

Speed Post

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30.04.2019
06.05.19

To,

M/s U.P. State Sugar Corporation Ltd.,
Mohiuddinpur,
Meerut-250205 (U.P.)

**DIRECTION UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986-
CLOSURE THEREOF**

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

WHEREAS, M/s U.P. State Sugar Corporation Ltd., Mohiuddinpur, Meerut (hereinafter referred as 'the unit') is involved in the process of sugar manufacturing from crushing of cane; and

WHEREAS, the unit was inspected on 22.01.2018 by officials from CPCB and following observations were made:

1. Unit has installed flow meter at one tube well and the other tube well was found closed.
2. The unit has not installed the flow meter at the inlet of ETP and spray pond. Unit has placed order for 08 flow meters as per NSI recommendations.
3. According to the analysis report, pH - 7.50 against 5.5-9.0, BOD - 21 mg/l against 30 mg/l, COD - 91 mg/l against 250 mg/l at the outlet of ETP. Oil and Grease is 15 mg/l against 10 mg/l.
4. Secondary clarifier was not found operational at the time of inspection.
5. Unit has not installed flow meters at the requisite positions.
6. Unit is storing effluent in lagoons for 40 days, against 15 days as per the directions issued by CPCB on 08.11.2017.
7. Irrigation management plan validated by expert institutions is not provided.

AND WHEREAS, CPCB issued Show Cause Notice dated 14.05.2018 under Section 5 of Environment (Protection) Act, 1986; and

WHEREAS, the unit reply dated 31.05. 2018 was examined and following observations were made:

1. The unit has installed flowmeters at ETP inlet, spray pond overflow, tube wells and RO plants.
2. The unit has improved the working of the plant and the quantity of oil & grease checked out into the inlet water. The lubrication system of the machinery has been made leak proof.
3. The unit has submitted that it has constructed the lagoon according to its expanded capacity i.e. 3500 TCD.
4. The secondary clarifier was under repair at the time of the inspection and was started after completing the repair work.
5. The unit has submitted irrigation management plan.

AND WHEREAS, the unit submitted the revalidated adequacy assessment report validated by NSI, Kanpur vide letter dated 19.07.2018; and

WHEREAS, CPCB through an Expert Committee comprising of experts from National Sugar Institute (NSI), Kanpur, Vasantdada Sugar Institute (VSI), IITs and representatives from sugar mills prepared a Charter for Water Recycling and Pollution Prevention (thereafter referred to as the Charter; and

WHEREAS, a meeting of sugar mills operating in Uttar Pradesh, representatives of UPPCB and CPCB was held on 06.07.2018 under Chairmanship of Principal Secretary, Sugar Industries and Sugarcane Development, Government of Uttar Pradesh and the following decisions are made:

1. Sugar Mills shall submit an action plan to CPCB by 20.07.2018 regarding the steps taken by them pertaining to the notices issued to them. Also they shall submit action plan to implement recommendations of their adequacy assessment report.
2. All sugar mills shall ensure implementation of Charter and shall submit action plan to CPCB by 20.08.2018.
3. All sugar mills shall ensure the upgradation of their ETP within August, 2018 so as to ensure no interruption in functioning of the ETP in the following seasons.
4. All sugar mills shall maintain a logbook on ETP operations on a daily basis.
5. ETP shall be operational at all times and all bypass arrangements should be dismantled with immediate effect.
6. MLSS in aeration tanks should be maintained at 2000-2500 mg/l.
7. All sugar units shall set up environmental laboratories for regular analysis of raw and treated effluent thereby ensuring proper functioning of the ETP.
8. All sugar mills shall employ dedicated technicians for operating and regular maintenance of ETP and shall also ensure that the technicians are given proper training on ETP maintenance and lab analysis on regular basis.
9. To ensure proper training of the environmental technicians all sugar mills shall facilitate training of 5 employees.
10. All sugar mills may establish an Environment Management Cell at their level consisting of concerned officials in order to ensure compliance with environmental standards at industry level itself.

AND WHEREAS, the unit vide letter dated 19.07.2018 has submitted their compliance status of the Charter, which was examined and following observations were made:

1. The unit has upgraded ETP system with diffusers, air blower, pumps and primary clarifier upto the tertiary treatment with increasing the capacity of carbon and sand filter as recommended in the adequacy report.

