

**SPEED POST**

B-190197/WQM-II(RG)/CPCB/SUGAR/25/2018-19

May 18<sup>th</sup>, 2018  
23

To,  
M/s HPCL Biofuel Ltd., (Sugar Division) Sugauli,  
East Champaran, Bihar

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

**WHEREAS**, M/s HPCL Biofuel Ltd., (Sugar Division) Sugauli, East Champaran, Bihar (hereinafter referred as 'the Unit') is involved in the process of sugar manufacturing from crushing of cane; and

**WHEREAS**, CPCB issued direction dated 25.07.2017 under section 5 of Environment Protection Act, 1986, the Unit to comply with the following directions:

1. The unit shall remain close till compliance with the following directions.
  - 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;

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- 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.
- 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 get registered the online effluent continuous monitoring system and provide connectivity to the CPCB server.
5. 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 dated 09.10.2017 from the unit prepared by NSI, Kanpur; and

**WHEREAS**, CPCB issued direction dated 08.11.2017 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 an undertaking on stamp paper with duly notarised/ signed by Oath Commissioner within a week for not bypassing any type of untreated effluent even on their own land.
3. The Unit shall submit action plan within 15 days to implement the recommendations (including the general observation) of the adequacy report within 45 days.
4. The Unit shall install & Commission ETP system up to 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).
5. The Unit having high pressure boiler (>45 Kg/cm<sup>2</sup>) shall install & Commission Condensate Polishing Unit (CPU) within 45 days for treatment of condensate water to ensure its reuse & recycle within the process.
6. The Unit shall restrict the effluent storage capacity to 15 days.

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7. 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.
8. The Unit shall implement the observation and recommendation of the adequacy report within 45 days.
9. 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.
10. The analysis result of the treated effluent shall also be submitted within 45 days through EPA recognised laboratories.
11. 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.

**AND WHEREAS**, the Unit has submitted notarized undertaking on stamp paper vide letter dated 22.11.2017 for not bypassing any type of untreated effluent even on their own land; and

**WHEREAS**, the Unit (M/s HPCL Biofuel Ltd., (Sugar Division) Sugauli, East Champaran, Bihar) was inspected on 07.03.2018 by officials from CPCB, and following observations are made;

1. The Unit was operational. The unit produces white sugar by double sulphitation process and also co-generating power to the extent of 20MW by utilizing bagasse.
2. During inspection ETP was found non-operational and discharging untreated effluent outside the premises.
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.
4. The Unit has applied for NOC from Central Ground Water Authorisation (CGWA).
5. Effluent Treatment Plant (ETP) comprises of Bar Screen, Oil Grease Separator, Equalisation Tank, Primary Clarifier, Aeration Tank, Secondary Clarifier & Tertiary treatment (Filtration units).
6. The unit was found discharging untreated effluents from sugar mill along with spent wash from its Distillery plant to outside premises without treatment which indicates non-compliance with effluent surface discharge norms prescribed under Environment (Protection) Rules, 1986.
7. Analysis of trade effluent sample discharging outside premises showed **pH-4.57**, against 5.5-9.0, **BOD-77,120 mg/l** against 30 mg/l, **COD- 1,28,000 mg/l** against 250 mg/l, **TSS- 4,500 mg/l** against 30 mg/l, **TDS- 1,13,800 mg/l** against 2100 mg/l, which indicates non-compliance w.r.t. pH, BOD, COD, TSS & TDS with effluent surface discharge norms prescribed under Environment (Protection) Rules, 1986.

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8. The Unit has installed cooling tower but there is no separate treatment of excess water containing sulphate.
9. Overall housekeeping of the unit was poor.
10. The Unit has not submitted revalidated ETP adequacy assessment report.

**It is evident that the unit discharges untreated effluents posing potential threat to surface water and ground water pollution.**

**AND NOW, THEREFORE,** in view of above observations and in exercise of the powers delegated to the Chairman, CPCB under section 5 of the Environment (Protection) Act, 1986, the unit (M/s HPCL Biofuel Ltd., (Sugar Division) Sugauli, East Champaran, Bihar) is directed to **close down its manufacturing operations immediately** and shall comply with the following directions;

1. The Unit is directed to close down its Sugar manufacturing operations with immediate effect and shall not resume its operations.
2. The Unit shall install & Commission ETP system up to tertiary treatment level including adequate treatment system for spray pond overflow effluent in case of double sulphitation process.
3. The treated effluents shall comply with the effluent discharge standards as notified under the Environment (Protection) Rules, 1986.
4. The Unit having high-pressure boiler (>45 Kg/cm<sup>2</sup>) shall install & Commission Condensate Polishing Unit (CPU) for treatment of condensate water to ensure its reuse & recycle within the process.
5. The Unit shall restrict the treated waste water storage lagoon capacity of 15 days for low demand period for irrigation.
6. 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.
7. The Unit shall submit revalidated ETP adequacy assessment report to CPCB immediately.
8. The Unit shall inform to CPCB about the Closure of operation immediately.
9. The Unit shall seek permission from CPCB before resumption of manufacturing operations.

In case of default in compliance with the above directions, CPCB will be constrained to initiate action against the Unit (**M/s HPCL Biofuel Ltd., (Sugar Division) Sugauli, East Champaran, Bihar**) without giving any further notice in accordance with the provisions of the Environment (Protection) Act, 1986.

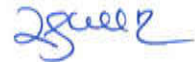
  
**(S. P. SINGH PARIHAR)**  
CHAIRMAN

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**Copy to:**

1. **Member Secretary**  
Bihar Pollution Control Board,  
PariveshBhawan, Plot No. Ns-B/2  
Patliputra Industrial Area,  
Patliputra, Patna (Bihar) - 800023
  2. **Joint Secretary (CP Division)**  
Ministry of Environment, Forest & C.C  
Prithvi Block, Indira ParyavaranBhawan,  
Jorbagh Road, New Delhi – 110 003
  3. **The District Magistrate**  
East Champaran, Bihar-843327
  4. **The Superintending Engineer**  
North Bihar Power Distribution Company Ltd.,  
East Champara, Bihar
  5. **Regional Director**  
Regional Directorate,  
Central Pollution Control Board,  
Southern Conclave, Block-502, 5th & 6th Floor,  
1582 Rajdanga Main Road  
Kolkata-700107 (W.B.)
  - ✓ 6. The In-charge, IT Division, CPCB
  7. Master file/Guard file, WQM II, CPCB Delhi
- : With request to ensure compliance of the directions.
- : For kind information, please.
- : To ensure closure and sealing of the unit in compliance of the directions
- : With a direction to disconnect power supply
- : For follow up and ensuring compliance



(A SUDHAKAR)  
MEMBER SECRETARY