

BY SPEED POST

File No.: CP-14/17/2024-IPC-I-HO-CPCB-HO

11042

March 19, 2024

To

M/s Nichino Chemical India Private Limited,
Plot No. 50, 82P, 83, 84P,
Humnabad Industrial Area,
Taluk Humnabad,
District Bidar
Karnataka

Sub.: Directions under Section 5 of the Environment (Protection) Act, 1986 – reg.

WHEREAS, Pesticide industries 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, 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, it is obligatory on the part of industries to install and operate Effluent Treatment plant (ETP) 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 (SPCB)/ Pollution Control Committees (PCCs); and

WHEREAS, Hon'ble Supreme Court of India in the matter of Paryavaran Suraksha Samiti Vs Union of India & Others dated 22/02/2017 directed that no industry which requires "consent to operate" from the concerned Pollution Control Board, is permitted to function, unless it has a functional effluent treatment plant, which is capable to meet the prescribed norms for removing the pollutants from the effluent, before it is discharged; and

WHEREAS, M/s Nichino Chemical India Private Limited, Plot No. 50, 82P, 83, 84P, Humnabad Industrial Area, District Bidar, Karnataka (the Unit) was inspected on February 05 and 06, 2024 by officials of Central Pollution Control Board, Regional Directorate, Bengaluru for verification of compliance to the prescribed standards and observed the following shortcomings:

1. The Unit does not segregate low TDS and high TDS effluent. Primary treatment is given before effluent is fed to MEE and treatment is not found satisfactory, since pH of MEE feed was found to be highly acidic (3.4).
2. Negligible MLSS was observed in aeration tank of biological treatment unit.
3. The Unit was using high COD (2644 mg/l) and TDS (13013 mg/l) untreated effluent in cooling tower, as ETP was not functioning efficiently.
4. The stripper provided for removal of volatile compounds is not working efficiently and ATFD provided to further concentrate and dry the MEE concentrate is not working properly.
5. In MEE area, many loose/flexible pipes were observed and everywhere spillages were observed.
6. Hazardous waste is stored in storage area for more than 90 days which is violation of HOWM, Rules 2016. It was observed that the hazardous waste storage area is open at the four sides and only the top is covered. Also, the allocated space is not above the ground level.

7. The ATFD is not working properly and whole area is flooded with slurry obtained from ATFD.
8. There is no board provided at the hazardous waste storage area indicating the different category of wastes stored and their quantity.
9. The Unit has not provided dedicated area for cleaning for empty barrels / containers and the outlet of cleaning area is not connected to ETP.
10. The Unit has not made agreement with TSDF/authorised recyclers for disposal of hazardous waste except ATFD salt .The Unit has mentioned wrong category of HW authorization.
11. The Unit has disposed of ETP Sludge in the name of process residue and wastes.
12. The unit has not provided monitoring facility to the stacks connected to scrubbers as per the emission regulation part -III.
13. The Unit uses untreated sewage in gardening.
14. The Unit has not obtained permission for groundwater abstraction from the groundwater authority.

WHEREAS, the overall inefficiency/defunct ETP observed in the operating unit ,use of untreated effluent of high COD effluent i.e 2644 mg/l >250 mg/l and TDS 13013 mg/l> 2100 mg/l in cooling tower , usage of untreated sewage in gardening, improper storage of hazardous wastes more than 90 days and unauthorized disposal of ATFD slurry/ETP sludge in the name of process residues and not having agreement with TSDF / authorized hazardous waste recyclers for disposal of all the categories of generated wastes is likely to cause grave injury to the environment ; and

WHEREAS, as per Section 4, Sub section (5) of The Environment (Protection) Rules, 1986; in case where the Central Government is of the opinion that in view of the likelihood of a grave injury to the environment it is not expedient to provide an opportunity to file objections against the proposed direction, it may, for reasons to be recorded in writing, issue directions without providing such an opportunity; 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; and

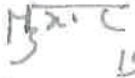
NOW, THEREFORE, based on all facts and observations, in exercise of powers vested under Section 5 of the Environment (Protection) Act, 1986, the unit is hereby directed to close all manufacturing / production activities until it obtains written permission from Central Pollution Control Board for resumption of its operations and complies with the following directions:

1. The Unit shall augment / properly maintain its ETP including pre treatment unit to MEE, the MEE, volatile compounds stripper as well as ATFD ,so that treated effluent shall meet the the norms.
2. The Unit shall provide proper treatment facility to sewage as per conditions of Consent for Operation.
3. The Unit shall obtain permission for groundwater abstraction from the concerned groundwater authority.
4. The Unit shall dismantle/remove all loose pipelines in MEE / ETP area and shall make proper arrangements to prevent / check spillages. All the pipelines in ETP / MEE area shall be properly labelled / colour coded.
5. The Unit shall take necessary action for proper storage & disposal of its hazardous wastes along with proper record in accordance with the conditions of authorization granted under Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016.
6. The Unit shall provide proper monitoring facilities to all the emission stacks as per conditions of Consent for Operation.
7. The Unit shall install one more web camera covering the whole MEE area and provide its online data connectivity to CPCB.

8. The Unit shall amend the hazardous waste category from pharmaceutical to Pesticide category in amended HW authorization

In case of failure to comply with the aforesaid directions, necessary action as deemed fit under the provision of the Environment (Protection) Act, 1986 including imposition of environmental compensation / legal action will be taken by Central Pollution Control Board.

For seeking written permission from CPCB for resumption of its operations, the unit shall submit to CPCB duly notarized copy of status of compliance of the above and self-certificate of closure compliance verified by the concerned SPCB.


19/3/24
(Tanmay Kumar)
Chairman

Copy to:



1. The Chairman
Karnataka Pollution Control Board,
Parisara Bhavan,
#49, 4th & 5 th floor, Church Street,
Bengaluru -560001
: With request to ensure
closure of the unit, please.
2. The Managing Director, KPTCL & Chairperson GESCO, KPTCL Corporate Office,
Kaveri Bhavan , K.G. Road,
Bengaluru - 560009
: With request to
disconnect industrial
electricity supply of unit,
allowing supply only for
domestic & security
purposes, please.
3. The Additional Secretary (CP Division),
Ministry of Environment, Forests and Climate Change,
Prithvi Wing, 5th floor
Indira Paryavaran Bhawan, Aliganj, Jor Bagh Road
New Delhi – 110003
4. The Regional Director
Central Pollution Control Board 1st & 2nd Floors,
Nisarga Bhavan A-Block,
Thimmaiah Main Road 7th D Cross,
Shivanagar, Opp. Pushpanjali Theatre,
Bengaluru –560 010
5. ✓ DH, IT, CPCB
for uploading on portal
please
6. DH, IPC-VI


(Bharat Kumar Sharma)
Member Secretary