



SPEED POST

F. No. B-751(391)/Tannery/WQM-II/CPCB/2019-20

13032

Date: 20.02.2020

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To,

M/s Green Leather Industries,
C-24, Industrial Area, Bela,
MUZAFFARPUR, Bihar-842005

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

WHEREAS, the Tannery industries are identified as one of the Grossly Polluting industries (GPIs) which have been discharging environmental pollutants directly or indirectly into the ambient air and water, having potential threat to cause an adverse effect on the water and air quality; and

WHEREAS, the Ministry of Environment & Forests, Government of India, vide Notifications No.S.O.157(E) of 27.02.1996 and S.O.730(E) dated 10.07.2002, has delegated the powers vested under Section 5 of the Environment (Protection) Act, 1986 (29 of 1986) to the Chairman, Central Pollution Control Board, to issue directions to any industry or any local body or any other authority for violations of the standards and rules notified under the Environment (Protection) Rules, 1986 and amendment thereof; and

WHEREAS, M/s Green Leather Industries, C-24, Industrial Area, Bela, Muzaffarpur, Bihar-842005 (hereafter referred as the Unit), is a standalone tannery having individual ETP engaged in processing of raw hides to produce semi-finished leather; and

WHEREAS, CPCB issued closure direction dated 23.05.2017 under Section 5 of the Environment (Protection) Act, 1986 to the unit to comply with the following directions:

- (i) The unit shall stop all manufacturing operations immediately till the installation and commissioning of the online continuous effluent monitoring system (OCEMS) and provide connectivity to the CPCB server for continuous 24x7 data transmission.
- (ii) The unit shall report to CPCB about stopping of manufacturing operations immediately.
- (iii) The unit shall seek permission from CPCB before the resumption of manufacturing operation.

AND WHEREAS, CPCB issued closure direction dated 30.05.2017 under Section 5 of Environment (Protection) Act, 1986 to the unit to comply with the following conditions:

- (i) The unit shall obtain consent under the Air and Water Acts, which expired on 30.06.2016.
- (ii) The unit shall operate as per terms and conditions under Hazardous waste authorization which is valid up to 17.10.2020.
- (iii) The unit shall install the OCEMS system at the outlet discharge point and ensure connectivity.
- (iv) The Chrome Recovery unit shall be maintained and kept operational.
- (v) The unit shall install flow meters before and after the ETP plant for measurement of water consumption as well as wastewater generation discharge; also maintain the daily records.
- (vi) The unit shall make functional of the ETP to comply with the prescribed standards of effluent discharge.
- (vii) The unit shall maintain the ETP, which is in bad shape and make provision for proper disposal of wastewater after aeration, settling and dosing of alum and stop discharge directly outside the premises in roadside drains of the industrial area.

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AND WHEREAS, the unit's replies vide letters dated 08.06.2017, 10.07.2017, 24.10.2017, 29.11.2017 & 05.04.2018 were examined and the following observations were made:

- (i) The unit has submitted self-certificate & Undertaking.
- (ii) The unit has submitted a copy of the application sent to BSPCB, Patna on 26.02.2017 to obtain consent to operate under the Water Act and the Air Act.
- (iii) The unit has submitted OCEMS registration details.
- (iv) The unit has submitted copy of Hazardous Waste Authorization issued by Bihar State Pollution Control Board (BSPCB), valid up to 17.10.2020.
- (v) The unit has submitted ETP adequacy assessment report from Muzaffarpur Institute of Technology, Muzaffarpur.

AND WHEREAS, the OCEMS data Connectivity of the unit was verified at CPCB and found connected to CPCB server; and

WHEREAS, CPCB issued Direction dated 04.06.2018 under Section 5 of the Environment (Protection) Act, 1986 to the unit to comply with the following conditions:

- (i) The unit shall remain closed and shall resume operation for 30 days only after obtaining a valid consent from BSPCB.
- (ii) The unit shall inform immediately to CPCB, on the resumption of manufacturing operations.
- (iii) The unit shall close down its operation on the expiry of 30 days and shall seek permission from CPCB before the resumption of operation.
- (iv) The unit shall provide groundwater analysis report of the 4 locations within 2 km periphery from the unit.

AND WHEREAS, the unit was inspected by a team of officials from CPCB on 19.07.2018 and the following observations were made:

- (i) The unit and ETP were both non-operational.
- (ii) The unit processes raw hides and skins to produce wet blue (semi-finished leather).
- (iii) The unit had constructed the necessary primary treatment plant.
- (iv) Flow meter at outlet was short-circuited/ non- functional and there is no transmission of data to CPCB server.
- (v) Unit submitted CTO under the Water Act, 1974 and the Air Act, 1981 valid up to 15.07.2023 and HWA valid up to 17.10.2020.

AND WHEREAS, Central Pollution Control Board issued Show Cause Notice dated 05.11.2018 under Section 5 of the Environment (Protection) Act, 1986 to the unit, and

WHEREAS, the unit replied vide letter dated 20.10.2018 providing the following information:

- (i) The unit has resumed its operations from 03.10.2018.
- (ii) The unit submitted groundwater analysis report of 4 locations within 2 km periphery from the unit, in compliance with the CPCB directions dated 04.06.2018. The parameters (pH, color, hardness, heavy metals, TDS, Chloride, Sulphate, nitrate and total alkalinity) in the ground water samples analyzed were complying w.r.t the drinking water standards in the absence of alternate source; and

AND WHEREAS, Central Pollution Control Board conducted inspection of the unit on 04.03.2019 and the following observations are made:

- (i) The unit was found non-operational.
- (ii) The unit does not have permission from CGWA for extracting groundwater.

