

Speed Post

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17.05.2019
21/05/19

To,
M/s Dhanashree Agro Product Pvt. Ltd.
(Formerly known as M/s Lakshmi Sugar Mills Co. Ltd.)
Iqbalpur, Tehsil Bhagwanpur,
Distt Haridwar-247668
Uttarakhand

**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 Dhanashree Agro Product Pvt. Ltd., Iqbalpur, Haridwar, Uttarakhand (herein after referred as 'the Unit') is involved in the process of sugar manufacturing from crushing of cane; and

WHEREAS, the Unit was inspected on 27.03.2018 by officials from CPCB and following observations were made;

1. The Unit and ETP were operational.
2. Effluent Treatment Plant (ETP) comprises of Bar Screen, Oil Grease Separator, Equalisation Tank, Primary Clarifier, Aeration Tank, Secondary Clarifier & Activated Carbon filter.
3. Analysis of treated effluent sample showed pH-7.07 against norms of 5.5-9.0, **BOD- 148 mg/l** against norms of 30 mg/l, **COD- 299 mg/l** against norms of 250 mg/l, **TSS- 81 mg/l** against norms of 30 mg/l and **Oil and grease- 13 mg/l** against norms of 10 mg/l which indicated non-compliance w.r.t. BOD, COD & TSS with effluent surface discharge norms prescribed under Environment (Protection) Rules, 1986.

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4. MLSS in aeration tank was found 1443 mg/l which indicated unstabilised Activated Sludge Process system and poor operation and maintenance of ETP system.
5. The Unit has installed cooling tower but there is no separate treatment of excess water containing sulphate and it is transferred to inlet of ETP directly.

AND WHEREAS, CPCB issued direction dated 29.05.2018 under Section 5 of the Environment (Protection) Act, 1986 the unit; and

WHEREAS, the Unit vide letter dt 02.07.2018 submitted revalidated adequacy assessment reports prepared by VSI, Pune; 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 Uttarakhand, representatives of UEPPCB and CPCB was held on 19.07.2018 under Chairmanship of Cane Commissioner, Government of Uttarakhand and the following decisions were made;

1. Sugar Mills shall submit an action plan to CPCB by 31.07.2018 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 before start the crushing season.
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 24.07.2018 submitted their compliance status of the Charter; and

WHEREAS, CPCB issued compliance direction dated 26.10.2018 under Section 5 of the Environment (Protection) Act, 1986 to the unit to comply with the following:

1. The unit shall start its operation only after obtaining the valid consent from the Uttarakhand Environment Protection and Pollution Control Board (UEPPCB).
2. The unit shall implement the observation & recommendation of the revalidated adequacy assessment of ETP.
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 carry out colour coding of pipelines carrying recycled process water and fresh process water.
8. The Unit shall commission mechanical sludge handling system of adequate capacity
9. The unit shall carry out analysis of effluent discharge parameters notified under Environment (Protection) Rules, 1986 and logbook shall be maintained on daily basis.
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 govt. expert institute namely NSI Kanpur, VSI Pune, IITs during crushing season & submit the report to CPCB within 60 days of resumption of operation

WHEREAS, the Unit was inspected on 07.02.2019 by officials from CPCB, RD Lucknow based on SMS alert programme and following observations were made;

- i. The unit is engaged in production of sugar with sugar cane crushing of 4500 TCD. During the inspection, the unit was in operation with the present cane crushing capacity of 4500 TCD.
- ii. The unit has started its crushing season from 11.12.2018.
- iii. ETP plant was started on 10.11.2018 as per the information provided by the unit representative. During the inspection ETP was found operational.
- iv. The ETP comprises of Oil skimming & Bar screen chamber, Fine screen, Collection Tank, Chemical Mixing Tank, Primary Clarifier, Aeration tank-I (Diffused aeration), Aeration tank II, Secondary Clarifier, Pressure Sand filter, Activated Carbon filter, Sludge drying beds (4 nos.)
- v. Analysis of treated effluent sample showed pH-7.47 against norms of 5.5-8.5, BOD- 41.60 mg/l against 100 mg/l, COD- 95.3 mg/l against 250 mg/l, SS- 12.8 mg/l against 100 mg/l and Oil and grease- BDL against 10 mg/l which indicated compliance w.r.t. BOD, COD & TSS with effluent for disposal on land norms prescribed under Environment (Protection) Rules, 1986.
- vi. The unit is meeting its fresh water requirement through two tube wells. The unit has installed the mechanical flow meter at tube wells and maintained the logbook.
- vii. The unit has obtained permission from CGWA for ground water abstraction of 3, 27,025m³/yr. (680 m³ for season & 1235 m³/day off season).

- viii. The excess condensate about 718 m³/day is sent to Under Ground Reservoir (UGR) after cooling and utilizing in the cooling tower make up.
- ix. As per the unit representative, total effluent generation is 426 m³/day including spray pond overflow (168.0 m³/day). During inspection team had observed that spray pond overflow and sugar mill effluent is sent to ETP for further treatment.
- x. The unit has not installed the flow meter at the spray pond overflow, excess condensate generation.
- xi. The unit is having pucca lagoon for the storage of treated effluent for the low demand period for irrigation.
- xii. The unit has installed flow meter at outlet of ETP and maintain the record.
- xiii. During the inspection, OCEMS system was not observed at final outlet of ETP. The unit informed that existing OCEMS sensor was non-functional since January 2019. The unit sent the system to the vendor for repairing/ replacement of the same.
- xiv. Ash generated from boiler is used for landfilling, press mud is taken to the local farmers and used oil is mixed with bagasse and fired in boiler.
- xv. The unit has installed two boilers of 110TPH (high-pressure boiler) and 40 TPH respectively. The unit have 40m stack followed by multicyclone and wet scrubber as APCD.
- xvi. The unit has not installed the online stack emission monitoring system at boiler stacks for measuring the consented parameters.
- xvii. The unit has not installed the STP for treatment of colony domestic wastewater.

