



केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

SPEED POST

CPCB-B 33014/62V-2/2019/IPC-II/

May 07, 2019

To

1278
M/s. JSW Steels Ltd.,
Vijayanagar Works,
Vidyanagar, Bellary,
Karnataka.

Sub: Directions under Section 5 of the Environment (Protection) Act, 1986 – Revocation thereof.

Ref: Letter No. CPCB-B 33014/62(iron & steel)/2017/IPC-II/9494 dated 05.09.2017.

WHEREAS, integrated iron and steel plants and sponge iron units 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;

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;

WHEREAS, there is need to inculcate habit of self-monitoring within the industries for complying with the prescribed standards and this can be achieved by the methods like installing online effluent and emission monitoring devices;

WHEREAS, for strengthening the monitoring and compliance through self-regulatory mechanism, online source emission and effluent monitoring systems need to be installed and operated by the industries on 'polluter pays principle';

WHEREAS, 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. PM and SO₂ parameters & online effluent monitoring system w.r.t. pH, flow, BOD, COD and TSS in iron & steel industries;

WHEREAS, considering the representations received from industries/ industrial associations/ SPCBs / PCCs, an extension of time up to June 30, 2015 for installation of online monitoring systems was granted vide directions dated March 02, 2015 under section 18 (1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981;

WHEREAS, concerned SPCB/ PCC issued directions under section 33A of the Water (Prevention & Control of Pollution) Act, 1974 and section 31A of the Air (Prevention & Control of Pollution) Act, 1981 to install the online monitoring system by June 30, 2015 and submit bank guarantee of 100% of the cost of online emission & effluent monitoring system;

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M/s. JSW Steels Ltd., Vijayanagar Works, Karnataka

WHEREAS, during monthly verifications of Online Continuous Emission & Effluent Monitoring System (OCEMS) data by the IT Division of CPCB Head Office at Delhi, it was observed that the unit remains non-complying with respect to exceedances in SMS alerts/Offline status during February to March 2017; and

WHEREAS, the unit M/s JSW Steel Ltd., Vijayanagar Works, Vidyanagar, Bellary, Karnataka was inspected by CPCB - Regional Directorate Bengaluru during 30.05.2017 to 01.06.2017 and observed serious shortcomings with regard to pollution control practices being adopted by the industry; and

WHEREAS, there are a total of 155 stacks in the industry which are attached with Coke Oven Plant, Sintering Plant, Blast Furnace Plat, Steel Making Shop (including Arc Furnaces and Induction Furnaces) and Rolling Mills as evident from the CTO issued to the industry by Karnataka State Pollution Control Board and as per Guidelines issued by CPCB on installation & connectivity of OCEMS, all the 155 Emitting stacks and all the effluent points were to be equipped with OCEMS for requisite parameters & connected with CPCB server by the timeline of 28.02.2017 which has been over long-back; and

WHEREAS, based on thorough examination and the connectivity status of OCEMS as provided by CPCB IT Division on 21.07.2017, it has been noticed that only 23 stacks for the parameter PM are connected with CPCB server and similarly only 1 effluent point for the parameters namely pH and flow, is connected with CPCB server. None of the stacks in Coke Oven Plants and Blast Furnace Plants, is equipped & connected with online analysers for SO₂ and NO_x; and

WHEREAS, based on the observations made by CPCB inspection team and all material facts available with CPCB and in exercise of powers vested under Section-5 of the Environment (Protection) Act, 1986 to the Chairman, CPCB, M/s JSW Steel Limited., Vijayanagar Works, Vidyanagar, Bellary, Karnataka was directed not re-start its operation without written permission of CPCB; and .

WHEREAS, unit submitted a reply dated nil received by this office on 19.09.2017 the aforesaid directions and also filled a W.P. vide WP 42771/2017 in the Hon'ble High Court, Karnataka on which the High Court passed an Order dated 20.09.2017 that "During the pendency of writ petition, the respondents are restrained by an order of injunction, from taking any coercive steps against the writ petitioner in connection with the notice dated September 05, 2017, issued by the respondent no. 1, being Annexure-A to the writ petition."; and

WHEREAS, the unit submitted compliance to CPCB regarding its CEMS, vide letter and email dated 23.10.2017 and 15.11.2017 respectively; and

WHEREAS, asked to the unit to provide details of CEMS connectivity of stacks with the CPCB server as per consent order, an adequacy report of Govt. Institute about ECS / ZLD and a partwise compliance on the aforesaid directions, vide CPCB letter dated 16.11.2017; and

WHEREAS, unit submitted its partwise replies on the aforesaid directions and CEMS installation and connectivity status vide industry letter dated 30.11.2017 but not submitted the required adequacy report. Further, during examination of aforesaid reply it was also observed that the CEMS connectivity with the CPCB server is not as per the CPCB guidelines. Therefore, incomplete compliance status was communicated to the unit and the unit was asked to submit work completion report along with adequacy report of Govt. Institute for the process stacks those were found non-compliant during aforesaid inspection, vide CPCB letter dated, 27.12.2018; and

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WHEREAS, vide letter dated 16.03.2018 the unit again informed that CEMS connectivity from the plant to CPCB server is as per CPCB guidelines and sought time for submission of adequacy report and requested for revocation of the directions; and

