

Speed Post

B-190198/WQM-II(RG)/CPCB/Sugar/28/2017-18 2138

23.05.2019
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To,

M/s Indian Potash Limited (Sugar Unit),
Sakouti Tanda, Dist- Meerut
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, 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 Indian Potash Limited, Sakouti Tanda, Meerut, 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 05.01.2018 by the officials of CPCB and following observations were made; and

1. The Unit was operational at the time of inspection.
2. The Unit is having two outlets.
3. The untreated spray pond overflow is stored in lagoon.
4. The Unit is not maintaining the proper piping network for storing the effluent.
5. The untreated effluent from storage lagoon discharge on land.

AND WHEREAS, CPCB issued closure direction dated 07.02.2018 under section 5 of Environment Protection Act, 1986 to the Unit; and

WHEREAS, the compliance status of direction dated 07.02.2018 submitted by the unit vide letters dated 22.02.2018 & 01.10.2018 were examined, and the Unit was re-inspected on 01.03.2018 by officials of CPCB Delhi and found operational and analysis of treated effluent showed **TSS-108 mg/l** against norms of 100 mg/l which indicated non-compliance w.r.t. TSS

with effluent surface discharge norms prescribed for sugar units under Environment (Protection) Rules, 1986; and

WHEREAS, the Unit submitted the revalidated adequacy assessment reports prepared by NSI, Kanpur vide letter dt. 11.05.2018; 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 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 vide letter dated 07.09.2018 submitted their compliance status of the Charter; and

WHEREAS, CPCB issued direction dated 06.11.2018 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 start its operation only after obtaining the valid consent from the Uttar Pradesh Pollution Control Board.

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 adequacy capacity.
9. The unit shall carry out analysis of effluent discharge parameters notified under Environment (Protection) Rules, 1986 and log book should 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 audit of ETP 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.

AND WHEREAS, the unit vide letter dated 27.03.2019 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 was observed to be 127.54 l/t of cane.
2. Total effluent generation was observed to be 137.51 l/t of cane with average crush rate 1613.10 TCD.

WHEREAS, the unit was inspected on 04.04.2019 by team of CPCB officials and following observations are made;

1. The unit and ETP were operational at the time of inspection.
2. Analysis result of treated effluent sample from ETP outlet showed pH- 7.01 against norms of 5.5-8.5, Oil & grease- 5.0 mg/l against norms of 10 mg/l, **BOD- 227 mg/l** against norms of 100 mg/l, **TSS- 325 mg/l** against norms of 100 mg/l, **COD- 601 mg/l** against norms of 250 mg/l and TDS- 1992 mg/l against norms of 2100 mg/l, which indicate non-compliance w.r.t. COD, BOD and TSS as per the stipulated discharge norms for disposal on land.
3. Analysis result of sample collected from Lagoon showed pH- 7.26 against norms of 5.5-8.5, **BOD- 150 mg/l** against norms of 100 mg/l, TSS- 86 mg/l against norms of 100 mg/l, **COD- 453 mg/l** against norms of 250 mg/l and TDS- 1340 mg/l against norms of 2100 mg/l, which indicate non-compliance w.r.t. BOD and COD as per the stipulated discharge norms for disposal on land and use of partially treated effluent in irrigation poses threat to environment.

4. The unit has not installed the flow meters at cold water recycling system i.e., power turbine cooling and at Mills, fibrizer bearing, pumps cooling, SO₂ gas cooling, B&C massecuite cooling and final molasses cooling.
5. The unit used a kaccha lagoon for storage of treated effluent.
6. The unit has not submitted implementation status of the Charter and not implemented the recommendations of performance adequacy audit of ETP carried out by VSI, Pune
7. The Unit has installed 09 flow meters at various hot water and cold water consumption points. Out of 09 flowmeters, 04 were found non-functional.
8. Closed loop system for hot water condensate is not implemented.
9. The Unit carried out partial colour coding of pipelines carrying recycled process water and fresh water.

It is evident that partial treated 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. 35,10,000/-** (Rupees Thirty-Five Lakhs Ten Thousands Only) for the non-compliance period 05.01.2018 to 01.05.2018), for the crushing season 2017- 18; and **Rs. 99,00,000/-** (Rupees Ninety-Nine Lakhs Only) for the non-compliance period (15.11.2018 to 28.04.2019) 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 Indian Potash Limited, Sakouti Tanda, Meerut, U.P) is directed **to remain close and deposit total Rs. 1,34,10,000/- (Rupees One Crores Thirty-Four Lakhs Ten 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 and shall comply with the following directions;

1. The unit shall remain closed until the augmentation and upgradation of ETP is carried out.

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 Indian Potash Limited, Sakouti Tanda, Meerut, U.P.) without giving any further notice in accordance with the provisions of the Environment (Protection) Act, 1986.


 28/5/19
(S. P. SINGH PARIHAR)
 CHAIRMAN

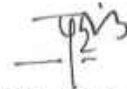
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| <p>1. The Chairman
 Uttar Pradesh Pollution Control Board,
 Building No. TC-12V, Vibhuthi Khand,
 Gomti Nagar, Lucknow – 226 010</p> | <p>:With request to ensure compliance of the directions.</p> |
| <p>2. Principal Secretary
 Sugar Industry and Cane Development
 Department, "G" Block 2/3, Mantri Wing 4th Floor
 BapuBhawan 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> |
| <p>4. The District Magistrate
 Meerut, U.P.-246701</p> | <p>: To ensure physical verification, closure, sealing and disconnection of power supply in compliance of closure direction.</p> |
| <p>5. The Superintending Engineer
 Paschimanchal Vidyut Vitaran Nigam Limited,
 Meerut, U.P.</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> |

✓ 7. The In-charge, IT Division, CPCB

8. Master file/Guard file, WQM II, CPCB Delhi

:with request to upload on CPCB server.



(PRASHANT GARGAVA)
MEMBER SECRETARY