

BY REGISTERED AD

B-890(S)/IPC-III/2017-17/

November 15, 2017

To

13710
M/S Armstrong Energy Pvt.Ltd;
A/P-Dabhadi, Tal-Malegaon, Dist-Nashik,
Maharashtra

Sub: Closure Directions under Section 5 of the Environment (Protection) Act, 1986 regarding installation of on-line effluent monitoring system-Revoked thereof.

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, in view of the above and in exercise of the powers delegated to the Chairman, Central Pollution Control Board under section 5 of the Environment (Protection) Act, 1986, notice was served to the unit dated 30.07.2015 to **Show Cause 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 effluent monitoring system by June 30, 2015 and further directions to comply with; and**

WHEREAS, no reply as recorded was filed by the said unit in response of the same; and

WHEREAS, in view of the above and in exercise of the powers delegated to the Chairman, Central Pollution Control Board under section 5 of the Environment (Protection) Act, 1986, **the unit vide letter no. B-400(S)/2016-17/4311/ dated 22.08.2016 was directed to close down their Sugar mill and not to resume their manufacturing operation till installation and commissioning of online 24x7 monitoring system and networking of data with SPCB & CPCB and to submit compliance to CPCB within 15 days on the receipt of the Closure Direction; and**

WHEREAS, the unit has responded to the above said Closure Direction vide its letter dated 14-02-2017 and informed to have complied with the directions regarding installation, commissioning and Connectivity of online continuous effluent monitoring system (OCEMS) and the same was verified by IT Division of CPCB; and

However, it has been observed that the unit has closed its manufacturing operations on 13-01-2017, only after operating it during crushing season 2016-17, which is non-compliance of the closure direction issued by CPCB vide letter dated 22-08-2016 under Section 5 of the E(P) Act, 1986 and for which action as per law shall be initiated separately.

WHEREAS, CPCB constituted a three-member committee vide office order dated 03.10.2017 having representative(s) from CPCB and MoEF&CC for examination and recommendation for revocation of Closure Direction issued by CPCB; and

WHEREAS, the committee in its meeting held on 25.10.2017 reviewed the compliance made by the unit & verified the submitted supporting documents in line with the agreed criteria and recommended that the unit may be allowed to resume its manufacturing operation with certain conditions; and

NOW THEREFORE, in view of the compliance made by the unit to the direction issued by CPCB and in exercise of powers vested under Section 5 of the Environment (Protection) Act, 1986, the unit **M/s Armstrong Energy Pvt. Ltd; A/P-Dabhadi, Tal-Malegaon, Dist-Nashik, Maharashtra** is allowed to resume its manufacturing operations subject to following condition:

1. Before commencement of operations, industry shall obtain valid Consent to Operate under the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, with authorisation under The Hazardous and Other Wastes (Management and Trans boundary Movement) Rules, 2016 from Maharashtra Pollution Control Board and industry shall not operate under any circumstances without valid consent orders.
2. It shall be ensured that the installed OCEMS devices are functioning properly & continuously and that data from that device are uninterruptedly transferred to CPCB. Any failure in his regard shall be rectified at the earliest.
3. Ensure periodic calibration of the analyzers as per Standard Operating Procedure/recommendations of the supplier and submit the calibration results.


4. Submission of treated effluent sample analysis result from EPA approved laboratory within one month of commencement of manufacturing operations and once per month during the entire crushing period.

In case of failure of the unit to comply with the above directions action as deemed appropriate will be taken with the provisions under Environment (Protection) Act, 1986.

(S.P. SINGH PARIHAR)
CHAIRMAN

Copy to:

1. **The Member Secretary,**
Maharashtra Pollution Control Board,
2nd, 3rd & 4th floor, Opp. Cine planet,
Near Sion Circle, Sion (E)
Mumbai- 400 022 : To ensure compliance of
directions please
2. **The Advisor (CP Division)**
Ministry of Environment, Forest & C.C
Prithvi Block, Indira Paryavaran Bhawan,
Jorbagh Road, New Delhi - 110 003 : For information please
3. **The District Magistrate**
Collectorate office, Old Agra Road,
Distt- Nashik, **Maharashtra-422002** : For information and necessary action
please
4. **The Superintendent Engineer ,**
Maharashtra State Electricity Distribution
Cor. Ltd., Circle Office, Vidhyut Bhavan
Dist-Nashik, **Maharashtra-422002** : With direction to re-connect
power supply
5. **The Regional Directorate, (West)**
Central Pollution Control Board
Parivesh Bhawan, Opp. VMC Ward
Offic No.10, Subhanpura
Vadodara - 390 023 : For information please
6. The In-charge, IT Division, CPCB : For uploading on CPCB website


(A. SUDHAKAR)
MEMBER SECRETARY