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B-33014/7/2018/IPC-II/ 600

April 16, 2018

To

The Unit Head
M/s ACC Ltd.
Kymore Cement Works
P.O. Kymore, Distt. Katni
Madhya Pradesh-483 880

Sub: Direction under section 5 of the Environment (Protection) Act, 1986.

WHEREAS, the cement plants are identified as one 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, 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 thereunder; 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 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, 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 w.r.t. PM, NOx and SO₂ in cement industries; and

WHEREAS, considering the requests/ representations received from industries/ industrial associations/ SPCBs / PCCs, an extension of time upto 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 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PCCs informing that no further extension of time will be given after June 30, 2015 and consent to operate will be withdrawn along with forfeiture of bank guarantee of non-complying units; and

WHEREAS, concerned SPCB/PCC 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

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WHEREAS, as per action plan submitted for implementation of revised norms of cement industries vide email dated 29.04.2017, the unit claimed that it had already complied the PM emission norm and for compliance of NOx emission, time upto 28.04.2018 was requested; and

WHEREAS, direction dated 09.11.2017 was issued to the unit to comply with NOx emission within the committed time i.e. upto 28.04.2018; and

WHEREAS, M/s ACC Ltd, Kymore Cement Works, Katni, M.P. was inspected by CPCB-RD, Bhopal on November 29-30, 2017 to investigate high SMS alert/Offline status and assess compliance of the environmental norms. The inspecting team carried out manual monitoring of stack emissions and made following observations:

1. PM emissions from kiln-I and Kiln -II (i.e. 40 mg/Nm³ and 39 mg/Nm³ respectively) were exceeding the revised emission limit of 30 mg/Nm³. (Therefore, the unit was required to take corrective measures to bring down PM emission to meet revised PM emission norm.)
2. NOx emission from kiln II stack (i.e. 1170 mg/Nm³) was exceeding the revised emission limit of 800 mg/Nm³. (Therefore, the unit was required to ensure that the work for achieving NOx emission as per revised norm of 800 mg/Nm³ be completed within the committed time i.e. by 28.04.2018.)
3. The unit needed to improve housekeeping at wagon tippler area, coal handling area, cement mill no.9 area, lime stone ground hopper and all internal roads.
4. The unit needed to remove honey comb at boiler-3 to enable manual emission monitoring.
5. The consent to operate under Air Act and Water Act for Kymore Cement Works, Grinding unit was valid upto 31.10.2017. (Therefore, the unit was required to expedite issuance of renewed consent.)
6. It was observed that there was a difference in manual monitoring results and CEMS monitoring results. (Therefore unit was needed to ensure proper calibration and periodic maintenance of all installed OCEMS.)

WHEREAS, Notice to show cause as to why the unit should not be directed to close operation if the shortcomings as mentioned above are not rectified, was issued to the unit vide letter dated 19.02.2018; and

WHEREAS, reply dated 03.03.2018, was received from the unit, mentioning that the unit has complied w.r.t all shortcomings, except achieving PM and NOx emission norms. It has been committed that the unit will comply the NOx emission by 28.04.2018, as directed vide CPCB's earlier direction dated 09.11.2017 and for compliance of PM emission norms extension of timeline upto 31.05.2018 has been requested by the unit.

WHEREAS, the Ministry of Environment, Forest & Climate Change, Government of India, vide Notification 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;

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Now, THEREFORE, in view of the above facts and exercising the powers delegated to the Chairman, Central Pollution Control Board under section 5 of the Environment (Protection) Act, 1986, M/s ACC Ltd, Kymore Cement Works, Katni, M.P. is hereby directed to comply with revised PM emission norm of cement industries and confirm compliance along with stack emission report from a Environment (Protection) Act recognized laboratory as a documentary evidence, within the committed time i.e. upto 31.05.2018. In case of failure, the Board will be constrained to initiate action as deemed appropriate under the Environment (Protection) Act, 1986.

(S.P. S. Parihar)
Chairman

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Copy to:

1	The Chairman Madhya Pradesh Pollution Control Board Parayavaran Parisar, E-5, Arera Colony Bhopal - 462 016, Madhya Pradesh	For information & ensuring compliance please.
2	The Regional Director Central Pollution Control Board 4th Floor, SahkarBhawan North T.T. Nagar Bhopal - 462 003	For information please.
3	The Additional Secretary (CP Division) Ministry of Environment, Forests and Climate Change Prithvi Wing, 2nd Floor, Room No. 216 Indira ParyavaranBhawan Aliganj, JorBagh Road, New Delhi - 110003	
4	The Divisional Head, IT, CPCB, Delhi	
5	The Divisional Head (PKG), IPC-VI, CPCB	

28/04/18

(A. Sudhakar)

Member Secretary

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