Regd. Post With Ack Due
Order No.301/APPCCB/UE-II/TF/KKD/2017-239
Dt.08.12.2017.

REVOCATION OF STOP PRODUCTION ORDER


Ref:
2. CFE Order No.5535/PCB/ZO-VSP/Tech/2014-167, Dt.06.05.2014.
8. The Hon’ble Supreme Court in Judgment dt.22.02.2017 in W.P.(C) No.375 of 2012.
10. The Hon’ble High Court in Judgment dt. 01.11.2017 and W.P.No.36302 of 2017 was filed by M/s. Al Sami Agro Products Pvt., Limited against stop production order issued by APPCB.
11. The officials of RO, Kakinada inspected the industry on 02.11.2017.
12. The External Advisory Committee (Task Force) meeting held on 09.11.2017.
17. The ZO, Visakhapatnam mail dt.05.12.2017.

Whereas you are operating industry in the name & style of M/s. Al Sami Agro Products Pvt., Limited, R.Sy.No. 109, Ramannapelm (V), Sankhavaram (M), East Godavari District to produce Buffalo Un Boned Meat – 90 TPD & Ment Bone Meal – 42 TPD.

Whereas, the Board issued Consent for Establishment (CFE) vide reference 1st cited to M/s. Al Sami Agro Products Pvt., Limited, on 16.05.2009 with a project cost of 5.50 Crores to produce Buffalo un Boned Meat & Ment Bone Meal. Subsequently the industry obtained CFE on 06.05.2014 for expansion of the production capacity to produce Buffalo un Boned Meat – 90TPD & Ment Bone Meal - 42 TPD with an additional investment of Rs.0.46 Crores with certain conditions.

Whereas, the Board has issued Consent for Operation vide reference 3rd cited to the industry on 11.03.2016 to produce Buffalo Un Boned Meat – 90 TPD & Ment Bone Meal – 42 TPD for period upto 28.02.2021 along with conditions.

Whereas, the EE, RO, Kakinada inspected the industry in connection with public complaint and issued show cause Notice vide reference 4th cited on 29.09.2017 for non-compliance of the consented conditions.

Whereas, about 200 people from kodavalli village represented to the District Collector, Kakinada, East Godavari district on 23.10.2017 and complained about odour nuisance and water pollution problems being faced by them due to operation of M/s. Al Sami Agro Products Pvt., Limited R.Sy.No. 109, Ramannapelm (V), Sankhavaram (M), East Godavari District. The complainants alleged that the industry is releasing animal blood to the outside areas & into
adjacent Konda Kaluva joining to main Polavaram Kaluva especially during rains. The release of waste water is causing diseases to the cattle in the area. The operation of the industry during night time is causing severe odour nuisance and disturbing the living conditions. The complainants requested to close down the industry as it is creating nuisance to the surrounding village since long time vide reference 5th cited.

Whereas, the Collector & District Magistrate, East Godavari District directed to inspect the industry immediately with a team of officials from industries Department, Pollution Control Board & APIIC and to carry out “Palle Nidra” so as to verify the problems directly that are being faced by the villagers and to take action against the industry vide reference 6th cited.

Whereas, the Board officials, officials from industries Department, & APIIC officials joint inspected your industry on 23.10.2017 & 24.10.2017 and observed the following violation:

1. During the inspection the Kodavalli Villagers complained to the inspection team regarding odour nuisance and pollution problems being faced from M/s.A. Sami Agro Products Pvt., Limited located at R. Sy.No.109, Ramannapalem (V), Sankhavaram (M), East Godavari District and requested to close the industry. The villagers also alleged that the industry is causing severe odour nuisance especially during night time, the release of animal blood from the industry through Konda Kaluva during rains is endangering the lives of cattle and skin diseases are spreading to the people who take bath in Polavaram Kaluva.

2. The team also inspected surroundings of Polavaram Kaluva and Konda Kaluva and observed that there is free flow of water in Konda Kaluva. Part of the untreated effluent from the industry premises is finding its way into Konda Kaluva which is finally leading to Polavaram Kaluva.

3. The industry is not maintaining the Effluent Treatment Plant (ETP) properly for treatment of wastewater. Thick foul unbearable smell was emitting from ETP. The Pollution Control Board Officials collected water samples from inlet & outlet of ETP, Konda Kaluva adjacent to the industry, agricultural lands and palm garden.

4. The industry is not operating the air pollution control equipment i.e. water scrubbing system followed by Bio-filter attached to cookers in the rendering plant to control the odour nuisance.

