

Speed post

B-33014/7/2017-18/IPC-II/ 11486

October 05, 2017

To

The Unit Head
M/s Bulland Cements Pvt. Ltd.
Bamungaon, Lanka
Distt-Nagaon
Assam- 782 446

Sub: Closure directions under Section 5 of the Environment (Protection) Act, 1986.

WHEREAS, the cement plants are identified as one of the 17 categories of highly polluting industries, discharging environmental pollutants directly or indirectly into the ambient air and water and 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 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, 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 emission monitoring systems w.r.t. PM, NO_x and SO₂ in cement industries; 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 directions 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 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PCCs informing that no further extension of time will be given after June 30, 2015 and consent to operate will be withdrawn along with forfeiture of bank guarantee of non-complying units; and

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WHEREAS, concerned SPCBs/PCCs 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 17 category of highly polluting industries to install online monitoring systems by June 30, 2015 and submit bank guarantee of 100% of the cost of online emission & effluent monitoring system; and

WHEREAS, M/s Bulland Cements Pvt. Ltd., Bamungaon, Lanka, Nagaon, Assam was inspected by Regional Directorate - North East of CPCB, during July 06-07, 2017 to investigate high SMS alert/Offline status and assess compliance of the environmental norms. During inspection, following observation were made by the inspecting team:

1. The unit has 2 VSKs and has installed online continuous emission monitoring system in one VSK for PM only and not for NOx and SO2, till now.
2. The unit does not have authorization under H&OW(M & TBM) Rules, 2016.
3. The unit was not fully operational. Only Cement mill was in operation. The unit has installed online continuous emission monitoring system for PM in cement mill.

WHEREAS, all the industries under 17 categories are required to establish connectivity of online continuous emission and effluent monitoring system for all process stacks with CPCB Server by or before February 28, 2017.

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, in view of the above observations with material facts available with CPCB and in exercise of the powers delegated to the Chairman, Central Pollution Control Board under section 5 of the Environment (Protection) Act, 1986, M/s Bulland Cements Pvt. Ltd., Bamungaon, Lanka, Nagaon, Assam is hereby directed for following:

1. The unit shall close operation in all manufacturing operation, ensure connectivity of online continuous monitoring systems for PM, SO2 and NOx in stacks, attached to VSKs and seek permission for CPCB to restart operation.
2. Immediate action shall be initiated for obtaining authorization under H&OW(M & TBM) Rules, 2016.



The industry is further directed to submit the action taken report within 15 days from the date of issue of these closure directions, failing which, legal action as per the National Green Tribunal Act, 2010 be launched

[S. P. S.Parihar]
Chairman

09.10.2017

Copy for information & compliance to:

1. The Chairman
Assam Pollution Control Board
Bamunimaidan
Guwahati - 781 021, Assam
2. The District Magistrate
District - Nagaon
Assam
3. The Additional Secretary(AKM)-CP Division
Ministry of Environment, Forests
and Climate Change
Prithvi Wing, 2nd Floor, Room No. 216
Indira Paryavaran Bhawan
Aliganj, JorBagh Road, New Delhi - 110003
4. The Regional Director
Regional Directorate (North-East)
Central Pollution Control Board
TUM- SIR, Lower Motinagar,
Near Fire Brigade H.Q.
Shillong - 793014
5. The Divisional Head IT, CPCB, Delhi
6. The Divisional Head , IPC-VI, CPCB, Delhi

[A Sudhakar]
Member Secretary