2. The unit ensured operation of ETP without any bypass of water.
3. The MLSS level of aeration tank will be maintained between 2000-2500 mg/l during operation.
4. Laboratory facility is having developed for analysis of effluent.
5. The unit will nominate workers and officers for ETP analysis work in the coming season.
6. The operating staff will be sent for training to NSI, Kanpur for operation and analysis work of ETP.
7. The environmental management cell has been formed in the unit.

AND WHEREAS, the unit vide letter dated nil received on 29.10.2018 was examined and following observations were made;

1. The unit is complying the observations given in adequacy assessment report.
2. The unit has already upgraded and established the new equipment diffusers, air blower, pumps and primary clarifier upto the tertiary treatment with increasing the capacity of carbon and sand filter as recommended in the adequacy report.
3. The unit will maintain logbook for ETP and tube wells as recommended in adequacy report.
4. The unit has operated ETP without any bypass of water as per direction of UPPCB.
5. MLSS level of aeration tank will be maintained 2000-2500 during operation.
6. The Environment Management Cell including Site Incharge, Chief Engineer, Chief Chemist, Lab Incharge, under chairmanship of G.M formed in the unit.

AND WHEREAS, CPCB issued direction dated 29.11.2018 under section 5 of the Environment (Protection) Acts, 1986 to the unit to comply with the following directions before start of the crushing season 2018-19;

1. The unit shall strictly adhere to CPCB norms of wastewater generation *i.e* 200 l/tonne of cane crushed.
2. The unit shall implement the observation & recommendation of the revalidated adequacy assessment of ETP including installation of condensate polishing unit for having boiler of 87 kg/ cm² pressure.
3. The unit shall install sealed flow meter along with running hours meter on bore wells so as to ascertain usage of fresh water for various uses.
4. The unit shall install flow meters at major areas of cold and hot water consumption.
5. The unit shall install flow meters for measuring generation of effluent from various prominent areas.
6. The unit shall maintain logbook for individual process unit for recording daily water consumption and effluent generation also.
7. The unit shall commission mechanical sludge handling system of adequate capacity.
8. The unit shall carry out colour coding of pipelines carrying recycled process water and fresh process water.
9. The unit shall carry out analysis of parameters as per Environment (Protection) Rules, 1986 on daily basis and maintain logbook of the same.
10. The unit shall submit the implementation status of the Charter in the form of Affidavit and the documentary proof of the completion of the work as committed in the action plan.
11. The unit shall submit implementation status of the Charter and performance adequacy audit of ETP including actual assessment of water consumption and effluent generation duly validated by reputed expert institute namely NSI Kanpur, VSI Pune, IITs during crushing season & submit the report to CPCB within 60 days of resumption of operation.

AND WHEREAS, the unit vide letter dated 12.01.2019 has submitted their compliance status and following observations were made;

1. The unit is circulating the cooling water at various equipment and using condensate polishing unit to control the 200litre/ton of cane crushed.
2. The unit has implemented the observation of revalidated adequacy report & has increased capacity of tertiary treatment and written for condensate polishing unit for boiler to the concern.
3. The unit has installed flow meter at borewell and sealing work is in process.
4. The unit has installed flow meter at mills, pan and condensate polishing unit.
5. The unit has installed flow meter at various prominent areas at ETP, hot water condensate, tubewell and spray pond.
6. The colour coding of the pipelines and commissioning of mechanical sludge handling system is in process.

AND WHEREAS, the unit was inspected on 02.04.2019 by officials from CPCB, Delhi and following observations were made:

