



Speed Post

B-190198/NGRBA(RG)/CPCB/Distillery/30/2016-17

23 Feb. 2022

To,

M/s Kesar Enterprises Ltd., (Distillery Unit),
Baheri, Dist - Bareilly,
U.P.- 243201.

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

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 directions 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 Kesar Enterprises (Distillery Unit), Bareilly (hereinafter referred as 'the Unit') is involved in the process of extra neutral alcohol and rectified spirit using molasses as raw material; and

WHEREAS, the unit was inspected by the officials of Central Pollution Control Board (CPCB), Delhi on 31.01.2018, for compliance verification of GPIs in the Ganga Basin and the unit was found closed; and

WHEREAS, the unit submitted representation vide letter dated 10.08.2018, and informed the CPCB and UPPCB, that the unit will resume its manufacturing process of extra neutral alcohol and rectified spirit using molasses as raw material tentatively from February, 2019; and

WHEREAS, CPCB issued direction dated 20.11.2018 under Section 5 of the Environment (Protection) Act, 1986 to the unit to remain close and regarding installation of online effluent and emission monitoring system (OCEMS), submission of Adequacy Report duly validated by reputed institutions and to comply with the charter points i.e. installation of mass flow meters, identification of recipient drains/ rivulets and their u/s & d/s locations in consultation with UPPCB for monthly monitoring to ensure ZLD from distilleries, to submit monitoring report to CPCB on monthly basis, to provide documentary support for procurement/ availability of press mud, sell of compost and compost quality on monthly basis (by 10th of every month) to CPCB/UPPCB; and

M/s Kesar Enterprises Ltd. (Distillery division) 'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

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Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

AND WHEREAS, the Unit submitted replies vide letter dated 14.03.2019 and 28.03.2019, which were examined and following observations were made:

1. The Unit submitted duly signed Undertaking on notarized stamp paper as well as self-certificate for closure of Unit in compliance of CPCB direction.
2. The Unit has installed required online effluent and emission monitoring devices and established their connectivity with CPCB server.
3. The Unit submitted adequacy assessment report duly validated by NSI, Kanpur.
4. The Unit has installed mass flow meters at inlet and outlet of MEE: it has established connectivity of mass flow meters with CPCB servers.
5. As per adequacy report, the Unit has installed MEE and CPU systems to ensure ZLD norms; however, the efficiency of the ZLD system has to be assessed when Unit is in operation.
6. The Unit has submitted reply dated 30.03.2019, informing that it will identify recipient drain and its upstream and downstream locations in consultation with UPPCB within the next 15 days.

AND WHEREAS, the Three Member Committee in its meeting held on 11.04.2019, examined the Unit's replies as well as its compliance status and recommended the Unit to resume operations for a period of 60 days, subject to compliance of CPCB directions.

WHEREAS, based on the recommendation of the committee, CPCB issued direction dated 17.05.2019 under Section 5 of the Environment (Protection) Act, 1986 to the Unit to comply with the following conditions:

1. The Unit shall resume its operations for a period of 60 days and intimate CPCB regarding the starting date of its manufacturing operations.
2. The Unit shall provide copy of records of alcohol/rectified spirit production, spent wash generation (namely weak spent, strong spent wash) details of MEE operations, mass flow meter readings connected with CPCB server etc. on monthly basis (by 10th of every month) to CPCB/UPPCB in the prescribed format.
3. The Unit shall identify recipient drains/ rivulets and their u/s & d/s locations in consultation with UPPCB and shall carry out monthly monitoring of the identified recipient drains at u/s & d/s location through lab recognised under Environment (Protection) Act, 1986 and to submit the analysis report on monthly basis (by 10th of every month) to CPCB/UPPCB.
4. The Unit shall use concentrated spent wash: press mud ratio of 1:1.6 and to provide documentary support for procurement/ availability of press mud, sale of compost and compost quality on monthly basis (by 10th of every month) to CPCB/UPPCB in the prescribed format. (Format enclosed)
5. The Unit shall carry out analysis of raw spent wash, concentrated spent wash as well as untreated and treated condensate for important parameters such as pH, COD, BOD, solid content etc., on a regular basis and shall maintain a log book for the same
6. The Unit shall develop analytical facilities along with trained staff having environmental background.
7. The Unit shall ensure maintenance of proper logbook for fresh water consumption, raw and concentrated spent wash generation, as well as for utilization of press mud and sale of bio-compost.