5. Thick Black Smoke is emitting from the 1.5 TPH boiler, indicating that the air pollution control equipment i.e. Multi Cyclone dust collector has not been operating properly.

6. On the day of inspection, the industry could not show up the details of registers regarding source of purchase of animals, production, total water consumption, wastewater generation and its treatment & disposal.

Whereas it is mandatory on your part to treat the waste water generated at your premises and shall not discharge to outside the premises under any circumstances. But, it was observed during joint inspection of your industry on 23rd & 24th October, 2017 but you are indulging in illegal discharge of untreated effluents outside the premises, which are joining Polavaram Kaluva thereby violated the consent obtained from the Board.

Whereas the Hon’ble Supreme Court in Judgment dt.22.02.2017 in W.P.(C) No.375 of 2012, directed the SPCBs to close the industries which are operating without ETP / non-functional ETP after 3 months vide reference 8th cited.

Whereas the Board has issued stop production order to the industry on 26.10.2017 for not installing proper functional ETP for treatment of waste water and effluents discharge outside the premises vide reference 9th cited.

Whereas the Hon’ble High Court has given interim order vide reference 10 cited in W.P.No.36302 of 2017 filed by M/s. Al Sami Agro Products Pvt., Limited that APPCB shall cause an inspection of the petitioner unit on 02.11.2017 and submit report.

Whereas the EE, RO, Kakinada has inspected the industry on 02.11.2017 and observed that the industry was not in operation, not installed Multiple Effective Evaporator (MEE) system and also observed that perceptible smell prevailing within the premises particularly near the rendering plant vide reference 11th cited. The analysis report of the waste water samples collected on 24.10.2017 have revealed that the parameters are exceeding the standards prescribed by the Board.

Whereas legal hearing was conducted before External Advisory Committee (Task Force) meeting of A.P.Pollution Control Board on 09.11.2017. The representative of the industry and complainants have attended the legal hearing. The Committee noted that the Board has issued stop production order to the industry on 26.10.2017 for not installing proper functional ETP and discharging the effluents outside the premises. The committee has also noted that M/s. Al Sami
Agró Products Pvt., Limited, R.Sy.No. 109, Ramannapalam (V), Sankhavaram (M), East Godavari District has filed Writ Petition vide W.P.No.36302 of 2017 against the stop production order, before Hon’ble High Court and The Court has directed APPCB to cause an inspection on 02.11.2017 and submit the report to the Court. The committee has observed that the industry has not taken any measures for installation of MEE to make Zero Liquid Discharge and not taken any measures to reduce odour nuisance. The complainants have informed that they are facing odour nuisance and water pollution problems by the industry and also informed that the industry is releasing animal blood to outside the premises. The representative of the industry informed that odour control system of rendering plant is under erection and will be completed by 1st of December, 2017. He also informed that they are taking additional land on lease to utilize the treated waste water. The EE, RO, Kakinada has informed that the industry has not installed MEE and not taken any air pollution control measures to reduce odour nuisance and also informed that complaints were received against the industry regarding smell nuisance. After detail discussion, the committee recommended to continue the stop production order in view of non-compliance of Board directions and the Hon’ble Supreme Court orders in W.P.No.375 of 2012.

WHEREAS the Board has issued an order to continue Stop Production Order issued to your industry vide order dt.26.10.2017 under Sec.33 (A) of Water (Prevention and Pollution Control) Act, and 1988 under Sec.31 (A) of Air (Prevention and Control of Pollution) Act, 1987 for non-compliance of Board directions and the Hon’ble Supreme Court orders in W.P.No.375 of 2012.

WHEREAS the industry vide letter dt.09.11.2017 & 13.11.2017 for clearance of existing stock in view of the stop production order of the Board.

WHEREAS the Board permitted the Unit to dispatch the existing stock (Bone less Meat) in cartoons and trays stocked in 3 no. of cold storage. No fresh animal cutting is permitted.

WHEREAS the industry vide letter dt.22.11.2017 requested for Revocation of Stop Production Order as they have partially complied with directions.

WHEREAS the Board officials inspected the unit on 04.12.2017 and submitted the report as follows:

1. The industry was not in operation. As per records, the live stock of 126 nos. received on 26.10.2017 and 281 nos. on 27.10.2017 have been returned to the suppliers after issue of Stop Production Order. The industry has stopped its operations since 27.10.2017. It was also reported that the Veterinary Asst. Surgeon, Animal Husbandry Dept., conducted last postmortem examination on dead animals conducted on 26.10.2017 only and not conducted postmortem examination after wards.

