



**Speed post**

B-33014/7/2017-18/IPC-II/ 10543  
To

27.12.2019

The Unit Head  
M/s K. D. Cement Ltd  
Village Bhomoraguri  
Distt. Nagaon  
P.O. Rangagora  
Assam-782 140

**Sub:Revocation of closure directions cum show cause Notice under Section 5 of the Environment (Protection) Act, 1986.**

WHEREAS, the cement 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, Ministry of Environment, Forests & Climate Change has notified emission norms for Particulate matter, SO<sub>2</sub> & NO<sub>x</sub> vide GSR 612 (E) dated 25.08.2014; and amended it vide GSR 496 (E) dated 09.05.2016 for all cement industries and vide GSR 497 (E) dated 10.05.2016 for cement industries, carrying out co-processing of wastes in their cement kilns; and

WHEREAS, on request of cement industries, timeline was extended up-to March 31, 2017 to comply with the aforesaid notified emission standards; and

WHEREAS, the matter regarding reconsideration of notified standards was taken up by the Cement Manufacturers Association with the Ministry of Environment, Forest and Climate Change (MoEFCC). In this context, it has been decided by MoEFCC that general extension shall not be granted and any extension regarding compliance shall be based on due assessment and submission of clear/specific road map for compliance with notified standards in a time bound manner. Accordingly, Directions under Section 3 of Environment (Protection) Act, 1986 have been issued by MoEFCC to CPCB on 28.03.2017 to ensure implementation of notified environmental standards for cement industries; and

WHEREAS, you were reminded vide this office letter of even no. dated 30.03.2017 that new notified standards for cement industry have become effective from April 01, 2017 and you were directed to submit clear / specific time-bound action plan for compliance with new notified standards, before April 30, 2017; and

WHEREAS, series of meetings were convened by Regional Directorates of CPCB with Cement industries and State Pollution Control Boards to expedite the submission of action plans and ensure compliance. Based on the inputs received, a standard format was developed to facilitate cement industries in submission of action plans in a precise & scientific manner and the same was circulated among cement manufacturers. Accordingly, all the cement industries were directed to submit the specific action plan as per the standard format before 30.04.2017; and

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WHEREAS, Regional Directorate –Shillong inspected M/s K.D. Cement Ltd, Assam on 04.12.2017 to investigate compliance of revised environmental norms since as per action plan received from the unit, it was claimed that the unit has already complying w.r.t. revised emission norms. The inspecting team made following observations:

1. **Source emission monitoring carried out at cement mill and the unit was found grossly violating the emission norms as PM emission was monitored as 1835 mg/Nm<sup>3</sup>.** Therefore, the unit required to revamp the existing bag house connected to the cement mills.
2. The unit should raise height of chimney attached to cement mill above the roof level of the mill; rain cap fixed with the chimney needed to be removed.
3. The unit required repairing of bag-house connected to the clinker feeding point, material feeding and dropping point of fly ash conveyor belt, material dropping point of clinker feeding point.
4. The unit needed to control fugitive emission generated in the material transfer point.
5. The unit required to complete installation of bag-house being installed in the material dropping point of raw mix silos.
6. The unit should ensure that vehicle washing effluent and laboratory waste water are treated before discharging into the storm drain.
7. The unit required to install a wheel washing system at the entry/exit point to control fugitive emission.
8. The unit did not submit Environment Statement (Form V) to State Board.
9. The unit should install rain water harvesting system to comply with the conditions of EC Clearance as stipulated by MoEF&CC.
10. Negligible plantation was observed along the border facing the National Highway 37.
11. The unit should quantify the Hazardous & Other Wastes generated by the unit. Used oil shall be disposed of through registered recycler only.
12. The unit needed to obtain Authorization under the Hazardous & Others Wastes (Management & Trans-boundary Movement) Rules, 2016.

WHEREAS, emission of air pollutant into environment far exceeding the prescribed standards pose a serious threat to environment ; and

WHEREAS, closure direction u/s 5 of Environment (Protection) Act, 1986 was issued to the unit on 09.01.2018 for above non-compliance; and

WHEREAS, revocation request dated 17.06.2019 was received from the unit and reply dated 23.07.2019 was sent to the unit for submitting requisite documents for considering revocation of closure direction; and

WHEREAS, the unit submitted requisite document for revocation vide letter dated 15.10.2019 and as per IT division connectivity report dated 18.11.2019, it has been observed that the unit has connected OCEMS with CPCB server as per guidelines; and.

WHEREAS, meeting of the three member committee, constituted for examination and recommendation for revocation of closure direction issued by CPCB was held on 09.12.2019 and the committee approved that the closure direction issued to M/s K.D. Cement Ltd, Nagaon, Assam may be revoked with the condition that the




M/s K.D. Cement Ltd, Nagaon, Assam

unit shall submit performance audit report of emission control system from Govt. institute within 60 days; and

Now THEREFORE, in view of the above and exercising the powers delegated to the Chairman, Central Pollution Control Board under section 5 of the Environment (Protection) Act, 1986 vide Ministry of Environment & Forests, Government of India Notifications No. S. O. 157 (E) of 27.02.1996 and S. O. 730 (E) dated 10.07.2002, closure direction issued to M/s K.D. Cement Ltd, Nagaon, Assam dt. 09.01.2018 is hereby revoked with the condition that the unit shall submit performance audit report of emission control system from same Govt. institute within 60 days. In case of non-compliance, appropriate action as deemed fit under the provisions of Environment (Protection) Act, 1986 will be initiated against the unit without any further notice.

Further, it is directed to show cause as to why Environmental Compensation of Rs 30,000/- per day shall not be levied as per Environmental Compensation policy for operation period in non-compliance of closure direction dated 09.01.2018 as per CPCB Guideline on Environmental Compensation introduced in November 2018. The unit is given an opportunity to file its objection, if any, within 15 days from the date of issue of this Notice. In case of non-compliance, appropriate action as deemed fit under the provisions of Environment (Protection) Act, 1986 will be initiated against the unit without any further notice.

  
(S. P. Singh Parihar)  
Chairman

**Copy to:**

1	The Chairman Assam Pollution Control Board Bamunimaida Guwahati - 781 021, Assam	For information & ensuring compliance please.
2	The District Magistrate District - Nagaon Assam	
3	The Regional Director Regional Directorate (North-East) Central Pollution Control Board TUM- SIR, Lower Motinagar Near Fire Brigade H.Q.Shillong - 793014	
4	The Joint Secretary Ministry of Environment, Forests and Climate Change Prithvi Wing, 2nd Floor, Room No. 216 Indira Paryavaran Bhawan Aliganj, JorBagh Road, New Delhi - 110003	For information please.
5	The Divisional Head, IT, CPCB, Delhi	
6	The Divisional Head, IPC-VI	

  
(Prashant Gargava)  
Member Secretary