

BY SPEED POST

B-29016/IPC-I/Dye/ 2674

July 19, 2022

To

M/s Nakoda Industries
Plot no.-35 A,B & C, MPIDC,
Boregaon, Sausar,
District – Chhindwara,
Madhya Pradesh

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

WHEREAS, Dye and Dye Intermediate 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, in order to investigate the complaint made by Sh. Rajesh Kumar, Chhindwara, M.P., Central Pollution Control Board inspected M/s Nakoda Industries, Village Boregaon, Sausar, District Chhindwara, Madhya Pradesh (hereinafter called the unit) during 02.02.2022 and 03.02.2022 ; and

WHEREAS, the inspecting team observed the following:

1. The Unit is a pigment manufacturing industry.
2. As per the condition of consent to operate, the unit is required to comply with Zero Liquid Discharge for which the unit does not have adequate treatment facility.
3. The Unit has provided four bypass channels through its premises towards the storm water drain. During the inspection, untreated trade effluent was found to be discharged through one of the bypass channels. The discharged effluent was observed exceeding MPPCB prescribed standards for COD (327 > 250 mg /l), BOD (54 > 30 mg/l), SS (508 > 100 mg/l) and violating general standards for discharge of effluents stipulated under The Environment (Protection) Rules, 1986 w.r.t. Ammonical Nitrogen (65.028 > 50 mg/l). The storm water drain is meeting the Kanhan river where same untreated effluent is reaching and polluting the Kanhan River at large.
4. During the inspection, hazardous / other wastes were observed being burnt inside the premises.

5. The Unit has not provided flow meter for recording the recycling / reuse of treated trade effluent.
6. The Unit has kept huge quantity of ETP Sludge filled bags in open. No separate storage area has been provided by the unit for storage of ETP sludge. The leachate from ETP sludge was observed flowing to the storm water drain.
7. The Unit has provided monkey ladder facility with the stack attached to the boiler which is in contravention to the conditions of consent to operate.
8. The Unit has not provided Sewage Treatment Plant as stipulated in the consent to operate.
9. The Unit has not provided notice board at its main gate for display of information regarding hazardous wastes.

WHEREAS, on the basis of the aforementioned violations observed by the inspection team, CPCB on 22.02.2022 issued following directions under Section 5 of the Environment (Protection) Act, 1986 to the Unit:

1. The Unit shall immediately close its operations and shall not resume its operations till remedial measures on above observation are made, environmental norms are complied with and written permission to operate is obtained from Central Pollution Control Board.
2. The Unit shall immediately dismantle all the effluent bypass channels to the storm water drain and shall not discharge/ bypass any effluent to the environment.
3. The Unit shall augment its Effluent Treatment Plant and shall maintain Zero Liquid Discharge.
4. The Unit shall reuse the entire treated effluent to its process. Treated effluent shall not be used in gardening or green belt development.
5. The Unit shall install flow meters at the inlet and outlet of its Effluent Treatment Plant and shall maintain records of effluent generation, treatment and reuse.
6. The Unit shall ensure that there will be no burning of hazardous / other wastes.
7. The Unit shall take adequate steps for proper storage and management of hazardous wastes including ETP sludge as per Hazardous & other Waste (Management and Trans boundary Movement) Rules, 2016 with proper record maintenance.
8. The Unit shall provide adequate system for collection and treatment of the leachate generated from the hazardous waste storage area.
9. The Unit shall provide proper ladder and other facilities for source emission monitoring at the stacks as stipulated in the conditions of consent to operate.
10. The Unit shall provide adequate Sewage Treatment Plant for treatment of sewage.
11. The Unit shall provide notice board at its main gate for display of information regarding hazardous wastes and other information as stipulated in the conditions of authorization for handling hazardous wastes.