8. The Unit shall submit a revalidated adequacy report/ performance evaluation report prepared by NSI, Kanpur within the 60 days.

AND WHEREAS, the Unit submitted reply vide letter dated 09.07.2019, which was examined and following observations were made:

1. Unit has resumed manufacturing operations on 05.06.2019 and obtained Consents under the Water Act, 1974 and the Air Act, 1981. The Consents are valid from 27.05.2019 to 31.12.2019.
2. Unit has submitted details of rectified spirit production, spent wash generation, details of MEE operations and mass flow meter readings for the month of June, 2019.
3. Unit has identified recipient rivulet as Kichha river and has also identified u/s and d/s locations (along with coordinates) of the drain meeting Kichha river. The unit has submitted analysis report of u/s and d/s locations of Kichha drain.
4. Unit is in the process of starting the first cycle of bio-composting. However, it may be noted that Unit's bio-compost yard having an area of 9.5 acres is uncovered hence bio-composting cannot be carried out during monsoon season.
5. Unit has not provided analysis report of raw and concentrated spent wash for parameters such as pH, COD, BOD, solid content etc.
6. Unit has not indicated the frequency of analysis of raw and concentrated spent wash, CPU samples (untreated and treated condensates) and groundwater samples and whether it is maintaining log book for the same. Also, no information is provided on maintenance of logbook for fresh water consumption, raw and concentrated spent wash generation, as well as for utilization of press mud and sale of bio-compost.
7. Unit has not provided any information on development of analytical facilities along with trained staff having environmental background.
8. Unit has not provided information regarding maintenance of proper logbook for fresh water consumption, raw and concentrated spent wash generation, as well as for utilization of press mud and sale of bio compost.
9. A team from NSI, Kanpur has already inspected and evaluated the ETP plant during operation in June, 2019 and the revalidated adequacy report shall be submitted soon.

WHEREAS, based on the above observations, CPCB issued a letter dated 14.08.2019 for submission of the following information to CPCB:

1. Analysis report of raw and concentrated spent wash for important parameters such as pH, COD, BOD, solid content etc.
2. The frequency of analysis of raw spent wash, concentrated spent wash, untreated and treated condensate for important parameters and whether log book is being maintained for the same. If yes, the copies of the same may be provided.
3. Information regarding development of analytical facilities along with trained staff having environmental background.
4. Whether logbook is being maintained for fresh water consumption, raw and concentrated spent wash generation, as well as for utilization of press mud and sale of bio-compost. If yes, the copies of the same may be provided.
5. The Unit shall seek permission from CPCB to resume operation post completion of the remaining 34 days of the stipulated 60 days of operation as per CPCB direction dated 17.05.2019.

AND WHEREAS, the Unit submitted reply vide letter dated 09.09.2019 along with the ETP Validation Report prepared by NSI, Kanpur, which was examined and following observations were made:

1. The unit is not having adequate compost area for consented production capacity of 45 KLPD. Hence, capacity may be restricted upto 30 KLPD.
2. The unit need to restrict the lagoon capacity upto 5616 m³ ~ 5650 m³ equivalent to 30 days of concentrated spent wash generation as per CPCB direction dated 07.12.2015 and excess capacity of lagoon shall be dismantled/levelled/sealed by the unit. The unit may be asked to submit a time bound action plan within 15 days for the same.
3. In case the incinerator is commissioned, the unit would require to restrict the lagoon capacity equivalent to 07 days of concentrated spent wash generation to comply with ZLD norms as per CPCB direction dated 07.12.2015 issued under Section 18(1)(b) of Water (Prevention & Control of Pollution) Act, 1974.

AND WHEREAS, the Three Member Committee in its meeting held on 09.12.2019, examined the Unit's replies as well as its compliance status and recommended the unit to resume operations.

