

SPEED POST

B-190197/NGRBA (RG)/CPCB/Sugar/45/2016-17

20.06.2019
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To,
M/s Sasa Musa Sugar Works Ltd.
Sasamusa, Gopalganj,
Bihar-841505

**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 Sasa Musa Sugar Works Ltd. Sasamusa, Gopalganj (hereinafter referred as 'the Unit') is involved in the process of sugar manufacturing from crushing of cane; and

WHEREAS, CPCB issued direction dated 27.11.2017 under Section 5 of the Environment (Protection) Act, 1986 to the unit to comply with following directions:

1. The unit shall start its operation only after obtaining valid consent from the concerned State Pollution Control Board.
2. The unit shall install & Commission ETP system upto tertiary treatment level including adequate treatment system for spray pond overflow effluent in case of double sulphitation process (Brine recovery system to be installed in case of sugar refinery having Ion Exchange Process for sugar melt de-colorization).
3. The Unit having high-pressure boiler (>45 Kg/cm²) shall install & Commission Condensate Polishing Unit (CPU) within 45 days for treatment of condensate water to ensure its reuse & recycle within the process.
4. The unit shall restrict the effluent storage capacity to 15 days.
5. The Unit shall utilise treated effluent meeting the prescribed norms for irrigation as per the irrigation management plan validated by expert institutions namely, NSI, Kanpur/ VSI, Pune/ Agricultural Institutions.

6. The unit shall implement the observation and recommendation of the adequacy report within 45 days.
7. The unit shall get the verification of implementation status of the recommendation of adequacy report including ETP performance assessment & effluent generation assessment done by the same institute which carried out adequacy assessment and submit the report to CPCB within 45 days from date of resumption of manufacturing operations.
8. The unit shall submit completion report duly verified by VSI, Pune/ NSI, Kanpur of the action plan submitted vide letter at 28-08-2017, within seven days of resumption of manufacture operation.
9. The analysis result of the treated effluent shall also be submitted within 45 days through EPA recognized laboratories.
10. If the unit fails to provide the verification report duly validated by the expert institutions, the unit shall automatically stop all its manufacturing operations after 45 days from date of resumption of manufacturing operations.

WHEREAS, the Unit was inspected on 07.01.2018 by officials from CPCB and was non-operational due to a major accident on 20.12.2017; 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 Bihar, representatives of Bihar State Pollution Control Board (BSPCB) and CPCB was held on 10.08.2018 under Chairmanship of Chairman, BSPCB and the following decisions were made:

1. Sugar Mills shall submit an action plan to CPCB by 20.08.2018 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 15.09.2018.
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.

9. The analysis result of sample collected from lagoon of the unit shows pH-6.02 against norms of 5.5-8.5, **BOD-617 mg/l** against norms of 100 mg/l, **COD-1108 mg/l** against norms of 250 mg/l, **TSS-113 mg/l** against norms of 100 mg/l and **TDS-2158 mg/l** against norms of 2100 mg/l which indicates non-compliance w.r.t BOD, COD, TSS and TDS against effluent discharge norms on land prescribed under Environment (Protection) Rules,1986.
10. MLLS in aeration tank was found 134mg/l indicating an unestablished ASP system.
11. The unit has installed mechanical flow meters at inlet and outlet of ETP but not maintained the logbook.
12. No sludge drying bed was found in ETP premises.
13. The unit has not maintained logbook of any water extraction and consumptions points.

It is evident that untreated effluent is being discharged by the unit causing grave injury to the environment.

WHEREAS, the unit vide letter dated 06.04.2019 submitted the following:

1. The unit has upgraded ETP plant and has installed the tertiary treatment and fanless cooling tower.
2. The unit has provided the invoices of the materials purchased to upgrade ETP.
3. During the inspection dated 25.03.2019, turbine was tripped, effluent spilled over the sump and drained untreated. This was an accidental situation.
4. The unit has closed down the manufacturing operation on **25.03.2019**.

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. 30,60,000/-** (Rupees thirty lakhs sixty thousand only) for the non-compliance period (14.12.2018 to 25.03.2019), 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 Sasa Musa Sugar Works Ltd. Sasamusa, Gopalganj) is directed **to remain closed and deposit Rs.30,60,000/-** 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 shall not resume its manufacturing operation without seeking permission from CPCB.
2. The unit shall dismantle all bypass arrangements and stop discharge of untreated/ partially treated effluent immediately.
3. The unit shall treat the effluent stored in lagoon upto the discharge norms before utilizing in the irrigation and shall provide documentary evidence within 45 days.
4. 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.
5. 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 Sasa Musa Sugar Works Ltd. Sasamusa, Gopalganj) without giving any further notice in accordance with the provisions of the Environment (Protection) Act, 1986.

21/6/19
(S.P. SINGH PARIHAR)
CHAIRMAN

Copy to:

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| <p>1. The Member Secretary Bihar State Pollution Control Board, Parivesh Bhawan, Plot No. Ns-B/2 Paliputra Industrial Area, Patliputra, Patna (Bihar) - 800 023</p> | <p>:With request to ensure compliance of the directions.</p> |
| <p>2. District Magistrate Gopalganj, Bihar</p> | <p>:To ensure physical verification, closure, sealing and disconnection of power supply in compliance of closure direction.</p> |
| <p>3. Joint Secretary (CP Division) Ministry of Environment, Forests & Climate Change, Indira Paryavaran Bhavan, Jor Bagh Road, New Delhi - 110 003</p> | <p>:for information please</p> |
| <p>4. The Superintending Engineer Bihar State Power Holding Company Limited Gopalganj, Bihar</p> | <p>:With a direction to disconnect power supply</p> |

MM

ofc

Asyankar

5. **Regional Director**
Regional Directorate,
Central Pollution Control Board,
Southernd Conclave, Block 502,,
5th & 6th Floors, 1582 Rajdanga Main Road
Kolkata - 700 107 (W. B.)

✓ 6. The In-charge IT Division, CPCB, Delhi

7. Guard file/ Master File , WQM-II, CPCB, Delhi

:For follow up and ensuring compliance

:with request to upload on CPCB
server.


(PRASHANT GARGAVA)
MEMBER SECRETARY