WHEREAS, the unit submitted self-certificate dated 09.03.2022 that the unit had stopped production w.r.t. closure directions issued by CPCB; and

WHEREAS, the unit has submitted report dated 19.04.2022 on adequacy of Effluent Treatment Plant (ETP) and Sewage Treatment Plant (STP) from Rajiv Gandhi Proudyogiki Vishwavidyalaya, Bhopal, which concludes that ETP and STP of the unit are adequate to treat the generated trade effluent/ Sewage; and

WHEREAS, the unit has submitted a notarized undertaking dated 17.06.2022 that it will deposit the amount of environmental compensation assessed by CPCB/ Expert institute and the amount incurred on the study regarding assessment of environmental compensation; and

WHEREAS, the consent to operate granted to the unit by Madhya Pradesh Pollution Control Board was valid up to 14.06.2022; and

WHEREAS, the unit was re inspected by CPCB RD Bhopal on 22.04.2022 and observed that the unit has complied with all directions of Central Pollution Control Board; and

WHEREAS, CPCB had constituted a three-member committee vide office order dated 03.10.2017 having representative(s) from CPCB and MoEF&CC for examination and recommendation for revocation of the closure directions issued by CPCB; and

WHEREAS, the three-member committee in its meeting held on 01.07.2022 examined the compliance status of the Unit and recommended that closure directions issued to the Unit may be revoked with following conditions:

1. The Unit shall resume its operations after obtaining valid consent to operate under the Water Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 from Madhya Pradesh Pollution Control Board.
2. The Unit shall communicate date of commencement of plant operation to CPCB and revocation would be for an initial period of three months after the commencement of the plant operation, and in case of compliance of the prescribed effluent/emission discharge standards, further revocation would be deemed as having been granted.
3. The Unit shall provide performance reports of Effluent Treatment Plant and Sewage Treatment Plant (including analysis of treated effluent/ sewage) from a Government institution.
4. The Unit shall deposit the amount of environmental compensation assessed by CPCB/ Expert institute and cost of study incurred on assessment of environmental compensation as per Polluter Pays principle.

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.

NOW, THEREFORE, in exercise of powers vested to Chairman CPCB under Section 5 of the Environment (Protection) Act, 1986, and in view of compliance with relevant direction under reference, the directions issued under the Section 5 of the Environment (Protection) Act, 1986 to the Unit, **M/s Nakoda Industries, Village Boregaon, Sausar, District Chhindwara, Madhya Pradesh** is hereby revoked with following conditions:

1. The Unit shall resume its operations after obtaining valid consent to operate under the Water Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 from Madhya Pradesh Pollution Control Board.
2. The Unit shall communicate date of commencement of plant operation to CPCB and revocation would be for an initial period of three months after the commencement of the plant operation, and in case of compliance of the prescribed effluent/emission discharge standards, further revocation would be deemed as having been granted.
3. The Unit shall provide performance reports of Effluent Treatment Plant and Sewage Treatment Plant (including analysis of treated effluent/ sewage) from a Government institution.
4. The Unit shall deposit the amount of environmental compensation assessed by CPCB/ Expert institute and cost of study incurred on assessment of environmental compensation as per Polluter Pays principle.

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.

M.S.C. 19/7/22
(Tanmay Kumar)
Chairman



Copy to:

1. The Chairman
Madhya Pradesh Pollution Control Board
E-5, Arera Colony, Paryavaran Parisar,
Bhopal - 462 016
2. The Managing Director, : With request to restore
Madhya Pradesh Poorv Kshetra electricity supply of the
Vidyut Vitaran Company Ltd. Unit.
Block No.7, Shakti Bhawan,
Rampur, Jabalpur-482008
3. The Additional Secretary (CP Division)
Ministry of Environment, Forests and Climate Change,
Prithvi Wing, 2nd Floor,
Room No. 216, Indira Paryavaran Bhawan
Aliganj, Jor Bagh Road, New Delhi-110003
4. The Regional Director
Central Pollution Control Board
Parivesh Bhawan, Paryavaran Parisar,
E-5, Arera Colony, Bhopal
M.P.- 462 016
5. ✓ D.H., IT, CPCB
6. D.H. IPC- VI, CPCB
7. DH Law, CPCB


(Prashant Gargava)
Member Secretary