

SPEED POST

B-190197/NGRBA (RG)/CPCB/Sugar/71/2016-17 ⁹⁰³⁰

24.05.2019
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To,

M/s Triveni Engineering & Industries Ltd.,
Sabitgarh, Karora
Khurja/Bulandshahar
Uttar Pradesh

**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 & Climate Change, 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 there under and also to meet the consent conditions granted by State Pollution Control Board (SPCBs) / Pollution Control Committees (PCCs); and

WHEREAS, M/s Triveni Engineering & Industries Ltd., Sabitgarh, Karora, Khurja, Bulandshahar, U.P. (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. During the inspection unit was operational.
2. The unit is having ETP system of Oil & Grease trap, Equalization Tank, Primary Clarifier, Aeration tank I, Secondary Clarifier, Aeration tank II, Secondary Clarifier-II, Multigrade filter and Activated Carbon filter.
3. The unit is having three borewell to meet its fresh water requirements.
4. The unit has installed the flow meters at requisite positions as recommended by NSI.

5. The treated effluent showed pH-7.39, against 5.5-8.5, BOD-12 mg/l against 30 mg/l, COD- 64 mg/l against 250 mg/l, TSS- 24 mg/l against 30 mg/l and Oil & grease 05mg/l against 10 mg/l at outlet of the ETP.
6. The unit discharge of treated effluent as per logbook provided for the month of December was 231 KLD and for January was 367.29 KLD.

AND WHEREAS, CPCB issued letter dated 16.04.2018 to the unit for compliance of the following:

1. To submit analysis reports through environmental lab recognized under Environment (Protection) Act.
2. To submit revalidated ETP adequacy assessment report within 45 days from the date of resumption of operation to CPCB.

AND WHEREAS, the Unit replied vide letter dated 02.05.2018 & 13.06.2018 enclosing the Analysis report through EPA recognized laboratory and revalidated adequacy assessment reports by NSI, Kanpur; and as per the report following recommendations have been made by NSI, Kanpur:

1. The oil and grease tank was found inadequate.
2. The multi grade filter was marginally adequate and activated carbon filter was found inadequate on operational capacity.
3. Necessary flow meters are installed at major unit operations.
4. Flow meters have not been provided at various consumption points as discussed in report.
5. Flow meter installed at ETP inlet but flow meters have not been provided to ascertain the effluent discharge at cooling tower overflow.

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 were 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 was inspected on 29.01.2019 & 30.01.2019 by NGT Monitoring Committee of Ganga Phase-I along with officials from CPCB, and following observations were made:

1. The plant has an installed capacity of 6500 MT per day and was found operational at the time of inspection.
2. The mill uses ground water for its operations and the representative informed that the unit has NOC from CGWA for ground water abstraction.
3. The sugar plant has an ETP of 650KLD treatment capacity based on ASP technology.
4. The ETP area is odorous and poorly maintained.
5. The drains around the plant are choked and carry extremely black and thick effluent.
6. A lagoon is made at the back of the factory with construction going on in the intervening area. Since the area is fenced off for construction, lagoon is not accessible.
7. The committee could see pipes laid from lagoon and water getting utilised for irrigation in the fields.
8. The treated effluent showed pH-7.92 against norms of 5.5-8.5, BOD-30 mg/l against norms of 100 mg/l, COD- 153 mg/l against norms of 250 mg/l, TSS- 49 mg/l against norms of 100 mg/l and TDS- 1752 against norms of 2100 mg/l at outlet of the ETP as per on-land effluent discharge norms.

AND WHEREAS, CPCB issued letter dated 11.03.2019 to the unit for compliance of the following:

1. The unit shall implement the observation & recommendation of the revalidated adequacy assessment of ETP.
2. The unit shall install sealed flow meters along with running hours meters on bore wells so as to ascertain usage of fresh water for various uses.
3. The unit shall install flow meters at major areas of cold and hot water consumption.
4. The unit shall install flow meters for measuring generation of effluent from various prominent areas.
5. The unit shall maintain logbook for individual process unit for recording daily water consumption and effluent generation also.

6. The unit shall carry out colour coding of pipelines carrying recycled process water and fresh process water.
7. The Unit shall commission mechanical sludge handling system of adequate capacity
8. The unit shall carry out analysis of effluent discharge parameters notified under Environment (Protection) Rules, 1986 and logbook shall be maintained on daily basis.
9. 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 report to CPCB within 45 days of resumption of operation.
10. The unit shall submit the implementation status of the Charter in the form of Affidavit within 15 days.

WHEREAS, the Unit was inspected on 19.03.2019 by officials from CPCB, and following observations are made;

1. The unit has not installed flow meters at all the recommended places as per the charter.
2. Sludge from septic tank was spread on soil inside the premises of the unit near to lagoon.
3. Analysis result of treated effluent sample showed pH-8.5 as against norms of 5.5-8.5, BOD-06 mg/l against norms of 100 mg/l, COD- 51 mg/l against norms of 250 mg/l, TSS- 16 mg/l against norms of 100 mg/l and TDS- 1404 mg/l against norms of 2100 mg/l which indicates compliance w.r.t. surface effluent discharge norms prescribed under Environment (Protection) Rules, 1986.
4. The lagoon of the unit is receiving treated water of ETP as well as STP. Analysis result of sample collected from Lagoon showed pH-7.25 against the norms of 5.5-8.5, **BOD-245 mg/l** against norms of 100 mg/l, **COD-464 mg/l** against the norms of 250 mg/l, TSS-77 mg/l against norms of 100 mg/l, TDS-2048 mg/l against norms of 2100 mg/l, which indicate that unit is not complying with stipulated on-land effluent discharge norms w.r.t to **BOD and COD**.
5. The Unit has not installed the mechanical sludge handling system.
6. The unit has not installed the spray pond overflow treatment process.

It is evident that 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 environmental compensation, the environmental compensation to be levied to the unit is calculated as **Rs. 14,40,000/-** (Rupees Fourteen Lakhs Forty Thousands Only) for the non-compliance period (19.03.2019 to 05.05.2019), 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 Triveni Engineering & Industries Ltd., Sabitgarh, Karora, Khurja, Bulandshahar, U.P.) is directed to **remain close and deposit Rs. 14,40,000/- (Rupees Fourteen Lakhs Forty Thousands Only)** 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. The unit shall comply with the following directions;

1. The unit shall remain closed and not operate without seeking permission from CPCB.
2. 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 within 45 days.
3. 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 Triveni Engineering & Industries Ltd., Sabitgarh, Karora, Khurja, Bulandshahar, U.P.), in accordance with the provisions of the Environment (Protection) Act, 1986, without giving any further notice.


(S.P. SINGH PARIHAR)
CHAIRMAN

Copy to:

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| <p>1. The Chairman
Uttar Pradesh Pollution Control Board,
Building No. TC-12V, Vibhuthi Khand,
Gomti Nagar, Lucknow – 226 010</p> | <p>:With request to ensure compliance of the directions.</p> |
| <p>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</p> | <p>:For kind information, please.</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> |

4. **The District Magistrate**
Bulandshahar, U.P.

: To ensure physical verification, closure, sealing and disconnect power supply in compliance of closure direction.

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