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B-190188/CETP-Rooma/PIAS/WQM-II/CPCB/2017-18/ 11071

Date : 17/09/2018
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To,

**M/s. Nirbhay Industries,
A-3, ROOMA Industrial Area,
Kanpur, UP**

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

WHEREAS, amongst others, under Section 17 of the Water (Prevention and Control of Pollution) Act, 1974, one of the functions of the State Pollution Control Boards (SPCBs)/Pollution Control Committees, constituted under the Water (Prevention and Control of Pollution) Act, 1974, is to plan a comprehensive programme for the prevention, control and abatement of pollution of stream and wells in the concerned State/UT and to secure the execution thereof; and

WHEREAS, the Central Government has notified the standards for discharge of environmental pollutants from various categories of industries and from common effluent treatment plants under the Environment (Protection) Act, 1986 and the rules framed there under; and

WHEREAS, under Section 17 of the Water (Prevention and Control of Pollution) Act, 1974, one of the functions of the SPCBs is to lay down effluent standards for industries and CETPs; and SPCBs may specify standards more stringent than those (National) standards specified by the Central Government under the Environmental (Protection) Act, 1986 the Rules framed there under, depending upon the quality of the recipient system and local conditions; and

WHEREAS, 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, CPCB, to issue direction to any industry, Municipal Corporation, Municipal Council, Cantonment Board or to any local or other Authority for the violation of emission and effluent standards notified under the Environment (Protection) Rules, 1986; and

WHEREAS, Common Effluent Treatment Plant (CETP), UPSIDC, Industrial Area, Textile Park, Rooma, Kanpur was inspected by a team of CPCB officials on 01/11/2017; and

WHEREAS, CPCB issued show cause notice dated 19.01.2018 under section 5 of the Environment (Protection) Act, 1986 to Rooma Pollution Control Association, UPSIDC, Industrial Area, Textile Park, Rooma, Kanpur; and

WHEREAS, a meeting was held on 08.02.2018 at CPCB, Delhi with representative of Rooma Pollution Control Association, CETP Rooma member Units and UPSIDC and following decisions were made:

- (i) Rooma Pollution Control Association to carry out adequacy assessment of CETP through reputed technical institution.
- (ii) To properly operate and maintain CETP, Rooma.
- (iii) Member units to operate PETP properly.

AND WHEREAS, CETP, Rooma reply dated 06.03.2018 was examined; and

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WHEREAS, CETP, Rooma was inspected by CPCB on 21/05/2018 and main observations were made as follows:

1. CETP, Rooma was found non-functional during inspection and aeration tank was under re-stabilization process.
2. MLSS and MLVSS values in the aeration tank were found in order of 1640 and 1033 mg/l respectively, which indicates poor microbial activities and need further stabilization.
3. Collection sum and aeration tank of CETP was found full of influent.
4. Backflow of wastewater observed from chamber of conveyance line and untreated effluent were found spreaded/logged in the nearby area/backside of the member units.
5. Since, the CETP, Rooma is not operational, wastewater generated by operational member units is being logged/ spreaded in the nearby area /backside of the member units.
6. It is evident that CETP was not operational and member textile units were discharging their untreated effluent into land/surface water bodies posing potential threat of water pollution.

AND WHEREAS, in view of the above observations and in exercise of powers delegated to the Chairman, Central Pollution Control Board under section 5 of the Environment (Protection) Act, 1986 has issued a closure direction dated 12th June 2018 to all operational member units of CETP, ROOMA were directed to stop manufacturing operations immediately and comply with following directions:

1. The units shall close down all the plant operations with immediate effect till the CETP, Rooma becomes fully operational and work efficiently.
2. The units shall report to CPCB regarding closure of manufacturing operations in compliance of the direction immediately on receipt of this direction.
3. The units shall submit adequacy assessment report of PETP duly validated by reputed government institution.
4. CETP Rooma shall submit CETP adequacy assessment report prepared by reputed technical institutes.
5. After compliance of above directions, the unit shall seek permission from CPCB before resume of the manufacturing operations.

AND WHEREAS, in response to the closure direction issued to the operational Units and submission of adequacy reports of CETP, Rooma and PETPs of all operational units; Rooma Pollution Control Association has submitted the adequacy report of CETP, Rooma and the individual Units have also submitted the adequacy report of their PETP; and

WHEREAS, the adequacy report of CETP, Rooma was examined by CPCB and the treatment units of the CETP were found adequate except the primary tube settlers (which are found adequate to treat 776 m³/day against CETP designed capacity of 1550 m³/day of influent and aeration tank capacity which has a retention time capacity of only 10.3 hours against the required 18-24 hours; and

WHEREAS, the Rooma Pollution Control Association was asked to submit clarification on the inadequacy of the CETP treatment Units. The Rooma Pollution Control Association has submitted clarification dated 04.09.2018 and informed that the proposal for needed upgradation of CETP is under final stage of finalization through UPSIDC; and

WHEREAS, the Rooma Pollution Control Association requested for permission to operate the CETP after reducing 10% of original discharge capacity vide their letter dated 04.09.2018; and

WHEREAS, the reply was examining by the Three Member Expert Committee on 05.09.2018, and in view of CETP status at present, the committee recommended for operation of the member units at 50% of the

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consented production capacity. In this regard, committee recommended that conditional revoke directions may be issued to the unit with following conditions

1. The member units shall operate at 50 % of consented production capacity to match with limitations of unit of CETP in present circumstances (particularly, inadequacy of tube settler and aeration tank) till upgradation of CETP.
2. The UPPCB will monitored/ensure that every member unit is running at its 50% consented capacity till upgradation of CETP. UPPCB will submit monthly monitoring status report to CPCB.

AND NOW THEREFORE, in view of the above mentioned 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. Nirbhay Industries, A-3, ROOMA Industrial Area, Kanpur, UP** is directed to comply with the following direction:

1. The Unit shall resume operation at 50% of consented production capacity and shall treat their effluent into PETP to meet the effluent discharge standards as notified for CETP dated 01.01.2016 till upgradation of CETP.
2. The Unit shall immediately inform to CPCB regarding the resumption of operations.

In case of default in compliance with the above directions, CPCB will be constrained to initiate action without any further notice, in accordance with the provisions of the Environment (Protection) Act, 1986.


(A/K MEHTA)
CHAIRMAN

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As per