2. The industry has not initiated any action for installation of MEE to ensure zero discharge as per CFO order conditions.

3. The industry is having ETP for treatment of process & washings, boiler and cooling blow down effluents followed by RO and using the treated effluents for onland for gardening in 22 acres of land. It was reported that the industry has taken an additional land of 3 acres from the farmers on lease basis for utilization of treated effluent.

4. As per records, the industry is not operating RO plant continuously and flow meters provided at the outlet of RO permeate to assess the quantity of water being recycled.

5. The industry has stacked ETP sludge / dung at various locations in the palm garden thereby causing odour nuisance.

6. The industry is operating the rendering plant during the evening hours, thereby causing smell nuisance to surrounding villages during the night time.

7. The industry is storing tallow oil in MS drums kept in the open ground.

8. The industry has installed 5 TPH capacity boiler in addition to 900 Kgs/hour capacity boiler and 900 Kgs/hour hot water generator. Whereas, the industry has obtained permission from the Board to install 1.5 TPH boiler only.

9. The industry has constructed a wall of 3 feet height along the Konda Kaluva in their land to avoid run off mixing in Konda Kaluva.

10. The industry has erected new centralized ducting system for extraction of odour generated from mechanical process, thermal process of rendering plant attached to stainless steel scrubber followed by bio filters. The performance of equipment will be assessed after commissioning of the unit.

11. It was reported that W.P.No.40616 of 2017 was filed before Hon’ble High Court alleging that the industry is operating the unit despite issue of stop production order by the Board.

In view of the facts mentioned above, the Board hereby issue Revocation of Stop Production order for period of 3 months with the following directions under Sec.33 (A) of Water
(Prevention and Control of Pollution) Amendment Act, 1988 and under Sec.31 (A) of Air (Prevention & Control of Pollution) Amendment Act, 1987:

1. The industry shall obtained CFE / CFO order of the Board for additional capacities of boilers immediately. The industry shall upgrade air pollution control equipment attached to 5 TPH boiler so as to achieve the Board standards.

2. The industry shall operate the rendering plant in day time only to avoid nuisance to the public during the night time. The industry shall immediately commission the ducting system, scrubber and bio filter to control odour nuisance.

3. The industry shall installed MEE to ensure zero liquid discharge as per CFO order dt.11.03.2016.

4. The domestic effluents shall also be taken into the ETP for further treatment immediately.

5. The industry shall remove the ETP sludge / dung / animal waste present in the palm garden immediately and dispose off safely.

6. The industry shall ensure that they shall not be any seepage / contaminated run off from the industry to Konda Kaluva.

7. The industry shall provide flow meters with totalizer for blower and energy meter for the scrubber to record the operation of the odour control unit and furnish the records to RO, Kakinada for every month.

8. The industry shall operate the RO plant and maintain the log register.

9. The industry shall not use wood as a fuel in the boilers under any circumstances.

10. The industry shall store MS drums of tallow oil on a elevated platform under closed sheds.

11. The industry shall construct a closed shed for storage of ETP sludge / dung to avoid odour nuisance during the storage.

You are hereby directed to note that, should you misuse this order to operate the unit beyond the time period given to you and violate any one of the conditions mentioned above, your unit will be closed under Sec.33(A) of Water (Prevention and Control of Pollution) Amendment Act, 1988, and under Section 31(A) of Air (Prevention & Control of Pollution) Amendment Act, 1987, in the interest of Public Health and Environment and you will be also liable for prosecution in the Court of Judicial Magistrate First Class under Sec.41(2) of Water (Prevention and Control of Pollution) Amendment Act, 1988 and under Sec.37(1) of Air (Prevention and Control of Pollution) Amendment Act, 1987, the punishment for which includes imprisonment for a term which shall not be less than one year six months and which may be extended to six years and with fine.

This Order comes into effect from today i.e., 08.12.2017.

Sd/-
MEMBER SECRETARY

To
M/s. Al Sami Agro Products Pvt., Limited,
R.Sy.No. 109, Ramannapalem(V),
Sankhavaram(M),
East Godavari District - 533125.

Copy to:
1. The Joint Chief Environmental Engineer, ZO, Visakhapatnam for information and necessary action.
2. The Senior Environmental Engineer, UH-IV, Legal Cell, Board Office, Hyderabad for information and necessary action.
3. The Environmental Engineer, Regional Office, Kakinada for information and necessary action.

// T.C.F.B.O. //

JOINT CHIEF ENVIRONMENTAL ENGINEER
UH-II