

SPEED POST

B-190198/WQM-II(RG)/CPCB/Sugar/86/2016-17

07.06.2019
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To,
M/s Kisan Sahkari Chini Mills
Powayan, Shajahanpur, Bareilly,
U.P.-250205

**DIRECTION UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986-
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 Kisan Sahkari Chini Mills, Powayan, Shajahanpur, Bareilly, 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 07.03.2018 by officials from CPCB, and following observations were made;

1. During the inspection, the Unit and ETP were operational.
2. Analysis of treated effluent sample showed pH-7.48 as against norms of 5.5-9.0, **BOD-40 mg/l** against norms of 30 mg/l, COD-183 mg/l against norms of 250 mg/l, **TSS-99.5 mg/l** against norms of 30 mg/l and TDS-587 mg/l against norms of 2100 mg/l which indicated non-compliance w.r.t. BOD & TSS with the effluent surface discharge norms prescribed under Environment (Protection) Rules, 1986.
3. The Unit does not have provision for treatment of Spray Pond overflow and used directly for irrigation purpose.
4. The analysis of untreated effluent sample from Spray Pond overflow shows pH-6.06 as against norms of 5.5-9.0, **BOD-227 mg/l** against norms of 30 mg/l, **COD-357 mg/l** against norms of 250 mg/l, **TSS-64.2 mg/l** against norms of 30 mg/l and TDS-1146 mg/l against

norms of 2100 mg/l which indicated non-compliance w.r.t. BOD, COD & TSS with the effluent surface discharge norms prescribed under Environment (Protection) Rules, 1986.

5. A pipeline was observed from secondary clarifier to discharge treated effluent without tertiary treatment.
6. The Unit has installed flowmeters at final discharge point of ETP. However, flowmeters were not installed at process of unit.
7. Total effluent discharge is estimated to be **324.5 Litre/ Tonne** of cane crushed which is higher than the permissible limit.

WHEREAS, CPCB issued closure direction dated 27.04.2018 under Section 5 of the Environment (Protection) Act, 1986 to the unit; and

WHEREAS, the Unit replied along with the revalidated adequacy assessment reports prepared by VSI, Pune vide letters dt. 03.07.2018 and 11.10.2018; which was examined and following observations were made:

1. Flow meters to be installed at major unit operations to ascertain and control hot and cold-water requirement.
2. Flow meters to be installed at various fresh water consumption points.
3. The Unit should construct additional anaerobic filter followed by aerobic system to reduce the sulphate
4. The Unit should use the spray pond water for pump gland cooling, wet scrubber juice heaters and evaporators brushing.
5. The Unit should install the standby pump to all condensate pump to reduce loss of condensate.
6. The unit have implemented the recommendation of the revalidated adequacy w.r.t Oil & Grease, Equalization tank, Primary Clarifier, and Secondary Clarifier.
7. The unit is having adequate facility for 2125TCD and effluent generation is estimated as 222.29 litre/tonne for cane crushed.

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;

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.

WHEREAS, the unit vide letters dated 12.07.2018, 03.08.2018 & 07.09.2018 submitted their compliance status of the Charter;

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 and shall not operate beyond the consented crushing capacity (2125 TCD).
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 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 26.03.2019 by officials from CPCB, Delhi and following observations are made;

1. Flow meters at inlet and outlet of ETP installed but non-functional.
2. MLSS in aeration tank was 2463 mg/l.
3. Waste water generation is estimated as **222.29 L/T** of cane crushing against the standards 200 L/T.
4. Analysis of treated effluent sample from ETP outlet showed pH 8.35 as against norms 5.5-9, BOD-10.6 mg/L against norms 100mg/L, COD-64.7 mg/L against norms 250 mg/L, TSS-78.9 mg/L against norms 100 mg/L and TDS 583 mg/L against norms of 2100 mg/L which indicates compliance with on land discharge norms.
5. The unit discharges into local drain (Bhansi Nala) which connected to Gomti river (16 Km) and finally meets with Ganga river at a distance of 450 Km.
6. The capacity of ETP is 212.5 KLD as per consent but during visit the flow was found 425 KLD. Excess waste water received in ETP shall be restricted to consented conditions.
7. No proper storage room for sulphur and chemical drums.
8. Old temporary pits should be immediately filled and levelled to prevent the water logging.

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. 29,40,000/-** (Rupees Twenty-nine lakh forty thousand only) for the non-compliance period (07.03.2018 to 12.06.2018) for the crushing season 2017-18.

NOW, THEREFORE, in view of the above observations and in exercise of the powers, delegated to the Chairman, CPCB under section 5 of the Environment (Protection) Act, 1986, the unit is directed to **deposit Rs. 29,40,000/- 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 and notice is hereby served to the Unit (M/s Kisan Sahkari Chini Mills, Powayan, Shajahanpur, Bareilly, U.P.) to **show cause, why the Unit should not be closed** down until all the necessary pollution control measures are planned and implemented so as to comply with the prescribed

effluent discharge standards notified under Environment (Protection) Act, 1986 to satisfaction of CPCB.

You are hereby given an opportunity to file your objections (if any) to the above proposed direction within 15 days from the date of receipt of this notice, failing which appropriate action will be taken against the Unit without giving any further notice as, in accordance with provision of the Environment (Protection) Act, 1986.

(S. P. SINGH PARIHAR)

CHAIRMAN

10/6/19

Copy to:

1. **Principal Secretary**
Sugar Industry and Cane Development
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
3. **Joint Secretary (CP Division)**
Ministry of Environment, Forest & C.C
Prithvi Block, Indira Paryavaran Bhawan,
Jorbagh Road, New Delhi - 110 003
4. **The District Magistrate**
Bareilly, U.P.
5. **The Regional Director**
Regional Directorate
Central Pollution Control Board, PICUP Bhawan,
Ground Floor, Vibhuthi Khand, Gomti Nagar,
Lucknow - 226 010
6. **The In-charge, IT Division, CPCB**
7. Master file/Guard file, WQM II, CPCB Delhi

With request to ensure compliance of
the directions.

:With request to ensure compliance
of the directions.

:For kind information, please.

: With request to ensure compliance
of the directions.

:For follow up and ensuring
compliance

(Prashant Gargava)

MEMBER SECRETARY