

SPEED POST

B-190197/NGRBA (RG)/CPCB/Sugar/68/2016-17

30.05.2019

66.06

To,

M/s Kisan Sahkari Chini Mills,
Satha, Aligarh,
U.P-202127

**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 & 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 Kisan Sahkari Chini Mills, Satha, Aligarh (hereinafter referred as 'the Unit') is involved in the process of sugar manufacturing from crushing of cane; and

WHEREAS, the unit was inspected by the officials of Central Pollution Control Board (CPCB) on 08.03.2018 and following observations were made:

1. The Unit has partially implemented suggestion/recommendation of adequacy report.
2. Leakages of molasses through pumps were found spread on the mill floor.
3. The unit didn't maintain records of daily water consumption in separate logbook in absence of water meter.
4. The Unit has not submitted revalidated ETP adequacy report within 45 days from the date of resumption of operation to CPCB.
5. Analysis of ETP outlet sample showed pH-8.25 as against norms of 5.5-8.5, BOD - 07mg/l as against norms of 100 mg/l, COD - 41 mg/l as against norms of 250 mg/l, TSS- 12 as against norms of 100 mg/l and TDS -936 as against norms of 2100 mg/l which indicate compliance with on land effluent discharge standards.

AND WHEREAS, CPCB issued letter on 02.05.2018 to the unit to provide the action plan on the following:

1. The unit shall implement suggestion/recommendation of adequacy report in totality.
2. The unit shall repair/replace the corroded and leakage pipes, valves, oil pumps and tanks to minimise the material lose.
3. The unit shall install water meters and maintain the logbook.

4. The unit shall submit revalidated ETP adequacy assessment report.
5. The unit shall submit irrigation management plan validated by reputed institute namely NSI, Kanpur, and VSI Pune/Agriculture institutions.

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 letters dated 18.07.2018 and 24.10.2018 submitted their action plan; and

WHEREAS, the unit vide letter dated 31.07.2018 submitted their compliance status of the Charter; and

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

1. The unit shall implement the observation & recommendation of the revalidated adequacy assessment of ETP.
2. 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.
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 govt. expert institute namely NSI Kanpur, VSI Pune, IITs during crushing season
10. The unit shall submit the implementation status of the Charter in the form of Affidavit within 15 days

AND WHEREAS, the unit was inspected on 18.03.2019 by officials from CPCB, Delhi and following observations are made;

1. Flowmeter are not installed on boiler make-up, vacuum filter, Lime preparation, movement water at pans, super heater at batch type centrifugal and continuous machine, for monitoring excess condensate.
2. Additional O&G trap with oil skimmer was not installed at mill side as required by adequacy report.
3. Fresh water replacement with spray pond water for ash handling is not implemented.
4. Boiler blowdown water and boiler feed pump cooling water not sent to ETP and not utilized for wet scrubber rather it is sent outside to fields.
5. No provision of pits with ceramic tiles, at clarification station and centrifugal station near boiler feed pumps/condensate pump made to collect leakages.
6. Flowmeters are not installed at spray pond overflow, ETP inlet, ETP outlet and lagoon.
7. Oil & Grease skimmer belt was worn out and was not operating adequately. Also no collection pit or container was made to collect the skimmed O&G.
8. No flow from secondary unit in ETP was observed during inspection.
9. No activity was observed in MGF and ACF i.e. unit was non-operational and corroded with rust.
10. As per analysis report, outlet of ETP was found complying w.r.t pH-5.52 as against norms of 5.5-8.5 and found non-complying w.r.t COD - **3843 mg/l** as against norms of 250 mg/l, **BOD -2065 mg/l** as against norms of 100 mg/l, **TDS -4956** as against norms of 2100 mg/l and **TSS- 240** as against norms of 100 mg/l for disposal on land.
11. Lagoon has impermeable concrete lining and stagnant water was observed in decantation pit of lagoon.
12. No outlet was evident to collection tank where OCEMS probe was dipped.
13. Untreated wastewater was found to be discharged on nearby area.

It is evident that untreated effluent is being discharged which poses potential threat to environmental pollution.

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. 9,00,000/- (Rs. Nine Lakhs only)** for the non-compliance period (18.03.2019 to 16.04.2019), 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 Kisan Sahkari Chini Mills, Satha, Aligarh**) is directed to **remain close and deposit Rs.9,00,000/-** 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 remain closed and not operate without seeking permission from CPCB.
2. No water logging shall take place.
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 within 45 days.
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 Kisan Sahkari Chini Mills, Satha, Aligarh**), in accordance with the provisions of the Environment (Protection) Act, 1986, without giving any further notice.



(S P SINGH PARIHAR)
CHAIRMAN

03.06.2019

Copy to:

1. Principal Secretary

Sugar Industry and Cane Development, Govt. of
U.P., Department, "G" Block 2/3, Mantri Wing
4th Floor Bapu Bhawan Vidhan Sabha Marg
Lucknow - 226 001

2. Member Secretary

Uttar Pradesh Pollution Control Board,
Building No. TC-12V, Vibhuthi Khand,
Gomti Nagar, Lucknow – 226 010

: With request to ensure compliance
of the directions.

: For kind information, please.



- 3. Joint Secretary (CP Division)**
Ministry of Environment, Forest & CC
Prithvi Block, Indira Paryavaran Bhawan,
Jorbagh Road, New Delhi – 110 003
- 4. District Magistrate**
Aligarh, Uttar Pradesh
- 5. Regional Directorate**
Regional Director
Central Pollution Control Board, PICUP Bhawan,
Ground Floor, Vibhuti Khand, Gomti Nagar,
Lucknow – 226 010
- 6. Managing Director**
Dakshinanchal Vidyut Vitran Nigam Ltd.
Urja Bhavan Agra - Delhi, Bypass Road, Sikandra,
Agra, Uttar Pradesh 282007
- ✓ **7. In-charge, IT Division, CPCB**
- 8. Master file/Guard file WQM II, CPCB Delhi**
- : For kind information, please.
- : To ensure physical verification, closure, sealing and disconnection of power supply in compliance of closure direction.
- : For follow up and ensuring compliance.
- : With a direction to disconnect power supply of the unit.
- : With request to upload on CPCB server.
- : For record.


(PRASHANT GARGAVA)
MEMBER SECRETARY