AND WHEREAS, based on committee's recommendation, CPCB issued revocation direction dated 20.12.2019 under section 5 of Environment (Protection) Act, 1986 to the unit to comply with the following:

1. The unit shall operate the plant at restricted production capacity of 30 KLPD, as the unit is not having adequate active bio-compost area.
2. The unit shall restrict its lagoon capacity upto 5650 m³ equivalent to 30 days of concentrated spent wash generation as per CPCB direction dated 07.12.2015 by dismantling/levelling /filling the excess capacity of the lagoons.
3. The unit shall submit a time bound action plan for dismantling/levelling /filling the excess capacity of the lagoons within 15 days to CPCB.
4. The unit shall intimate CPCB/SPCB after resumption of operation of Incineration Boiler immediately.
5. In case the incinerator is commissioned, then the unit shall restrict its lagoon capacity upto 1310 m³ equivalent to 07 days of concentrated spent wash generation as per CPCB direction dated 07.12.2015 by dismantling/levelling /filling the excess capacity of the lagoons.

AND WHEREAS, the unit submitted replies vide letters dated 02.01.2020, 15.01.2020, and 20.02.2020, wherein the unit has requested CPCB to grant permission to operate the plant at consented capacity of 45 KLPD. In reply of the same, a letter dated 02.03.2020 was issued to the unit informing that "the unit cannot be allowed to operate at 45 KLD until the unit increases its active bio-compost area or install slop incinerator of adequate capacity."

AND WHEREAS, the unit submitted replies vide letters dated 11.03.2020, 20.06.2020, 14.10.2020 and 17.12.2020 were examined and following observations were made;

1. The unit is under the process of installation of 27 TPH incineration boiler and 4.0 MW turbine and will be commissioned by the end of Jan 2021 or by the mid of Feb-2021.

2. After commissioning of 27 TPH Incineration boiler, the unit will operate the distillery plant on 100% incineration and bio-composting process will be closed thereafter.
3. The unit has requested CPCB to grant permission to operate the unit at full capacity of 45 KLD instead of restricted capacity of 30 KLD; and

AND WHEREAS, CPCB issued letters dated 06.01.2021 and 15.02.2021 to the unit for submission of the following;

- I. Point wise compliance status of CPCB conditional revocation direction dated 20.12.2019.
- II. Verified status of below mentioned points from UPPCB:
 - a. Total & restricted storage capacity of the lagoon along with the quantity of concentrated spent wash (CSW) currently stored in the lagoon
 - b. Detailed time bound action plan for dismantling/levelling/filling of the lagoon after emptying the lagoon
 - c. Status of erection of incineration boiler as on date
 - d. Future provision of lagoon for incineration boiler

AND WHEREAS, the unit submitted replies vide letters dated 07.01.2021, 30.01.2021, 21.06.2021 and 25.09.2021 progressively. The replies were examined and following observations were made;

1. The unit has installed 2 additional stages in existing three stage Multi effect evaporator (MEE) to concentrate the spent wash upto 60 % for utilization in upcoming incineration boiler.
2. Unit resumed the distillery plant operations from 23 Dec 2019 at 30 KLD. In this regard the unit submitted the production data for the month from Dec 2020 to Dec 2021 duly verified by Officer in-charge, U.P. Excise Department. The excise data indicates that the average daily production is within the restricted capacity of 30 KLPD.
3. Unit has submitted the details of MEE operations from Dec 2019 to June 2020 and Mass flow meter reading for the month from Nov. 2019 to Dec. 2020.
4. The unit has obtained Consent to Establish (CTE) from UPPCB vide CTE no. 112837/UPPCB/Bareilly(UPPCBRO)/CTE/Bareilly/2020 dated 20.05.2021 for expansion of molasses based distillery from 45 KLPD to 125 KLPD for production of Ethanol, Extra Neutral Alcohol & Rectified Spirit and installation of 27 TPH & 12 TPH boiler, 4 MW co-generation power plant.
5. The unit has completed about 70 % installation work of incineration boiler and tentatively it should be commissioned in 3rd/4th week of September, 2021.
6. The unit submitted adequacy report of Distillery plant on Incineration route based on the unit's inspection by the officials from NSI, Kanpur during on 9-10 Sept.2021.
7. The unit provided the detailed action plan regarding dismantling/levelling/ filling of lagoon and informed that, the work of dismantling/filling/levelling the excess lagoon capacity will be completed by Nov-2021.
8. Construction of RCC lagoon of capacity 1310 m3 is under process and it will take inline once, incineration boiler is commissioned.
9. Connectivity of PM analyzer is under process and will be completed within 3-4 days.
10. To meet the adequate fuel requirement for running of the incineration boiler, the unit requested for revocation and allow them to operate at full capacity of 45 KLD.

