

BY REGISTERED AD

B-228 /PCI-III/2k08-09

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August 22, 2017

To

M/s S.P.Y. Agro Industries Pvt Ltd,
New Industrial Estate,
Udumulapuram(V), Nandyal(M),
Kurnool-518502
Andhra Pradesh

Revoking of direction Under Section 5 of the Environment (Protection) Act, 1986 regarding failure in installation of on-line monitoring systems

WHEREAS, distilleries are identified as one of the 17 categories of highly polluting industries which have been discharging environmental pollutants directly or indirectly into the ambient air and water, having potential threat to cause adverse effect on the water and air quality; and

WHEREAS, for strengthening the monitoring and compliance through self regulatory mechanism, a direction under section 18 (1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 was issued on February 05, 2014 to all the State Pollution Control Boards (SPCBs)/ Pollution Control Committees (PCCs) for installation of online emission monitoring system w.r.t. Particulate Matter parameter & online effluent monitoring system w.r.t. pH, BOD, COD, TSS, Flow parameters in 17 categories of industries including distilleries; and

WHEREAS, it was clarified that flow meter & web camera may be installed in case of units achieving zero liquid discharge (ZLD) by March 31, 2015 vide guidelines uploaded on website of CPCB dated November 7, 2014; and

WHEREAS, considering the requests/ representations received from industries/ industrial associations/ SPCBs /PCCs, an extension of time up to June 30, 2015 for installation of online monitoring systems was granted vide direction dated March 02, 2015 under section 18 (1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981; and

WHEREAS, in follow up to the directions issued to the SPCBs/PCCs, CPCB had issued show cause notice under section 5 of the Environment (Protection) Act, 1986 dated 24.07.2015 to the unit M/s S.P.Y. Agro Industries Pvt Ltd, Kurnool, Andhra Pradesh, as to why the unit should not be closed down if the unit has not complied fully with the direction issued w.r.t. installation of online emission & effluent monitoring system by June 30, 2015. It was further directed to submit documentary evidence regarding status of installation and connectivity of online emission & effluent monitoring system; and

WHEREAS, in reply to the notice, it was informed by the unit that the unit has installed online monitoring systems and had provided details of the installed systems; and

WHEREAS, CPCB had uploaded the sector specific requirement for the installation and connectivity of online emission and effluent monitoring systems for the 17 category of industries including distilleries, in the CPCB website at the following link; http://cpcb.nic.in/Online_Monitoring_Clarification.php; and

WHEREAS, CPCB was not able to verify the data connectivity from the online monitoring systems installed the unit and hence the claim of the unit regarding installation of online monitoring systems was not acceded; and

WHEREAS, the Ministry of Environment & Forests, Government of India, vide notifications No. S.O. 157 (E) of 27.02.1996 and S.O. 730(E) dated 10.07.2002, has delegated the powers vested under Section 5 of the Environment (Protection) Act, 1986 (29 of 1986) to the Chairman, Central Pollution Control Board, to issue directions to any industry or any local body or any other authority for violations of the standards and rules notified under the Environment (Protection) Rules, 1986 and amendment thereof.

WHEREAS, in view of the non-compliance of the unit w.r.t installation of online monitoring devices and providing connectivity as per requirement of CPCB and in exercise of powers vested under Section 5 of the Environment (Protection) Act, 1986, CPCB had issued direction dated 06.04.2017 to close down manufacturing operations of the unit until installing required online monitoring devices and providing connectivity to CPCB; and

WHEREAS, the unit vide letter dated 29.04.2017, 26.05.2017 & 28.06.2017 has informed that the unit has installed continuous emission monitoring system, flow meters and cameras required for ZLD units and has provided connectivity of these systems to CPCB, and the same has been verified by the IT Division. **HOWEVER**, it is observed from the self certificate provided by the unit, that the unit has closed down its manufacturing operations w.e.f 11.04.2017 to 14.04.2017, only and has continued operations, which is non-compliance of closure direction issued by Central Pollution Control Board under section 5 of E(P) Act, 1986 dated 06.04.2017 and for which necessary legal actions, as per the relevant sections of law shall be initiated separately; and

WHEREAS, the unit was inspected by a team of R.D, Bangalore of CPCB on 13.07.2017 and it was observed that;

1. The industry has disobeyed the closure direction issued Under Section 5 of E (P) Act, 1986 by CPCB on April 06, 2017 and continued to operate the unit even during the inspection.
2. The manual source emission monitoring result indicates that P.M value of boiler stack (i.e., **55.8 mg/Nm³**) marginally exceeds the prescribed standard of **50 mg/Nm³**.

NOW THEREFORE, in view of the compliance made by the unit to the direction issued by CPCB with respect to installation of OCEMs and providing connectivity, and in exercise of powers vested under Section 5 of the Environment (Protection) Act, 1986, the unit, M/s S.P.Y. Agro Industries Pvt Ltd, Kurnool, Andhra Pradesh is allowed to resume its manufacturing operations subject to the following condition;

1. It shall be ensured that the installed online monitoring devices are functioning properly and continuously and that data from the devices are uninterruptedly transferred to CPCB. Any failure in this regard shall be intimated to CPCB with reasons thereof and shall be rectified at the earliest.
2. Unit shall provide action plan for meeting the emission standards w.r.t P.M in the boiler emissions within 30 days.

In case of default in compliance with the above directions or any other exigencies, CPCB will be constrained to initiate further stringent action against the Unit, in accordance with the provisions of the Environment (Protection) Act, 1986, without any further notice.

(S. P. Singh Parihar)
CHAIRMAN

Copy to:

1. The Chairman
Andhra Pradesh Pollution Control Board,
Paryavaran Bhawan,
A-3, I.E, Sanath Nagar,
Hyderabad-500 018.
: For information & ensuring compliance of directions. The self-certificate provided by the unit may also be verified, please (copy attached)
2. The Advisor (CP Division)
Ministry of Environment, Forest & C.C
Prithvi Block, Indira Paryavaran Bhawan,
Jorbagh Road, New Delhi – 110 003
: For information, pl
3. The Regional Director,
CPCB Regional Directorate,
Nisarga Bhawan, 1st & 2nd Floor,
Thimmaiah Road, 7th D-cross
Shivanagar, Opp. Pushpanjali Theatre
Bangalore – 560 010
: For follow up and ensuring compliance
4. The District Magistrate,
East Godavari District.
Andhra Pradesh
: For information regarding revoking of closure direction, pl.

5. The Superintending Engineer (Operations)
APSPDCL, Vidhut Bhavan
Near RTC Bas Stand,
Kurnool-518003, Andhra Pradesh

6. The Div. Head, I.P.C-III, CPCB

7. ✓ The Div. Head, IT Division, CPCB

: With request to restore the
power supply to the unit, pl



(A B Akolkar)
MEMBER SECRETARY