AND WHEREAS, IT division, CPCB has verified that OCEMS data is available till 07.06.2018 and for BOD and COD faulty data was supplied; and

WHEREAS, the unit w.r.to vide letter dated 20.02.2019 submitted their compliance direction dated 26.10.2018 which was examined and following observations made;

1. The unit has not installed flow meters for measuring generation of effluent at various generation points.
2. The unit has not carried out colour coding of pipelines carrying recycled process water and fresh process water.
3. The Unit has not commissioned mechanical sludge handling system of adequate capacity.
4. The unit has not submitted 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.
5. The unit has not submitted implementation status of the Charter and performance adequacy audit of ETP including actual assessment of water consumption and effluent generation duly validated by reputed govt. expert institute namely NSI Kanpur, VSI Pune, IITs during crushing season within 60 days of resumption of operation.

AND WHEREAS, CPCB issued Show cause notice dated 22.03.2019 under section 5 of the Environment (Protection) Act, 1986 to the unit as the unit:

1. Failed to supply OCEMS data uninterruptedly.
2. For not submitting point-wise compliance status of CPCB direction dated 26.10.2018.

3. Failing to install & commission Condensate Polishing Unit (CPU) for high-pressure boiler 110 TPH (>45 Kg/cm²) for treatment of condensate water to ensure its reuse & recycle within the process.

AND WHEREAS, unit replies vide email dated 08.04.2019 and 09.04.2019 were examined and following observations are made:

1. The unit failed to supply OCEMS data uninterruptedly because OCEMS system failed in January, 2018 and system was sent to M/s Axix Nano Technology Pvt Ltd. on 14.01.2019. The supplier could not repair the system timely. However, the unit could not provide satisfactory reply regarding delay of about one year in getting repair of OCEMS from supplier.
2. The unit has submitted Implementation Status of the Charter.
3. The unit is having condensate polishing unit for treatment of secondary condensate for use as cooling tower make up water.
4. The unit has closed its operations during the crushing season 2018-19 on 07.04.2019.

It is evident that the unit (M/s Dhanashree Agro Product Pvt. Ltd., Iqbalpur, Haridwar, Uttarakhand) has deliberately failed to install and provide connectivity of OCEMS to CPCB server uninterruptedly.

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 6,00,000/-** (Rupees six lakhs only) for the non-compliance period (27.03.2018-15.04.2018), for the crushing season 2017- 18; and **Rs. 70,80,000/-** (Rupees seventy lakhs eighty thousand only) for the non-compliance period (11.12.2018 to 07.04.2019), 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 (M/s Dhanashree Agro Product Pvt. Ltd. Iqbalpur, Distt Haridwar-247668 Uttarakhand) is directed to comply with the following directions:

1. The unit shall remain closed and not operate without seeking permission from CPCB.
2. The unit shall install OCEMS and provide connectivity.
3. The unit shall **deposit Rs.76,80,000/- within 15 days** from the date of receipt of direction in CPCB A/c No. 532702050000164 (Bank name: Union Bank Of India, IP


Extension Branch, Vikas Marg Extn., Delhi; IFSC: UBIN0553271) towards environmental compensation.

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 Dhanashree Agro Product Pvt. Ltd. Iqbalpur, Distt Haridwar, Uttarakhand) without giving any further notice in accordance with the provisions of the Environment (Protection) Act, 1986.


(S. P. SINGH PARIHAR)
CHAIRMAN

Copy to:

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| <p>1. The Chairman
Uttarakhand Environment Protection & Pollution Control Board, 29/20, Nemi Road, Dehradun, Uttarakhand-248001</p> | <p>:With request to ensure compliance of the directions.</p> |
| <p>2. Cane and Sugar Commissioner
Uttarakhand
Village Hempur Ismile, Bazpur Road, Kashipur District, Udham Singh Nagar, Uttarakhand-244713</p> | <p>:With request to ensure compliance of the directions.</p> |
| <p>3. Joint Secretary (CP Division)
Ministry of Environment, Forest & C.C
Prithvi Block, Indira Paryavaran Bhawan, Jorbagh Road, New Delhi - 110 003</p> | <p>:For kind information, please</p> |
| <p>4. The District Magistrate
Haridwar, (U.K.)</p> | <p>:With request to ensure closure of the unit in compliance of the directions</p> |
| <p>5. Superintending Engineer
Uttarakhand power corporation Ltd.,
Electricity distribution circle, Roorkee, Haridwar, U.K. -247667</p> | <p>:With a direction to disconnect power supply</p> |
| <p>6. The Regional Director
Regional Directorate
Central Pollution Control Board, PICUP Bhawan, Ground Floor, Vibhuti Khand, Gomti Nagar, Lucknow - 226 010</p> | <p>:For follow up and ensuring compliance</p> |
| <p> 7. The In-charge, IT Division, CPCB</p> | <p>:with request to upload on CPCB server.</p> |
| <p>8. Master file/Guard file, WQM II, CPCB Delhi</p> | |


(PRASHANT GARGAVA)
MEMBER SECRETARY