

Speed Post

F. No. B-410/PCI-III/DIST-GEN/2K15-16

October 12, 2018

To,

M/s. Tern Distilleries Pvt. Ltd
Thallapalem, Kasimkota
Visakhapatnam - 531031
Andhra Pradesh

Sub: Closure Directions under Section 5 of the Environment (Protection) Act, 1986

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 there under and also to meet the consent conditions granted by State Pollution Control Board (SPCBs) / Pollution Control Committees (PCCs); and

WHEREAS, distilleries 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, for strengthening the monitoring and compliance through self regulatory mechanism, 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 monitoring system w.r.t. Particulate Matter parameter & online effluent monitoring system w.r.t. pH, BOD, COD, TSS, Flow parameters in 17 categories of industries including distilleries;

WHEREAS, it was clarified that flow meter & web camera may be installed in case of units achieving zero liquid discharge (ZLD) by March 31, 2015 vide guidelines uploaded on website of CPCB dated November 7, 2014; and

WHEREAS, in follow up to the directions issued to the SPCBs/PCCs, CPCB had issued show cause notices under section 5 of the Environment (Protection) Act, 1986 dated 24.07.2015 to 347 distilleries, including **M/s Tern Distilleries Pvt. Ltd., Thallapalem, Kasimkota, Visakhapatnam - 531031**, Andhra Pradesh (here in after referred to as the unit), as to why the unit should not be closed down if the unit has not complied fully with the direction issued w.r.t. installation of online emission & effluent monitoring system by June 30, 2015; and

WHEREAS, CPCB had already uploaded the sector specific requirement for the installation and connectivity of online emission and effluent monitoring systems for the 17 category of industries including distilleries, in the CPCB website at the following link; http://cpcb.nic.in/upload/thrust-area/Distillery_29.12.16.pdf; and


WHEREAS, the unit was inspected by a team from CPCB, RD, Bangalore on 19.09.2018 regarding surveillance of industrial units based on Offline status of OCEMS and during inspection, the unit was found not in operation and the following observations were made by the team during the inspection;

1. The unit was established in the year 2006 and engaged in manufacturing of molasses based Extra Neutral Alcohol.
2. As informed, the unit has stopped its production since 22nd July 2015 & officially layoff declared on 1st September, 2015 due to non-availability of molasses and financial crisis.
3. It was informed that proposal for switching over to grain based distilleries/bottling unit is under consideration.
4. The validity of the existing consent to operate under the Water/Air Acts had expired on 31st March, 2018 and the unit has not applied for renewal and has informed APPCB that the renewal of CFO shall be done once the plant resumes its operation.

NOW, THEREFORE, in view of the events, as described above and exercising the powers delegated to the Chairman, Central Pollution Control Board (CPCB) under section 5 of the Environment (Protection) Act, 1986, the distillery unit is hereby directed to “remain **closed and not to restart manufacturing operations**” till it complies with the following directions and obtains permission from CPCB;

1. The unit shall obtain valid Consent to Operate under the Water & Air Acts and Authorisation under the HWM Rules, with required amendment in change of operational process, if any, before commencement of operations.
2. The unit shall ensure data connectivity of OCEMS (Flow meters, Cameras and Stack emission monitors as per CPCB guidelines for distillery units adopting ZLD) before commencement of operations.

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


(S P Singh Parihar)
CHAIRMAN

Copy to:

1. The Chairman,
Andhra Pradesh Pollution Control Board,
D.No. 33-26-14 D/2, Near Sunrise
Hospital, Pushpa Hotel Centre, Chalamalavari
Street, Kasturibaipet, Vijayawada - 520 010 : With request to ensure compliance of
directions please.
2. The Advisor (CP Division)
Ministry of Environment, Forest & C.C,
Prithvi Block, Indira Paryavaran Bhawan, Jor
bagh Road, New Delhi - 110 003 : For information please.

3. The Regional Director,
CPCB Regional Directorate(South),
Nisarga Bhawan, 1st & 2nd Floor,
Jhimmaiah Road, 7th D-cross
Shivanagar, Opp. Pushpanjali Theatre
Bangalore - 560 010 : For follow up and ensuring compliance
please.
4. The District Magistrate,
Dist. Visakhapatnam,
Andhra Pradesh : With request to ensure compliance of
closure direction please.
5. The Superintending Engineer (O),
Eastern Power Distribution Company
of A.P L.T.D, Visakhapatnam
P&T Colony, Seethammadhara,
Visakhapatnam : With request to dis-connect the power
supply to manufacturing operations of the
unit please.
6. The In-charge, PCI-III Div., CPCB
- ✓ 7. The In-charge, IT Division, CPCB



(Prashant Gargava)
MEMBER SECRETARY