WHEREAS, based on unit's replies and stack-CEMS details as per the Consent orders dated 20.06.2016 valid up to 30.06.2021, a details of non-complied stacks were prepared and the unit was asked to submit adequacy report and complete partial CEMS and to get amendment in Consent order from KSPCB in reference to non-operative / shutdown processes, vide CPCB letter dated 27.07.2018; and

WHEREAS, vide reply dated 10.08.2018 the unit has submitted (i) Performance Studies cum Adequacy Report of ESPs of Sinter Plant – 2 and 3 of M/s JSW Steel Ltd., Vijayanagar Works carried out by M/s. Mecon Ltd, Ranchi; (ii) copy of CFO CTO amendment request submitted to Environment Officer, RO, KSPCB, vide letter dated 01.08.2018; and (iii) detailed compliance and CEMS connectivity status in reference to CPCB communication dated 27.07.2018; and

WHEREAS, according to unit's reply dated 10.08.2018, 11.09.2018, 30.11.2018 (i) unit has reported closure and dismantling plan of CO- 1 and 2 (Chimney No. 114-125) including closure of associated 8 x 47 TPH boiler (Chimney No. 310-317); (ii) 7 converters of BOF of SMS-1 and 2 as gas recovery system installed; (iii) Chimney No. 321 and 322 are attached with gas based process boiler and; (iv) unit has requested KSPCB for deleting Chimney No. 323 from CFO as boilers not installed / stack is non-existing and the process boiler attached with Chimney No. 324 is gas based and SPCB has been requested to correct this in Consent; and

WHEREAS, vide letter dated 24.12.2018 and 22.03.2019 unit has informed that the CEMS related compliance in reference to designated outlets are incomplete and will be communicated to this office on completion of the said works; and

WHEREAS, the WP 42771/2017 in which Hon'ble High court of Karnataka has been disposed vide Court order dated 20.03.2019 with the order "Closure Revoking Committee to consider petitioner's case in accordance with law and to pass appropriate orders. Till consideration of petitioner's case, Central Pollution Control Board shall not take any coercive measures."

WHEREAS, IT report dated 16.04.2018, reported relevant stacks connectivity with the CPCB server including connectivity status of 06 designated outlets for pH, Flow, Conductivity meters and camera. However, vide IT report dated 16.04.2018 reported connectivity of 05 numbers of camera instead of 06 numbers; and

WHEREAS, vide letter dated 25.04.2019 the unit has reposted full compliance in respect of (i) OCEMS on 71 stacks for 95 parameters (71 PM, 12 SO₂ and 12 NO_x) (ii) OCEMS on 6 outlets (4 designated outlets and 2 ETP outlets) (iii) Six online PTZ camra; and.

WHEREAS, in view of above and in compliance of order of Hon'ble High court of Karnataka dated 20.03.2019, the case was placed before 3-Member Committee meeting held on 25.04.2019 at CPCB, Delhi and the 3-Member Committee has recommended revoking of the closure direction; 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

NOW, THEREFORE, in view of the above, the closure direction dated 05.09.2017 issued u/s 5 of the Environment (Protection) Act, 1986 to M/s. JSW Steels Ltd., Vijayanagar Works is hereby revoked with the following conditions:



1. The industry shall ensure continuous data transmission from all the analysers of online emission and effluent monitoring systems as per CPCB guidelines to CPCB and SPCB server and shall comply with the aforesaid Directions.
2. The industry shall operate with valid consent under the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, & Authorization under H&OW (M&TBM) Rules, 2016.

However, any expansion of the existing project in future shall be intimated to CPCB/ SPCB and applicability / scope of the installation of OCEMS will be subjected to further verification. In case of non-compliance, appropriate action as deemed fit under the provisions of Environment (Protection) Act, 1986 will be intimated against the unit without any further notice.


 12/05/14
[S.P. Singh Parihar]
Chairman

Copy to:

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| 1. The Additional Secretary, CP Division
MoEF&CC, Prithvi Wing,
Indira Paryavaran Bhawan,
Jor Bagh Road,
New Delhi - 110003 | : for information please. |
| 2. The Chairman
Karnataka State Pollution Control Board
Paribesh Bhawan, #49, 4 th & 5 th Floor,
Church Street, Bangalore- 560001 | : for information please. |
| 3. The District Magistrate
District Collectorate
Bellary, Karnataka- 583101 | : for information please. |
| 4. The Chairman,
Karnataka Power Transmission Corporation Limited
Corporate Office, Kaveri Bhawan,
K.G. Road, Bengaluru- 560009 | : for information please. |
| 5. The Regional Director (Bengaluru)
CPCB, 1 st & 2 nd Floors, Nisarga Bhavan
A-Block, Thimmaiah Main Road
7 th D Crossm Shivanagar,
Bengaluru- 560079 | : for information please. |
| 6. The Incharge, IT Division, CPCB, Delhi. | : for information please. |
| 7. The Incharge, I/c IPC-VI CPCB, Delhi. | : for information please. |
| 8. The Incharge, Law Cell-II CPCB, Delhi. | : for information please. |


[Prashant Gargava]
Member Secretary