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- (iii) As per the direction dated 04.06.2018 under section 5 of the Environment (Protection) Act, 1986, the unit was allowed to resume operations for 30 days only i.e. from 03.10.2018 (when the unit started operating) to 01.11.2018. However, industry continued its operations up to 01.02.2019 as informed by the industry personnel.

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) that "The CPCB may take penal action for failure, if any, against those accountable for setting up and maintaining STPs, CETPs and ETPs. 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, in compliance of above quoted Hon'ble NGT order, cases to be considered for levying penalty are discharges in violation of consent conditions/ non-compliance with the directions, such as direction for closure due to non-installation of OCEMS/ non-adherence to the action plans submitted/ intentional avoidance of data submission or data manipulation by tampering OCEMS; and

WHEREAS, as per the methodology for assessing penalty and environmental compensation, the environmental compensation levied to the unit was calculated as Rupees 09, 20, 000/- (Rupees Nine lakhs twenty thousand only) for the non-compliance period (02.11.2018 to 01.02.2019); and

WHEREAS, CPCB directions dated 29.05.2019 issued under Section 5 of the Environment (Protection) Act, 1986, directed the unit to deposit Rs. 09,20,000/- (Nine lakhs twenty thousand Rupees only) in CPCB A/c No. 532702050000164 (Bank name: Union Bank of India, IP Extension Branch, Vikas Marg Extn., Delhi; IFSC: UBIN0553271)/ demand draft in favor of EC by CPCB towards environmental compensation within 15 days from the date of receipt of direction and to comply with the following:

- (i) The unit may resume operations for 60 days only.
- (ii) The unit shall inform immediately to CPCB, on resumption of manufacturing operations.
- (iii) The unit shall close down its operation on expiry of 60 days, inform to CPCB about closing of operations and shall seek permission from CPCB before resumption of operations.
- (iv) The unit shall submit, within 60 days from resumption of operations, the performance assessment report of treatment system including analysis of treated effluent by the same institute (MIT Muzaffarpur) which prepared ETP adequacy report.

AND WHEREAS, the unit's reply vide letter dated 27.06.2019, submitted point wise compliance status of CPCB directions dated 29.05.2019 and requested CPCB to waive off the Environmental Compensation.

WHEREAS, the unit's replies vide letters dated 26.07.2019, 30.09.2019 & 17.12.2019 were examined and the following observations were made:

- (i) The unit has resumed the manufacturing operations from 01.08.2019 and closed unit's production on 29.09.2019, in compliance to CPCB directions dated 29.05.2019.
- (ii) The unit has submitted a copy of letter received from Muzaffarpur Institute of Technology, Muzaffarpur with analysis results of effluent, as ETP Performance Assessment Report in which is it mentioned that MIT, Muzaffarpur is satisfied with the effluent treated facilities of the unit.

AND WHEREAS, CPCB vide letter dated 26.12.2019 asked the unit to provide clarifications on actual dates of operation with supporting documents such as copy of electricity bills and logbook.

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WHEREAS, the Three-member committee in its meeting held on 09.01.2020 examined the documents and recommended for revoke of closure directions in view of recommendations of performance audit report from Muzaffarpur Institute of Technology, Muzaffarpur, Bihar.

WHEREAS, the unit vide letter dated 11.01.2020 informed that unit had started operations from 21.12.2018 instead of 03.10.2018, submitted the copy of electricity bill issued by North Bihar Power Distribution Company & a copy of flowmeter logbook which were examined indicating power consumption nil (zero units) from September,2018 to November,2018 and 14174 units (KWH) from December,2018 to January,2019. Logbook indicating unit's operation for 30 days as permitted vide CPCB direction dated 04.06.2018.

WHEREAS, based on the above facts, the Environmental Compensation levied vide CPCB directions dated 29.05.2019 has been waived.

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 Closure Directions dated 23.05.2017 and 30.05.2017 are hereby revoked and the unit (**M/s Green Leather Industries, C-24, Industrial Area, Bela, Muzaffarpur, Bihar-842005**) is directed to comply with the following:

1. The unit shall resume manufacturing operations and shall comply with effluent discharge norms applicable to standalone tanneries.
2. The unit shall ensure connectivity of OCEMS and uninterrupted data transmission to CPCB server.
3. The unit shall inform to CPCB, the date of resumption of operations.

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


(RAVI SHANKER PRASAD)
CHAIRMAN

Copy to:

1. **Member Secretary,**
Bihar State Pollution Control Board,
Parivesh Bhawan, Plot No. NS-B/2
Paliputra Industrial Area, Patliputra,
PATNA (Bihar) - 800 023 : With a request to
ensure compliance of
the directions.
2. **Joint Secretary (CP Division)**
Ministry of Environment, Forest & Climate
Change
Prithvi Block, Indira Paryavaran Bhawan,
Jorbagh Road, NEW DELHI – 110 003 : For kind information
pls.
3. **District Magistrate,**
Sutapatti, Pokhraiira,
Beside Office of Collectorate Muzaffarpur,
MUZAFFARPUR, Bihar 842001 : For information and
necessary action pls.
4. **Managing Director**
North Bihar Power Distribution Company,
Third Floor, Vidyut Bhawan
Bailey Road, Patna 800 001 (Bihar) : With request to
connect the electricity.
5. **Regional Director**
Regional Directorate (East),
Central Pollution Control Board,
Southernd Conclave, Block 502,
5th and 6th Floors, 1582 Rajdanga Main Road,
KOLKATA, West Bengal 700107 : For kind information
pls.
6. **In-charge, IT Division, CPCB** : For information &
upload on website.
7. **In-charge, WQM-II Div., CPCB, Delhi** : For record


(PRASHANT GARGAVA)
MEMBER SECRETARY