

SPEED POST

CP-99/39/2024-IPC-I-HO-CPCB-HO 5250

September 30, 2024

To:

M/s Paradeep Phosphates Limited  
PPL Township  
P.O. Paradeep,  
Dist. Jagatsinghpur  
Odisha-754145

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

WHEREAS, fertilizer 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, 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, based on observations made during inspection conducted by CPCB on 30 & 31 January, 2024, closure direction under section 5 of Environment (protection) Act, 1986 were issued to M/s Paradeep Phosphates Limited, PPL Township, P.O. Paradeep, Dist. Jagatsinghpur, Odisha-754145 (the Unit) on 21.03.2024.

WHEREAS, on the basis of submission of compliance to the directions dated 21.03.2024 and as recommended by revocation committee constituted by CPCB, the closure direction issued to the Unit were conditionally revoked for 90 days on 29.04.2024.

WHEREAS, the Unit was again inspected on 14th and 15th July, 2024 by officials of Central Pollution Control Board (CPCB), Regional Directorate, Kolkata for verification of compliance of directions issued by CPCB; and

WHEREAS, the inspection team observed the following violations:

1. The Sulphuric acid plant (SAP) of Unit is currently exceeding emission limits in respect of SO<sub>2</sub> (1.78 kg/T against the standard of 1.5 kg/T prescribed by SPCB Odisha) and acid mist (116 mg/Nm<sup>3</sup> against the standard of 50 mg/Nm<sup>3</sup> prescribed by SPCB Odisha).
2. Water from the storm water drains having concentration of Fluoride ranging from 2.12 mg/l to 75.47 mg/l (against the standard of 2 mg/l prescribed by SPCB Odisha) and concentration of Phosphates ranging from 2.13 mg/l to 594.58 mg/l (against the standard of 5 mg/l prescribed by SPCB Odisha) is being discharged to the low lying area which is unlined.

WHEREAS, during earlier inspection conducted in January, 2024, it was observed that the Unit is discharging its untreated effluent into storm water drain and then in the low lying area near Industry premises which was violating prescribed discharging norms of OSPCB; and

WHEREAS, The Hon'ble National Green Tribunal (NGT), Principal Bench in the matter of OA No, 593/20 17 (WP (CIVIL) No. 375/2012, Paryavaran Suraksha Samiti & Anr. Vs, Union of India & Ors. directed Central Pollution Control Board (CPCB) to take penal action for failure, if any, against those accountable for setting up and maintaining STPs, CETPs and ETPs and 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, from the date of first inspection (30.01.2024) wherein violation of effluent discharge norms amongst others were observed till the next date of inspection (14.07.2024) i.e. a period of 135 days has been considered as the period of violation for the imposition of Environmental Compensation excluding the periods of closure; and

WHEREAS as per the formula derived by CPCB, the total EC amount calculated for the non-compliance periods as follows:

$$EC = PI \times N \times R \times S \times LF$$

Where,

PI = Pollution Index of industrial sector (=80)

N = Number of days of violation took place (from the day of first inspection till next date of inspection excluding the periods of closure =135)

R = 250

S = Factor for scale of operation (=1.5 for large scale Unit)

LF = Location factor (=1.0, since the population of Paradeep is less than 1 million)

WHEREAS, the Ministry of Environment, Forest and climate change, 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 facts and observations as above, and in exercise of powers vested under Section 5 of the Environment (Protection) Act, 1986, the Unit is hereby directed to show cause as to why:

(i) Operation of Sulphuric acid plant (SAP) of Unit shall not be closed until necessary measures to comply with emission limits in respect of SO<sub>2</sub> and acid mist are taken and the emission standards are complied, and;

(ii) Environmental Compensation, as above, be not imposed on the Unit for the environmental damage because of disposal of untreated effluent to the environment.

The Unit is hereby given an opportunity to file its objection (if any) to the above directions (notice) within 15 days from the receipt of this notice, failing which action as deemed fit under the provision of the Environment (Protection) Act, 1986 including issuance of closure directions / imposition of environment compensation will be taken.

  
(Tanmay Kumar)  
Chairman

**Copy to:**

1. The Chairman  
Odisha Pollution Control Board, A-118,  
Nilakanta Nagar, Unit -VIII,  
Bhubaneswar – 751012.
2. The Additional Secretary (CP Division)  
Ministry of Environment, Forests and Climate  
Change, Prithvi Wing, 5 th Floor,  
Indira Paryavaran Bhawan  
Aliganj, Jor Bagh Road, New Delhi-110003
3. The Regional Director  
Central Pollution Control Board  
'South end Conclave' Block-502,  
5th & 6th Floor,  
1582, Razidanga, Main Road,  
Kolkata- 70010
- ✓ 4. D.H., IT, CPCB
5. D.H. IPC- VI, CPCB

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(Bharat Kumar Sharma)  
Member Secretary

