegated the powers vested under Section 5 of the Environment (Protection) Act, 1986 (29 of 1986) to the Chairman, Central Pollution Control Board, to issue directions to any industry or any local body or any other authority for violations of the standards and rules notified under the Environment (Protection) Rules, 1986 and amendment thereof; and

WHEREAS, it has been reported by Maharashtra Pollution Control Board on the India e-track portal of CPCB that M/s. K. K. Wagh SSK Ltd. (Distillery), A/p. Kakasaheb Nagar, Tal-Niphad, Dist. Nashik, Maharashtra is operating a Distillery industry and has not provided connectivity of OCEMS till date to SPCB/CPCB and CPCB is not able to verify the data connectivity from the unit, as on date; and

NOW, THEREFORE, based on all material facts available with CPCB, and in exercise of powers vested under Section 5 of the Environment (Protection) Act, 1986, notice is hereby served to the Unit to **show cause as to why the Unit should not be closed down,** if the Unit has not complied fully with the directions issued w.r.t. installation of online emission & effluent monitoring systems and fails to comply with the following directions:

1. The Unit shall submit documentary evidence regarding status of installation of online emission & effluent monitoring system.
2. The Unit shall submit the status on connectivity for submission of online 24x7 monitoring data to SPCBs/PCCs and CPCB.
3. The Unit shall submit the details as per Annexure-I through
 - (a) E-mail id - cems.cpcb@nic.in
 - (b) Uploading the data on the link provided on CPCB Website (www.cpcb.nic.in) and
 - (c) By speed post

to the Member Secretary, Central Pollution Control Board.

The compliance of above directions shall be submitted to this office within **15 days** of the receipt of the directions. In case of failure to comply with the said directions necessary action as deemed fit under the provision of the Environment (Protection) Act 1986 will be taken by CPCB.

(S.P. Singh Parihar)
CHAIRMAN

Copy to:

1. **The Member Secretary,** : For information, please
Maharashtra Pollution Control Board,
Kalpataru Point 3rd & 4th floor,,
Opp. Cine planet,
Near Sion Circle, Sion (E)
Mumbai- 400 022.
2. **The Advisor (CP Division)** : For information, please.
Ministry of Environment, Forest and Climate
Change, Prithvi Wing, 2nd Floor, Room No. 216,
Indira Paryavaran Bhawan, Aliganj, Jor Bagh
Road, New Delhi – 110003
3. **The Regional Directorate** : For information, please.
Parivesh Bhawan
Opp. VMC Ward Office No. 10,
Subhanpura, Vadodara – 390 023
- ✓ 4. **Divisional Head, IT Division, CPCB** : For uploading at CPCB
website, please
5. **The Div. Head, I.P.C-III, CPCB** :



(A. Sudhakar)

MEMBER SECRETARY