

SPEED POST

B-190197/WQM-II/RG/CPCB/SUGAR/79/2016-17

08.07.2019

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To,

**M/S VISHNU SUGAR MILLS LTD.
GOPALGANJ,
BIHAR-841428**

**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 Vishnu Sugar Mills Ltd., Gopalganj, Bihar (hereinafter referred as 'the Unit') is involved in the process of sugar manufacturing from crushing of cane; and

WHEREAS, the Unit was inspected on 07.01.2018 by officials from CPCB to verify the compliance status of the Unit and following observations were made;

1. During inspection both unit & ETP found operational.
2. The unit has valid consent under Water (Prevention and Control of Pollution) Act, 1974 & Air (Prevention and Control of Pollution) Act, 1981 up to 30.06.2018.
3. The unit has installed full-fledged ETP based on Primary, Secondary & Tertiary treatment process. ETP comprises of oil skimmer, Equalization tank, Primary clarifier, Aeration tank, Secondary Clarifier, Activated Carbon filter, Sand filter & Sludge drying beds.
4. During inspection, ETP samples were collected from Aeration tank and outlet of ETP to assess the performance of ETP. Analysis of ETP outlet effluent sample showed pH 7.81 (against norms 5.5-8.5), BOD 06 mg/L (against norms 30 mg/L), COD 58 mg/L (against norms 30 mg/L) and TSS 14 mg/L (against norms 30 mg/L). However, MLSS and MLVSS in aeration tank are **348 mg/l and 322 mg/l**, which indicates improper stabilization of aeration tank.
5. OCEMS system installed and connected to CPCB/SPCB servers.
6. Treated effluents are stored in lagoon and utilized in cleaning and irrigation purposes.

7. Unit has not submitted the irrigation management plan validated by expert institutes namely NSI, Kanpur/VSI, Pune/Agricultural institute.

AND WHEREAS, a show cause notice was served to the Unit dated 23.05.2018 under section 5 of the Environment (Protection) Act, 1986; and

WHEREAS, the Unit has submitted the Water Balance & ETP Adequacy Verification report duly verified by VSI, Pune vide their letter dated 01.06.2018; and

WHEREAS, the Unit replied to show cause notice vide their letter dated 15.06.2018 and 02.07.2018; 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; and

WHEREAS, a meeting of sugar mills operating in the State of 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.
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 has submitted the implementation status of Charter vide letter dated 17.08.2018; and

WHEREAS, CPCB issued direction dated 05.11.2018 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 obtain the valid consents to operate from the Bihar State 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.
7. The unit shall carry out colour coding of pipelines carrying recycled process water and fresh process water.
8. Unit shall submit the irrigation management plan duly validated by VSI/NSI/IITs.
9. The Unit shall commission mechanical sludge handling system of adequate capacity.
10. The Unit will carry out analysis of parameters of treated effluent notified under Environment (Protection) Rules, 1986 on daily basis and maintain its logbook.
11. 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.
12. 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 Government 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 replied vide letter dated 10.12.2018 and submitted following points:

1. The unit has obtained valid consents to operate from the Bihar State Pollution Control Board valid up to 30.06.2023.
2. The unit has installed flow meters at requisite locations.
3. The unit maintaining logbook for individual process unit for recording daily water consumption and effluent generation.
4. The unit is carrying out colour coding of pipelines.
5. The unit is carrying out analysis of parameters of treated effluent on daily basis.
6. The unit has submitted the implementation status of the charter in the form of Affidavit.

WHEREAS, the unit vide letter dated 18.04.2019 submitted their compliance report including actual assessment of water consumption and effluent generation of season 2018-19 validated by VSI, Pune; and

WHEREAS, the unit vide letter dated 05.05.2019 submitted irrigation management plan validated by Chandra Shekhar Azad University of agriculture and technology, Kanpur; and

WHEREAS, the unit was inspected on 26.03.2019 by team of CPCB officials and following observations are made;

1. Analysis of treated effluent sample showed pH- 8.01 against the norms of 5.5-8.5, **BOD-152 mg/l** against norms of 100 mg/l, **COD-639** against norms of 250mg/l and **TSS-528 mg/l** against norms of 100 mg/l, which indicate non-compliance w.r.t. BOD, COD and TSS with on-land discharge norms prescribed under Environment (Protection) Rules, 1986.
2. The unit has not maintained record for the usage of treated water in irrigation.

WHEREAS, partially treated effluent is being discharged which poses potential threat to environment; and

WHEREAS, CPCB has been levying Environmental Compensation as directed by the Hon'ble NGT vide its orders dated 03.08.2018 and 19.02.2019 in Original Application No. 593/2017 (W.P. (Civil) No. 375/2012), Original Application No. 125/2017 (M.A. No. 1337/2018) and 217/2017 (M.A. Nos. 761/2017, 1073/2017, 1098/2017 & 1471/2017) vide order dated 06.12.2018 & OA No. No. 739/2018, vide its order dated 21.02.2019;

WHEREAS, as per the methodology for assessing penalty & environment compensation, the environmental compensation to be levied to the unit is calculated as **Rs 43,80,000/-** (Rupees Forty-three Lacs eighty thousand only) for the non- compliance period (19.11.2018 to 13.04.2019), for the crushing season 2018-19, and

WHEREAS, in case of delay in receipt of Environmental Compensation, simple interest shall be charged @12% for delay period with reference to Hon'ble NGT order dated 6th December, 2018 in OA No. 125/2017 for levying interest at a rate of 12% (simple interest) for the delay period in depositing EC amount;

NOW, THEREFORE, in exercise of powers delegated to Chairman CPCB under Section 5 of the Environment (Protection) Act, 1986, the Unit (M/s Vishnu Sugar Mills Ltd., Gopalganj, Bihar) is directed to **remain closed and shall deposit Rs 43,80,000/-** 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 operate without seeking permission from CPCB.
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 Vishnu Sugar Mills Ltd., Gopalganj, Bihar) without giving any further notice in accordance with the provisions of the Environment (Protection) Act, 1986.

(S.P. SINGH PARIHAR)
CHAIRMAN

Copy to:

1. **Member Secretary**
Bihar State Pollution Control Board,
Parivesh Bhawan, Plot No. Ns-B/2
Paliputra Industrial Area,
Patliputra, Patna (Bihar) - 800 023
 2. **District Magistrate**
Gopalganj, Bihar
 3. **Joint Secretary (CP Division)**
Ministry of Environment, Forests & Climate
Change, Indira Paryavaran Bhavan, Jor Bagh
Road, New Delhi – 110 003
 4. **Superintending Engineer**
Bihar State Power Holding Company Limited
Gopalganj, Bihar
 5. **Regional Director**
Regional Directorate,
Central Pollution Control Board,
Southern 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**
- :With request to ensure compliance of the directions.
- : To ensure physical verification, closure, sealing and disconnection of power supply in compliance of closure direction.
- : for information please
- :With a direction to disconnect power supply
- : For follow up and ensuring compliance
- :with request to upload on CPCB server.


(B. Vinod Babu)

MEMBER SECRETARY