

SPEED POST

F.No. B-23012/1/PCI-III/ 15162

December 22, 2017

To

M/s Nath Pulp and Paper Mills Ltd.,
Village-Wahegaon, Nathnagar,
Tq-Paithan, Distt-Aurangabad-431 148
Maharashtra

DIRECTIONS UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986

WHEREAS, the Pulp & Paper industries (30 TPD and above) are identified as one of the 17 categories of highly polluting industries which have been discharging environmental pollutants directly or indirectly into the ambient water and air, having potential threat to cause adverse effect on the water and air quality; and

WHEREAS, there is need to inculcate habit of self-monitoring mechanism within the industries for complying with the prescribed standards and this can be achieved by the methods like installing online effluent & emission monitoring devices; and

WHEREAS, for strengthening the monitoring and compliance through self-regulatory mechanism, online source emission & 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 and effluent monitoring systems w.r.t pH, Flow, BOD, COD, TSS & AOx parameters in Pulp and Paper industries; 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 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 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 33 (A) of the Water (Prevention & Control of Pollution) Act, 1974 and section 31 (A) 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 and effluent monitoring system; and

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WHEREAS, CPCB has explored installation of online monitoring device in other countries and has come to conclusion that the online monitoring devices are essential for improving compliance as the conventional monitoring system not able to capture violations on regular basis; 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, CPCB issued showcause notice for closure dated 24.07.2015 under section 5 of the Environmental Protection Act, 1986 to **M/s Nath Pulp and Paper Mills Ltd.**, Aurangabad, Maharashtra (the Unit) for compliance of the following:

1. The Unit shall submit documentary evidence regarding status of installation of online 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 the 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 WHEREAS, the Unit's reply was examined, however, the Unit did not submitted any documentary evidence/ reasonable time bound plan for installation of online monitoring system to CPCB and its connectivity to CPCB for submission of online data within the prescribed time period; and

WHEREAS, CPCB issued closure direction vide letter dated 30.08.2016 under section 5 of the Environment (Protection) Act, 1986 to the Unit and directed to close down their manufacturing operations till installation and commissioning of online effluent monitoring system and providing connectivity for submission of online 24x7 monitoring data to SPCBs/PCCs and CPCB. The Unit shall seek permission from CPCB before resumption of operation; and

WHEREAS, the Unit replied vide letter dated 17.10.2016 which was examined by CPCB. CPCB asked the Unit vide letter dated 04.11.2016 to remain closed till installation of OCEMS and its linkage to CPCB server and submit the requisite information before seeking permission for resumption of operations; and

WHEREAS, the Unit vide letter dated 02.10.2017 informed to have closed down the manufacturing operation w.e.f 17.10.2016 & complied with the directions regarding installation & connectivity of online continuous effluent monitoring system (OCEMS) which includes camera and flowmeter and the same was verified by IT Division of CPCB; and

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

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WHEREAS, the committee in its meeting held on 30.11.2017 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

WHEREAS, the Ministry of Environment, Forest and Climate Change, 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

NOW, THEREFORE, in consideration of the 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 Nath Pulp and Paper Mills Ltd.**, Aurangabad, 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, 1981 and Authorisation under Hazardous & Other Wastes Rules, 2016 from Maharashtra State Pollution Control Board and industry shall not operate under any circumstances without valid consent.
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 analysers as per Standard Operating Procedure/recommendations of the supplier and submit the calibration results.

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 Chairman,**
Maharashtra Pollution Control Board (MPCB),
Kalpataru Points, 3-4th floors,
Sion Matunga Scheme Rd.No.6,
Opp. Cine Planet, Sion Circle Sion (E),
Mumbai - 400 022
: **With a request to ensure verification of the "Self-Certificate" (Annexure-1) submitted by the Unit.**
2. **The Advisor (CP Division)**
Ministry of Environment, Forest and Climate
Change, Prithvi Wing, 2nd Floor, Room No. 216,
Indira Paryavaran Bhawan, Aliganj, Jor Bagh
Road, New Delhi-110003
: For kind information

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3. **The Regional Director,**
The Regional Directorate,
Central Pollution Control Board (CPCB)
Parivesh Bhawan; Opp. VMC Ward Office No.
10, Subhanpura Road, Vadodara-390 023 : For kind information
4. **The Superintending Engineer,**
Maharashtra State Electricity Board,
Vidyut Bhawan, Dr. Ambedkar Road,
Aurangabad 431 001 : **With a request to connect
the electric power supply
to the Unit**
5. **The District Magistrate,**
District- Aurangabad, Maharashtra : For kind information
6. **Divisional Head, IT Division, CPCB, Delhi** : For uploading the direction
on CPCB website



(A. SUDHAKAR)
MEMBER SECRETARY