AND WHEREAS, based on the above mentioned observations letter dated 26.10.2021 was issued to the unit with a copy to UPPCB for submission of validation report to CPCB as per below listed details:

1. The unit shall complete the work of installation of Suspended Particulate Matter (SPM) analyzer at new slop fired boiler stack and shall ensure connectivity as well as 24 X 7 uninterrupted data transmission of the same to CPCB/SPCB server.
2. After compliance of the above, the unit shall consume the concentrated spent wash (CSW) currently stored in the existing lagoon of 5600m³ capacity through slop fired boiler under supervision of concerned State Pollution Control Board (SPCB) i.e., Uttar Pradesh Pollution Control Board (UPPCB).
3. The unit shall start dismantling/filling/levelling work of the existing lagoon of 5600 m³ capacity immediately after complete consumption of CSW stored in it through slop fired boiler, under supervision of concerned State Pollution Control Board (SPCB) i.e., UPPCB. The unit shall intimate CPCB regarding start and completion of the work by submitting document/photographic evidence
4. The unit shall complete the repair/renovation work of the proposed lagoon of 1310 m³ capacity for storage of CSW before slop fired boiler equivalent to 07 days of concentrated spent wash generation as per CPCB direction dated 07.12.2015.
5. The unit shall submit a validation report from UPPCB regarding:
 - a. Complete consumption of CSW stored in the existing lagoon of 5600 m³ capacity through slop fired boiler.
 - b. Start of the dismantling/filling/levelling work of the existing lagoon of 5600 m³ capacity after consumption of the CSW stored in it.
 - c. Completion of the dismantling/filling/levelling work of the existing lagoon of 5600 m³ capacity and
 - d. Completion of the repair/renovation work of the proposed lagoon of 1310 m³ capacity (equivalent to 07 days' storage); and

WHEREAS, UPPCB vide letter dated 27.01.2022 submitted the inspection report and compliance status in reply to CPCB letter dated 26.10.2021. The inspection report was examined and following observations were made;

1. UPPCB has carried out the inspection of the unit on 21.01.2022. On the day of inspection, the unit was found operational at a restricted capacity of 30 KLD. All the systems were found operational on the day of inspection.
2. For management of distillery spent wash, the unit has following systems: MEE Incineration boiler (27 TPH) and one lined lagoon of capacity 1310 m³.
3. For treatment of spent lees, MEE condensate and other low strength effluent, the unit has condensate polishing unit (CPU). Effluent after treatment through CPU found being used in the process.
4. The unit has installed slope fired Incineration boiler of 27 TPH. The unit has installed ESP as a pollution control device and for monitoring of emissions of flue gases from stack of 27 TPH slope fired boiler, the unit has installed PM analyser. On the day of inspection, the value of PM was observed 58.20 µg/Nm³.
5. The unit has consumed concentrated spent wash stored in lagoon of 5600 m³ capacity in slop fired boiler of 27 TPH. As per the unit's letter dated 20.01.2022, concentrated spent wash stored in lagoon of capacity 5600m³ was consumed from 4th Nov. 2021 to 25.12.2021 through slope fired boiler.

