

SPEED POST

F. No. B-190194/NGRBA/RG/CPCB/others (Chemo)/01(a)/2016-17

August 29, 2017

To

M/s Government Opium & Alkaloid Works,
Gazipur-233001,
Uttar Pradesh

1207

DIRECTION UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986

WHEREAS, Pharmaceutical units 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, there is need to inculcate habit of self-monitoring within the industries for complying with the prescribed standards and this can be achieved by the methods like installing online effluent and emission monitoring devices; and

WHEREAS, for strengthening the monitoring and compliance through self-regulatory mechanism, online source emission and effluent monitoring systems need to be installed and operated by the industries on 'polluter pays principle'; and

WHEREAS, 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 effluent monitoring system w.r.t. pH, BOD, COD, TSS, Chromium (Cr), and Arsenic (As) in Pharmaceutical industries; and

WHEREAS, it was clarified that flow meter & web camera may be installed in case of Units with 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, a letter vide dated May 29, 2015 was issued by the Chairman CPCB to all the SPCBs/ PCCs informing that no further extension of time will be given after June 30, 2015 and withdrawal of consent to operate along with forfeiture of bank guarantee of non-complying units; and

WHEREAS, concerned SPCB/ PCC issued directions under section 33A of the Water (Prevention & Control of Pollution) Act, 1974 and section 31A of the Air (Prevention & Control of Pollution) Act, 1981 to install the online monitoring system by June 30, 2015 and to submit bank guarantee of 100% of the cost of online emission & effluent monitoring system; and

WHEREAS, CPCB has explored installation of Online Monitoring device in the other countries and has come to conclusion that the online monitoring devices are essential for improving compliance as the conventional monitoring systems not able to capture violations on regular basis; and

WHEREAS, a Show Cause Notice under Section 5 of Environment (Protection) Act 1986, was issued on July 27, 2015 for installation of online effluent monitoring device along with connect for submission of online 24x7 monitoring data to SPCB/PCCs and CPCB; and

WHEREAS, it was observed that the Unit has not complied with the above said notice issued on July 27, 2015 under section 5 of Environment (Protection) Act 1986; and

WHEREAS, CPCB issued closure direction dt. 19.01.2016 under section 5 of Environment (Protection) Act 1986 to the unit to install online effluent and emission monitoring system before resuming the plant operation; and

WHEREAS, the Unit vide letter dated February 11, 2016 informed that the plant operations have been closed; and

WHEREAS, the Unit vide letter dt. 19.02.2016 requested extension of time by nine months for installation of online effluent and emission monitoring system; and

WHEREAS, the unit vide letter dated March 02, 2016, submitted an affidavit that it will install online effluent monitoring system for effluent by November 30, 2016 and requested to restore power supply of the unit; and

WHEREAS, CPCB issued direction dt. 08.03.2016 under section 5 of Environment (Protection) Act 1986 to the Unit to allow resumption of all plant operations with a condition that the unit will install the online effluent and emission monitoring system by 30-11-2016; and

WHEREAS, CPCB issued direction dt. 23.12.2016 under section 5 of Environment (Protection) Act 1986 to the unit for installation of online effluent and monitoring system. Thereafter the unit shall be allowed to operate up to 28-02-2017 only if there is valid consent to operate from UPPCB under Water Act 1974 and Air Act, 1981; and

WHEREAS, the Unit was inspected by a team of officials from CPCB on 12.01.2017 to verify the compliance status; and

WHEREAS, CPCB issued directions dt. 10.02.2017 under Section 5 of the Environment (Protection) Act, 1986 to the unit to comply with the following directions:

1. The Unit shall close all the plant operations with immediate effect.
2. The Unit shall complete the installation of online effluent monitoring system along with connectivity for submission of online 24x7 monitoring data to SPCB/PCCs and CPCB before start of production.
3. The Unit shall report to CPCB regarding closure of manufacturing operations in compliance of the direction immediately on receipt of this direction.
4. After completion of the above said measures, the Unit shall report to CPCB and seek permission from CPCB before resumption of their manufacturing operations.

WHEREAS, the unit reply vide letter dated 04.07.2017 was examined; and

WHEREAS, CPCB issued direction dt. 24.07.2017 under Section 5 of the Environment (Protection) Act, 1986 to the unit to comply with the following directions:

1. The Unit may resume manufacturing operations initially for 30 days on trial.
2. The Unit shall immediately inform to CPCB regarding the resumption of operations.
3. The Unit shall operate ETP properly so as to ensure compliance with the effluent discharge norms notified under Environment (Protection) Act, 1986. At any stage, if the treated effluent does not meet notified discharge standards the unit shall close down manufacturing operations immediately and report to CPCB.

AND WHEREAS, the unit reply vide letter dated 11.08.2017 was examined and following observations made:

1. The unit has resumed plant operations from 01.08.2017 for trial run.
2. The unit has submitted that OCEMS has been installed and transmitted all parameters on CPCB server for 24 x 7 monitoring purposes.
3. The unit has installed cyclone separator for air pollution control and flow meters for measuring water flow.
4. Online application for water and air consent to UPPCB, Lucknow has already been submitted on 19.07.2017 along with the requisite fee.
5. The unit has submitted self-certificate in the prescribed format.
6. The installation and commissioning of OCEMS for measuring the required parameters and other equipment has been completed in the unit and all the installed instruments are working properly.

NOW THEREFORE, in view of the above mentioned observations and in exercise of the powers delegated to the Chairman CPCB, under section 5 of the Environment (Protection) Act, 1986, the unit's Closure directions dated 10.02.2017 and 24.07.2017 are revoked herewith and the unit **M/s Government Opium & Alkaloid Works, District Gazipur, Uttar Pradesh** is directed to comply with the following direction:

- (i) The unit shall resume operation and shall treat their effluent to meet the effluent discharge standards as notified under Environment (Protection) Rules, 1986.
- (ii) The unit shall ensure continuous connectivity with CPCB server.

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

(S.P. SINGH PARIHAR)
CHAIRMAN

Copy to:

1. **Chairman.** :[For information please]
Uttar Pradesh Pollution Control Board
Building No. TC-12V, Vibhuti Khand,
Gomati Nagar, Lucknow
2. **The Advisor** (CP Division). :[For information please]
Ministry of Environment, Forests & Climate Change, Indra
Paryavaran Bhavan,
Jor Bagh Road, New Delhi - 110 003

3. **District Magistrate**
Distt. Ghazipur, U.P. :[For information please]
4. **Regional Director,**
Central Pollution Control Board :[To ensure compliance of
Regional Directorate, PICUP Bhawan Vibhuti Khand, Gomti
Nagar, Lucknow - 226 010 the directions]
5. **Superintending Engineer**
Purvanchal VidyutVitaran Nigam Ltd., :[With a request to remain
Distt. Ghazipur, U.P. the electricity supply to the
Unit]
6. ✓ The Incharge, IT Division, CPCB, Delhi
7. Master copy (Pharmaceutical), WQM-II, Division, CPCB, Delhi


(A.B.AKOLKAR)
MEMBER SECRETARY