



SPEED POST

B-29016/04/06/IPC-1/14452

December 28, 2018

To,

**M/s GAIL (India) Limited,
Pata Petrochemical Complex,
District Auraiya, Uttar Pradesh- 206241**

Sub: Directions under Section 5 of the Environment (Protection) Act, 1986 - reg.

WHEREAS, the Petrochemical industries 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 M/s GAIL (India) Limited, Pata Petrochemical Complex, District Auraiya, U.P. (herein after referred as the Unit) which comes under Petrochemical category, has installed the online continuous effluent monitoring system for the parameters pH, BOD, COD, TSS & Flow and online continuous emission monitoring system (OCEMS) for the parameters PM, NOx, CO & SO₂; and

WHEREAS, the Unit was inspected on May 15, 2018 by the officials from Central Pollution Control Board, Regional Directorate, Lucknow under the surveillance of industrial Units based on SMS Alert of pH & TSS parameters during the month of February-March, 2018; and

WHEREAS, Central Pollution Control Board, Regional Directorate, Lucknow inspected the unit May 15, 2018 and observed that the Tilted Plate Interceptor (TPI) unit of Effluent Treatment Plant (ETP) was not operational; and

WHEREAS, the Unit has not provided online data connectivity for PM parameter in all 11 stacks i.e. Stack_FF_101, 102,103,104,105 & 106; Stack_UB_1, 2 & 3; Stack_HRSG_1 & 2 in emission monitoring system as per the IT Division, CPCB report dated June 06, 2018; and

WHEREAS, a show cause notice under section 5 of Environment (Protection) Act 1986 was issued to the Unit vide letter no. B-29016/04/06/IPC-1/2346 dated June 12, 2018 to upgrade/maintain the Tilted Plate Interceptor (TPI) unit of Effluent Treatment Plant (ETP) & to provide connectivity for PM parameter in all 11 stacks at i.e. Stack_FF_101, 102,103,104,105 & 106; Stack_UB_1, 2 & 3; Stack_HRSG_1 & 2 in emission monitoring system; and

WHEREAS, the Unit informed vide letter dated June 18, 2018 they have upgraded the Tilted Plate Interceptor (TPI) in ETP; and

WHEREAS, the Unit informed vide letter dated June 25, 2018 that they have exempted by Uttar Pradesh Pollution Control Board (UPPCB) for online measurement of PM & SO₂ stack emission parameters; and

WHEREAS, the Unit has failed to achieve the compliance w.r.t. the connectivity of PM parameter in all 11 stacks as mentioned in the CPCB direction u/s 5 of the Environment (Protection) Act, 1986 dated June 12, 2018; and

WHEREAS, the Unit (M/s GAIL (India) Limited) was found non-complying w.r.t the Show Cause Notice issued by the CPCB dated June 12, 2018; and

WHEREAS, a closure direction was issued to the Unit vide letter dated July 17, 2018 under Section 5 of the Environment (Protection) Act, 1986 in view of above non-compliance; and

WHEREAS, the Unit vide letter dated July 21, 2018 informed that they have placed order for procurement & installation of PM analysers is likely to be completed by September 2018 and requested to revoke the closure notice and provide time for completion of online connectivity of PM analysers; and

WHEREAS, the unit informed letter dated August 27, 2018 that they have completed all the PM parameter connectivity positively by 10.09.2018; and

WHEREAS, The Unit informed vide email dated 10.09.18 all PM parameter connectivity to CPCB portal has completed and requested to revoke the closure direction dated July 17, 2108; and

WHEREAS, The OCEMS connectivity for PM parameter in all 11 stacks was verified by IT Division report dated 12.09.2018; and

WHEREAS, a separate action as per law shall be initiated for non-compliance of CPCB direction dated July 17, 2018 regarding close down of plant operations; 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 the closure direction issued by CPCB; and

WHEREAS, the Three-member committee in its meeting held on 17.10.2018 examined the compliance report submitted by the Unit and recommended that the Unit may be allowed to resume operation with the condition that the Unit shall ensure uninterrupted connectivity with CPCB server and direction was revoked on October 23, 2018; and

WHEREAS, The Hon'ble National Green Tribunal (NGT), Principal Bench in the matter of OA No. 593/2017 (WP (CIVIL) No. 375/2012, Paryavaran Suraksha Samiti & Anr. Vs. Union of India & Ors. directed Central Pollution Control Board (CPCB) to take penal action for failure, if any, against those accountable for setting up and maintaining STPs, CETPs & ETPs and CPCB may also assess and recover compensation for damage to the environment and said fund may be kept in a separate account and utilized in terms of an action plan for protection of the environment; and

WHEREAS, as per formula derived for EC by CPCB, the total environmental compensation charges was calculated Rs 37,12,500/- and same shall be deposited by the unit at CPCB within 15 days for the noncompliance period (July 17, 2018 to October 23, 2018); and