6. The dismantling/levelling/filling work of lagoon was started on 29 Dec.2021 and completed on 20.01.2022.
7. Renovation/repair work of the RCC lagoon of 1310 m³ capacity has been completed. The work was started on 10 Sept. and completed on 27 Sept. 2021.
8. During visit, lagoon of capacity 5600m³ was found dismantled & levelled and the lagoon of capacity 1310m³ was found operational and found filled with approx. 40% of spent wash. In this regard, the unit vide letters dated 25.12.2021 and 20.01.2022 submitted the compliance status to UPPCB.

AND WHEREAS, unit vide letter dated 29.01.2022 submitted the pointwise compliance status to CPCB. The reply was examined and following observation were made:

1. The unit has consumed all its Conc. Spent wash (CSW) stored in lagoon of capacity 5600 m³ through slope fired incineration boiler. The unit has consumed 5282 m³ of conc. through incineration boiler from 4th Nov. 2021 to 25th Dec. 2021.
2. The unit has dismantled/filled/levelled the lagoon of capacity 5600m³. The unit has completed all the work of dismantling and levelling on 20.01.2021 and has submitted the photographic evidence of the same.
3. The unit has installed PM analyser at the new slop fired boiler stack and provided its connectivity to CPCB/SPCB server.
4. The unit has constructed lagoon of 1310 m³ capacity for storage of CSW before slop fired boiler equivalent to 07 days of concentrated spent wash generation as per CPCB direction dated 07.12.2015. The renovation work was started on 10 Sept. and completed on 27 Sept. 2021. The unit has installed PTZ camera at this lagoon and has provided its connectivity to CPCB/UPPCB server.
5. In compliance CPCB direction dated 20.12.2019 and CPCB letter dated 26.10.2021, UPPCB has carried out the inspection of the unit on 21.01.2022.
6. The unit has requested CPCB for revocation of restriction capacity and allow the unit to operate at full capacity of 45 KLD.

AND WHEREAS, the request of the unit for restoration of production capacity from 30 KLD to consented capacity of 45 KLD was placed before 4-member committee during the meeting held on 08.02.2022. After examining the reply of the unit dated 29.01.2022 & report of UPPCB dated 27.01.2022, the committee recommended the request of M/s Kesar Enterprises Ltd., (Distillery Unit), to restore its production from restricted capacity of 30 KLD to its consented capacity of 45 KLD.

AND NOW THEREFORE, in view of committee recommendation and in exercise of the power delegated to Chairman CPCB under section 5 of Environment (Protection) Act, 1986 the unit is directed to comply with the following;

1. The unit is allowed to resume its operations at consented capacity of 45 KLD and shall operate only after obtaining valid consent from UPPCB.
2. The unit shall ensure uninterrupted connectivity of OCEMS (Web cameras, mass flow meters with totalizer and stack monitoring facility for Particulate matter on stack) data transfer to CPCB server.
3. The unit will submit a re-validated performance assessment report of the installed spent wash management system duly validated by recognized technical reputed institution like NSI-Kanpur, VSI-Pune, etc. within 60 days.

4. The unit shall continue to submit the monthly data of production, spent wash generation, mass flow meters' readings, slope burnt in incineration boiler, ash generation and its disposal etc. in the prescribed format to CPCB.

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


(TANMAY KUMAR)
CHAIRMAN

1. **Member Secretary**
Uttar Pradesh Pollution Control Board,
Building No. TC-12 V, Vibhuti Khand
Gomti Nagar, Lucknow-226010 : With request to ensure
compliance by the unit
2. **Joint Secretary (CP Division)**
Ministry of Environment, Forest & C.C
Prithvi Block, Indira Paryavaran Bhawan,
Jorbagh Road, New Delhi - 110 003 : For kind information, please.
3. **The Regional Director**
Regional Directorate
Central Pollution Control Board
PICUP Bhawan, Ground Floor,
Vibhuti Khand, Gomti Nagar,
Lucknow - 226 010 : For follow up and ensuring
compliance
4. **District Magistrate**
Bareilly- U.P. : For kind information, please.
5. **The In-charge, IT Division, CPCB** : For uploading the direction on
CPCB portal
6. **Master file/Guard file WQM-II
Division**


(PRASHANT GARGAVA)
MEMBER SECRETARY