

August 02, 2019

To

4864  
M/s Greenmace Technologies,  
Village-Dhansuli, P.H No. 38,  
Tehsil-Tidla, District Raipur,  
Chhattisgarh.

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

**WHEREAS**, the Central Government has notified the Hazardous and Other Wastes Management and Transboundary Movement) Rules, 2016 (herein referred to as HOWM Rules, 2016) in exercise of the powers conferred by sections 6, 8 and 25 of the Environment (Protection) Act, 1986 and in supersession of the Hazardous Waste (Management, Handling and Transboundary Movement) Rules, 2008 (herein referred to as HWM Rules, 2008), for safe and environmentally sound management of hazardous and other wastes; and

**WHEREAS**, as per Rule 4 (1) of the HOWM Rules, for management of hazardous and other wastes, an occupier shall follow the following steps namely (i) prevention; (ii) minimization; (iii) reuse, recycling, recovery, utilization including co-processing, safe disposal.; and

**WHEREAS**, as per Rule 4 (2) of the HOWM Rules, the occupier shall be responsible for safe and environmentally management of hazardous and other wastes; and

**WHEREAS**, as per Rule 6(1) of the HOWM Rules, the occupier engaged in handling, generation, collection, storage, packaging, transportation, use, treatment, processing, recycling, recovery, pre-processing, co-processing, utilization, offering for sale, transfer or disposal of the hazardous and other wastes shall obtain authorization from the' State Pollution Control Board/Pollution Control Committee (SPCB/PCC); and

**WHEREAS**, as per Rule 6 (2) of the HOWM Rules, on receipt of an application complete in all respect for the authorization, the SPCB/PCC may, after such inquiry as it considers necessary, and on , being satisfied that the applicant possesses appropriate facilities for collection, storage, packaging, transportation, treatment, processing, use, destruction, recycling, recovery, pre-processing, co-processing, utilization, offering for sale, transfer or disposal of the hazardous and other waste, as the case may be, and after ensuring technical capabilities and equipment complying with the Standard operating Procedure (SoP) or other guidelines specified by the Central Pollution Control Board (CPCB) from time to time and through site inspection, grant authorization to the applicant; and

**WHEREAS**, as per Rule 9 of the HOWM Rules, utilization of hazardous and other wastes as a resource or after pre-processing either for co-processing or for any other use, including within the premises of the generator (if it is not part of process) shall be carried out only after obtaining authorization from SPCB/PCC in respect of waste on the basis of SoP or guidelines provided by CPCB; and

**WHEREAS**, CPCB has prepared SoP for utilization of Spent Pot Lining (SPL) generated from Primary Aluminium Smelting Industries and circulated the same to all SPCBs/PCCs vide letter no. B-29016 (SC)/1(55-IV)/17/HWMD/462-496 dated 10/04/2017 to ensure that authorization for utilization of hazardous shall be granted only upon verification and compliance of provisions and minimal requisite facilities outlined in the SoP and in accordance with the provisions under HOWM Rules; and

**WHEREAS**, a public complaint has been received from villagers of Tilda Village regarding and release of toxic substances like Cyanide and Fluoride, dust emission due to crushing of SPL in open near roads, open storage of SPL without measures to control pollution, non-functioning of any machinery causing pollution by M/s Greenmace Technologies, Village-Dhansuli, District-Raipur, Chhattisgarh (hereinafter referred as unit); and

**WHEREAS**, officials from CPCB, RD, Bhopal inspected the unit on 24.04.2019 and 28.04.2019 to verify the claim of the complainant as well as compliance of SoP for utilization of SPL generated from Primary Aluminium Smelting Industries developed by CPCB and HOWM Rules, 2016. Following shortcomings were observed by inspecting team:

1. The data connectivity of the CEMS for monitoring of PM and F in stack has not been provided to CPCB server.
2. As per analysis report for processed SPL the concentration of average Cyanide (CN) is 171.8 mg/l as against prescribed limit of 20 mg/l.
3. The unit has procured total 3312 MT of SPL from BALCO, Korba during 03.10.2018 to 13.04.2019 out of which about 295 MT is processed during 9 days (06-10 March, 2019 and 13-16 April, 2019) of operation of unit. During inspection approximately 3000 MT, SPL was found which has been stored for more than 90 days in violation of HOWM Rules, 2016.
4. The unit has not provided daily records of Hazardous waste as per form 3 of HOWM Rules, 2016.
5. The unit has not installed automatic feeding system to Rotary kiln as per SoP.
6. Feeding of lime is done through hopper in Rotary Mist Reactor.
7. The SPL size of below 30 mm was not uniform for feeding into the kiln.

**WHEREAS**, the above observations reveal that the complaint made by complainants is valid; and

**WHEREAS**, the above observations reveal that adequate facilities as per CPCB's SoP for utilization of SPL are not being followed besides other violations of the HOWM Rules, 2016; and

**WHEREAS**, the Hon'ble National Green Tribunal, Principal Bench in the matter of OA No. 593/2017 (WP Civil) No. 375/2012, Paryavaran Suraksha Samiti & Anr. Vs. Union of India & Ors., vide its order dated 31.08.2018 directed CPCB to 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**, the compensation amount is calculated as Rs. 28,80,000/- (Rupees Twenty eight lacs eighty thousand only) based on formula for imposing penalty and environmental



compensation on industrial units, developed by the Committee constituted by CPCB as per the directions of Hon'ble NGT order dated 31.08.2018 in O.A no. 593/2017, for the non-compliance period (05.12.2018 to 28.04.2019); and

**NOW, THEREFORE**, in exercise of powers delegated to Chairman CPCB under Section 5 of the Environment (Protection) Act, 1986, the Unit is hereby directed to show cause why a sum of Rs. 28,80,000/- (Rupees Twenty eight lacs eighty thousand only) should not be imposed towards environmental compensation for not complying with SoP for utilization of SPL and violation of HOWM Rules, 2016, thereby causing damage to health and environment;

The reply of the Show Cause Notice shall be submitted to CPCB within 45 days from issue of this notice not later than September, 17 2019 failing which CPCB will be constrained to initiate action against the unit without giving any further notice in accordance with the provisions of the Environment (Protection) Act, 1986.



(S. P. S. Parihar)  
Chairman

Copy to:

1. The Joint Secretary, HSM Division, Ministry of Environment, Forests & Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi : *For kind information, please*
2. The Member Secretary, Chhattisgarh Environment Conservation Board, Commercial Complex, Housing Board Colony, Kabir Nagar, Raipur-492099 : *For follow up and ensure compliance, please*
3. The Regional Director, Central Pollution Control Board, 3rd Floor, Sahkar Bhawan, North TT Nagar, Bhopal-462003 : *For follow up with CECB and ensure compliance, please.*
4. District Magistrate, Collectorate Near Ghadi Chowk, Raipur, Chhattisgarh 492001 Phone : 0771 – 2427920 : *For follow up and ensure compliance, please*
5. I/c IT Division, CPCB, Delhi : *With request to upload on CPCB website*



(Prashant Gargava)  
Member Secretary