



केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

Speed Post

B-33014/7/2018/IPC-II/1227

April 23, 2018

To

The Unit Head

M/s Shiva Cement Ltd.
Village- Teleghana
P.O. Biringatoli
Via Kutra Dist.
Sundargarh
Orissa-770 018

Sub: Revocation of closure 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, NO_x 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PCCs informing that no further extension of time will be given after June 30, 2015 and consent to operate will be withdrawn along with forfeiture of bank guarantee of non-complying units; and

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WHEREAS, concerned SPCBs/PCCs 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 17 category of highly polluting industries to install online monitoring systems by June 30, 2015 and submit bank guarantee of 100% of the cost of online emission & effluent monitoring system; and

WHEREAS, Show Cause Notice under Section 5 of Environment (Protection) Act 1986, was issued on July 24, 2015 to all cement plants 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 continuous emission monitoring system (OCEMS); and

WHEREAS, as per action plan submitted for implementation of revised norms of cement industries vide email dated 24.04.2017, it was claimed that the unit had already complied w.r.t. revised emission norms; and

WHEREAS, CPCB RD-Kolkata inspected M/s Shiva Cement Ltd, Teleghana, P.O. Biringatoli, Sundargarh, Odisha on 20.12.2017 to verify compliance of emission norms and the OCEMS status was verified by IT Division, CPCB on 29.01.2018. It was observed that OCEMS was connected with Kiln stack only and not with other stacks as prescribed in CPCB guidelines in this regard.; and

WHEREAS, in view of non-compliance of direction dated 24.07.2015 regarding OCEMS, closure direction dated 09.02.2018 was issued u/s 5 of Environment (Protection) Act, 1986 to M/s Shiva Cement Ltd, Teleghana, P.O. Biringatoli, Sundargarh, Odisha; and


WHEREAS, the unit, vide letter dated 28.03.2018, claimed that it has completed installation and connectivity of OCEMS with CPCB server. The claim was verified by IT Division, CPCB on 09.04.2018; and

WHEREAS, on the basis of the verification report of IT Division, CPCB dated 09.04.2018, a letter dt. 11.04.2018 was sent to the unit for clarification about clinker cooler stack, OCEMS of which was still not connected with CPCB server. The unit clarified vide letter dt. 12.04.2018, that the stack of this process was common to another process stack. i.e. kiln stack; and

WHEREAS, a meeting of the three member committee, constituted for examination and recommendation for revocation of closure direction issued by CPCB was held on 17.04.2018 and the committee recommended that the closure direction issued to M/s Shiva Cement Ltd, Teleghana, P.O. Biringatoli, Sundargarh, Odisha may be revoked; and

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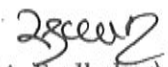
Now THEREFORE, in view of the above and exercising the powers delegated to the Chairman, Central Pollution Control Board under section 5 of the Environment (Protection) Act, 1986 vide Ministry of Environment & Forests, Government of India Notifications No. S. O. 157 (E) of 27.02.1996 and S. O. 730 (E) dated 10.07.2002, closure direction issued to M/s Shiva Cement Ltd, Teleghana, P.O. Biringatoli, Sundargarh, Odisha, dt. 09.02.2018, is hereby revoked. However, any expansion of existing project in future shall be intimated to CPCB/SPCB and applicability/scope of the installation of OCEMS will be subjected to further verification.


 23/02/18
[S. P. S. Parihar]
Chairman


Copy to:

1	The Chairman Orissa Pollution Control Board A-118, Nilkanta Nagar Unit VIII, Bhubaneswar - 751 012 Odisha	For information & ensuring compliance please.
2.	The District Magistrate District - Koraput Odisha	
3.	The Chairman Central Electricity Supply Utility Of Orissa 2nd Floor, IDCO TOWER, Janpath, Bhubaneswar -751022, Odisha	
4	The Regional Director Regional Directorate (Eastern) Central Pollution Control Board 502, Southend Conclave 1582, Rajdanga Main Road Kolkata - 700 107	For information please.
5	The Additional Secretary (AKM) Ministry of Environment, Forests and Climate Change Prithvi Wing, 2nd Floor, Room No. 216 Indira Paryavaran Bhawan Aliganj, JorBagh Road, New Delhi - 110003	
6	The Divisional Head, IT, CPCB, Delhi	
7.	The Divisional Head (PKG), IPC-VI, CPCB	

ETC, DM


(A. Sudhakar)
Member Secretary
