

Speed Post

B-190198/WQM-II (RG)/CPCB/Sugar/05/2016-17 1459

20.05.2019
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To,

M/s Anamika Sugar Mills Ltd.
Bhandaria, Aurangabad, Bulandshahar,
U.P.-245401

**DIRECTION UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986-
CLOSURE NOTICE 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 Anamika Sugar Mill Pvt. Ltd., Bhandaria, Aurangabad, Bulandshahar (hereinafter referred as 'the Unit') is involved in the process of sugar manufacturing from crushing of cane; and

WHEREAS, the unit was inspected on 06.02.2018 by officials from CPCB, Delhi and following observations were made;

1. The analysis of treated effluent sample shows pH-7.16, against 5.5-9.0, BOD-138 mg/l against 30 mg/l, COD- 236 mg/l against 250 mg/l, TSS- 27 mg/l against 30 mg/l which indicates non-compliance w.r.t. BOD with effluent surface discharge norms prescribed under Environment (Protection) Rules, 1986.
2. The Unit has not submitted revalidated ETP adequacy assessment report within 45 days from the date of resumption of operation to CPCB.
3. The Unit discharges untreated sewage outside the premises through a channel and a possibility of discharging the untreated effluent of the process or spray pond through this channel.

AND WHEREAS, CPCB issued Show Cause Notice dated 27.04.2018 under Section 5 of Environment (Protection) Act, 1986 to the unit; and

WHEREAS, the unit submitted the revalidated adequacy assessment reports prepared by VSI, Pune on 24.05.2018; and

WHEREAS, the unit reply dated 17.09.2018 was examined and following observations were made:

1. Unit has upgraded its ETP as per the directions of adequacy report.
2. Unit has submitted that it does not have any bypass arrangement for effluent disposal.

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 20.07.2018 submitted their compliance status of the Charter; and

WHEREAS, CPCB issued direction dated 23.10.2018 under section 5 of the Environment (Protection) Act, 1986 to the Unit to comply with the following directions before commencement of crushing season 2018-2019;

1. The unit shall implement the observation & recommendation of the revalidated adequacy assessment of ETP.
2. The unit shall maintain logbook for individual process unit for recording daily water consumption and effluent generation also.
3. The unit shall carry out colour coding of pipelines carrying recycled process water and fresh process water.
4. The unit shall carry out analysis of parameters as per Environment (Protection) Rules, 1986 on daily basis and maintain logbook of the same.

5. The unit shall submit the implementation status of the Charter in the form of Affidavit and documentary proof of the completion of the work as committed in the action plan.
6. 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 17.11.2018 submitted their compliance status and following observations were made;

1. The unit has implemented observations and recommendations of revalidated adequacy assessment of ETP.
2. The unit has installed flow meters at bore wells, major areas of cold and hot water consumption and for measuring generation of effluent.
3. The unit is maintaining logbook for individual process unit for recording daily water consumption and effluent generation also.
4. The unit has done colour coding of pipelines carrying recycled process water and fresh process.
5. The unit is doing analysis of effluent discharge parameters notified under Environment (Protection) Rules, 1986 and logbook being maintained on daily basis.
6. The unit has requested VSI for adequacy audit of ETP.

AND WHEREAS, the unit vide letter dated 23.03.2019 submitted their compliance report including actual assessment of water consumption and effluent generation of season 2018-19 validated by VSI, Pune and following observations were made:

1. Fresh water consumption is 67.20 l/t of cane and waste water generation from the mill is 134.36 l/t of cane.
2. Total quantity of treated effluent is being used in industry's own sugarcane field.
3. The unit has established lab for water analysis, appointed trained staff for operation and maintenance of ETP.

AND WHEREAS, the unit was inspected on 29.03.2019 by team of CPCB officials and following observations are made;

1. The unit and ETP were operational at the time of inspection.
2. Total fresh water consumption by plant was 227m³/day.
3. Total effluent generation during inspection was 130 l/t of cane.
4. The mill is storing treated effluent into the lagoon and is further utilizing for irrigation purpose.
5. The unit was bypassing the dark-grey colour wastewater/ untreated effluent through a cemented channel under the boundary wall. This untreated effluent was found stored in low-lying, non-lined permeable area, across the road.
6. The analysis of treated effluent sample from ETP outlet shows pH-7.29, against 5.5-9.0, **BOD-301 mg/l** against 100 mg/l, **COD- 571 mg/l** against 250 mg/l, **TSS- 251 mg/l** against 100 mg/l and TDS- 1812 mg/l against 2100 mg/l which indicates non-compliance w.r.t. BOD, COD, and TSS with effluent land discharge norms prescribed under Environment (Protection) Rules, 1986.
7. Flowmeters have not been installed to measure cold water usage at following locations:
 - a) SO₂ gas cooling
 - b) B and C massecuite cooling
 - c) Final molasses cooling

- d) Make water for shortfall at any point operation including spray pond/process cooling tower.
8. The mill was discharging the colony domestic sewage into roadside low-lying area.
9. In aeration tank diffused aerators were found non- operational and 3 out of 4 surface aerators were operational.
10. Oil & Grease skimmer belt was worn out and is found inefficient for skimming activity.

It is evident that untreated/ partially treated effluent is being discharged by the Unit, posing potential threat to river water quality.

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. 57,60,000/-** (Rupees Fifty-seven lakhs sixty thousand only) for the non-compliance period (04.11.2018 to 14.05.2019), 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 (M/s Anamika Sugar Mill Pvt. Ltd., Bhandaria, Aurangabad, Bulandshahar) is directed **close down its manufacturing operations immediately and deposit Rs. 57,60,000/-** in CPCB A/c No. 532702050000164 (Bank name: Union Bank Of India, IP Extension Branch, Vikas Marg Extn., Delhi; IFSC: UBIN0553271) 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 till augmentation and upgradation of ETP system is carried out.
2. The Unit shall dismantle the bypass arrangements and stop discharge of untreated/ partially treated effluent discharge immediately.
3. The unit shall submit adequacy assessment of treatment facility by reputed govt. institute; including work completion report regarding implementation of the recommendations of the adequacy report.
4. 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 (M/s Anamika Sugar Mill Pvt. Ltd., Bhandaria, Aurangabad, Bulandshahar) 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 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

Bulandshahar, U.P.

:With request to ensure closure of the unit in compliance of the directions

5. Managing Director

Paschimanchal Vidyut Vitran Nigam Ltd.,
Urja Bhawan,
Victoria Park, Meerut 250001, Uttar Pradesh

:With a direction to disconnect power supply

6. The Regional Director

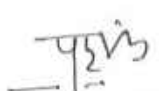
Regional Directorate
Central Pollution Control Board, PICUP Bhawan,
Ground Floor, Vibhuti Khand, Gomti Nagar,
Lucknow – 226 010

: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