1. The unit was operational during the visit.
2. The unit has valid consents of under Water Act, 1974 and Air Act, 1981 upto 31.12.2019 for the production capacity of cane crushing 3500 TCD.
3. The unit has started its crushing on 11.11.2018 for the crushing season (2018-19).
4. The ETP comprises of Oil & grease, Equalization tank, Primary Clarifier, Aeration tank, Secondary Clarifier, and Tertiary treatment (Sand filter and Activated Carbon filter). However, Oil & Grease & Primary Clarifier were found non-functional during the inspection.
5. The unit was bypassing the untreated effluent from ETP inlet channel and equalization tank of ETP to the adjacent drain (Shekpur drain) which meets Kadrabad drains and ultimately falls into East Kali.
6. The unit has not installed the flow meter at the inlet of ETP and Online Continuous Effluent Monitoring System (OCEMS) was found non- functional at the outlet of ETP during the inspection.
7. The unit has stored the treated effluent into the lagoon through pump but has not submitted the irrigation management plan to CPCB.
8. The unit has not installed the flow meter at the overflow of the spray pond and has not installed the separate treatment system for the spray pond overflow.
9. The unit has not installed the mechanical sludge handling system.
10. The unit has high pressure boiler with a capacity of 80TPH (as per consent) but has not installed the condensate polishing unit and is discharging the water into the ETP inlet.

It is evident that untreated effluent is being discharged by the unit causing grave injury to the environment.

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 to be levied to the unit is calculated as Rs. **43,80,000/-** (Forty-three lakhs eighty thousand rupees only) for the non-compliance period (22.01.2018 to 16.06.2018), for the crushing season 2017- 18; and

Rs. **46,80,000/-** (forty-six lakhs eighty thousand rupees only) for the non-compliance period (11.11.2018 to 15.04.2019), for the crushing season 2018- 19; and

NOW, THEREFORE, in exercise of powers delegated to Chairman CPCB under Section 5 of the Environment (Protection) Act, 1986, the Unit (U.P. State Sugar Corporation Ltd., Mohiuddinpur, Meerut) is directed **close down its manufacturing operations immediately and deposit Rs.90,60,000/-** in CPCB A/c No. 532702050000164 (Bank name: Union Bank Of India, IP Extension Branch, Vikas Marg Extn., Delhi; IFSC: UBIN0553271)/ demand draft in favour of EC by CPCB towards environmental compensation **within 15 days** from the date of receipt of direction and shall comply with the following directions;

1. The unit shall close down its Sugar manufacturing operations with immediate effect and shall not resume its operations.
2. The unit shall dismantle the bypass arrangements and stop discharge of untreated/ partially treated effluent discharge immediately.
3. The unit shall install flow meters at major areas of cold and hot water consumption.
4. The unit shall maintain logbook for individual process unit for recording daily water consumption and effluent generation also.
5. The unit shall commission mechanical sludge handling system of adequate capacity.
6. The unit shall carry out colour coding of pipelines carrying recycled process water and fresh process water.
7. The unit shall submit the implementation status of the Charter in the form of Affidavit.
8. The unit shall submit implementation status of the Charter and performance adequacy audit of ETP including actual assessment of water consumption and effluent generation duly validated by reputed expert institute namely NSI Kanpur, VSI Pune, IITs.
9. The unit shall seek permission from CPCB, after compliance of the above directions, before resumption of operation.

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


(S.P. SINGH PARIHAR)
CHAIRMAN

Copy to:

1. **The Chairman**
Uttar Pradesh Pollution Control Board,
Building No. TC-12V, Vibhuthi Khand,
Gomti Nagar, Lucknow – 226 010
:With request to ensure compliance of
the directions.
2. **Principal Secretary (Sugar)**
Sugar Industry and Cane Development
Department, "G" Block 2/3, Mantri Wing 4th Floor
Bapu Bhawan Vidhan Sabha Marg
Lucknow - 226 001
:For kind information, please.
3. **Joint Secretary (CP Division)**
Ministry of Environment, Forest & C.C
Prithvi Block, Indira Paryavaran Bhawan,
Jorbagh Road, New Delhi – 110 003
:For kind information, please
4. **The District Magistrate**
Meerut, U.P.
:With request to ensure closure of the
unit in compliance of the directions
5. **The Superintending Engineer**

Paschimanchal Vidyut Vitran Nigam Ltd.
Meerut, U.P.-250402
:With a direction to disconnect
power supply
6. **The Regional Director**
Regional Directorate
Central Pollution Control Board, PICUP Bhawan,
Ground Floor, Vibhuthi Khand, Gomti Nagar,
Lucknow – 226 010
:For follow up and ensuring
compliance
7. **The In-charge, IT Division, CPCB**
:with request to upload on CPCB
server.
8. Master file/Guard file, WQM II, CPCB Delhi


(PRASHANT GARGAVA)
MEMBER SECRETARY