

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH AT KOLKATA
ORIGINAL APPLICATION NO. OF 2024**

(Under Section 14 read with 18(1) of the National Green Tribunal Act, 2010)

IN THE MATTER OF:

M/s Sai Fertilizers Pvt Ltd

...Applicant

Vs

Union of India & Ors.

....Respondents

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Drawn on: 29.05.2024

Filed on: 29.05.2024

Place: Kolkata

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Shri Sanjay Upadhyay

(Senior Advocate)

SYNOPSIS

That the present Original Application is being filed by the Applicant herein for seeking clarification on the utilization of Spent Acid generated from the manufacture of Linear Alkyl Benzene Sulphonic Acid (LABSA) for manufacturing Single Super Phosphate, pending the finalization of the Standard Operating Procedure (hereinafter, the SoP) for the same by the Respondent No.1, Central Pollution Control Board. It is submitted that as per the 'Framework on Identification of Materials Generated from Industrial Processes as Wastes or By-Products, 2019' Spent Acid generated from LABSA Manufacturing has been categorized as 'hazardous waste' and Respondent No.1, CPCB has come out with the aforementioned Standard Operating Procedure for utilization of such Spent Sulphuric Acid as a resource in manufacturing Single Super Phosphate. The said Draft SoP was published by the Respondent No.1, CPCB in January, 2024. There was a communication dated 19.02.2024 by Respondent No.3, Department of Fertilizer under Ministry of Chemicals & Fertilizers, to Respondent No.1, CPCB regarding permission to utilize spent Sulphuric Acid in SSP manufacturing. The same came to our knowledge through the Fertilizer Association of India of which the Applicant is a member.

It is submitted that SSP is an indispensable phosphatic fertilizer that plays a critical role in supporting agricultural growth and food security. The application of SSP is a cost-effective source of balanced phosphorous nutrition, contributes to sustainable agriculture, improves soil quality and fosters environmental friendliness.

The Applicant, who is engaged in the business of manufacturing and exporting SSP and arguably are the only exporter of SSP fertilizer from India, who has also been continuously submitting representations to the Respondent No.1, CPCB, Respondent No.2, MOEF&CC and Respondent No.3, Department of Fertilizers, Ministry of Chemicals and Fertilizers, seeking clarity on the above, but has not

received any response from any of the Respondents till date. Due to such ambiguity, the Applicant has been subjected to huge financial losses with contractors for supply of spent acid and the contracts for future supply of acids has also been put in jeopardy. It may be pertinent to mention here that this delay is despite the fact that the Department of Fertilizers, Ministry of Chemicals and Fertilizers, vide letter dated 19.02.2024, as mentioned above, clearly stated that the utilization of Spent Sulphuric Acid has been in practice for over five decades, without any known adverse impacts on the environment like water, air and soil. The said letter, while stating that long-term studies are being undertaken, some of which may take 18-24 months, hence any restriction on the use of Spent Acid will result in replacement with fresh acid, which will significantly impact the viability of SSP production and hence its availability. The letter then goes on to advise that until such long-term studies are concluded, Respondent No.1, CPCB may temporarily continue to allow the utilization of Spent Sulphuric Acid as generated from all sources including from the production of synthetic organic chemicals for the manufacturing of SSP.

The prayer of the Applicant herein is that pending the finalization of the Draft SoP, the use of Spent Acid generated during the manufacture of LABSA, which is a totally environmentally benign industrial process as recognized as such even by the Respondent No.2, MOEF&CC vide OM dated 22.04.2022, may be allowed in the interest of justice, equity and the environment. This Hon'ble Tribunal may also direct for the expeditious finalization of the said SoP. Hence, the present Application.

LIST OF DATES AND EVENTS

- 23.05.1986** The Environment (Protection) Act, 1986 came into effect for the protection and improvement of the environment, which provides for Rule making powers, for inter alia, the safeguards in handling hazardous substances.
- 28.07.1989** The Hazardous Waste (Management and Handling) Rules, 1989 were formulated.
- 14.09.2006** The Environment Impact Assessment Notification was published under the provisions of the Environment (Protection) Act, 1986.
The consideration for any type of waste that gets generated from any of the processes appearing in the Schedule-I of the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and also covered in the projects/activities listed in the Environment Impact Assessment Notification, 2006 as “by-product” requires the generator to seek Environment Clearance from the concerned prescribed authority for such a production.
- 24.09.2008** The Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2008 were implemented in supersession of the 1989 Rules.
- 04.04.2016** Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 were issued in supersession of the 2008 Rules. The management of hazardous and other wastes in India is governed in accordance with the “Waste” and “By-product” as defined under Rule 3(1)(38). Rule 3(17) defines “Hazardous Waste” and Rule 3(23) defines “Other Wastes”.
- 12.04.2019** This Hon’ble Tribunal in Rajiv Narayan & Anr vs Union of India & Ors, OA No. 804/2017, accepted the view of the Monitoring Committee appointed by this Hon’ble Tribunal which recommended to urgently prepare guidelines or protocol on how to decide the by-product on specific criteria and directed for its implementation.

- September 2019** CPCB issued a Framework on Identification of Materials Generated from Industrial Processes as Wastes or By-Products. Through this Framework, CPCB has formulated criteria for identification of materials as “wastes” or “by products”.
- 22.04.2024** Office Memorandum issued by the Impact Assessment Division of the Ministry of Environment, Forests and Climate Change clarifying that manufacturing of LABSA is not covered under the provisions of 5(f) of the Schedule to the Environment Impact Assessment Notification
- 19.07.2023** Letter sent by CPCB to Department of Fertilizers, Ministry of Chemicals & Fertilizers informing that several proposals, regarding utilization of spent sulphuric acid generated from various industrial processes, were examined by Technical Expert Committee constituted by CPCB. The TEC observed that, as spent acids contain traces of organic/ Toxic contaminants, view of Department of Fertilizers may be obtained to ensure that application of such fertilizers produced from Spent acid do not contaminate the soil.
- 19.02.2024** Letter sent by Department of Fertilizers, Ministry of Chemicals & Fertilizers to CPCB. In the letter, the Department of Fertilizers expressed its difficulty to comment about the impact resulting from the use of spent sulphuric acid for SSP production, owing to the lack of conclusive long-term studies or reports and given the application of spent acid for the last several decades for producing SSP. Pertinently, the Department of Fertilizers also recommended that until long-term study is concluded, the CPCB may temporarily continue to

allow the utilization of spent sulphuric acid generated from all sources including from the production of synthetic organic chemicals for the manufacturing of SSP in order to avoid disruption in its supply.

18.03.2024 Letter sent by Department of Fertilizers to Projects & Development India Ltd. and Fertilizers Association of India requesting them to provide comments on the draft SOP for utilization of spent sulphuric acid in production of Single Super Phosphate (SSP) fertilizer, queries raised by the CPCB, and letter of Sai Fertilizers for incorporating in the draft SOP.

19.04.2024 Email sent by the Applicant, Sai Fertilizers Pvt. Ltd. to CPCB seeking clarification to as whether spent acid generated from LABSA production can be used in the manufacturing of SSP in the interim till the SOP is finalized.

22.04.2024 Email sent by the Applicant, Sai Fertilizers Pvt. Ltd. to Respondent No.2, Secretary, MoEF&CC seeking urgent intervention and the following clarifications from the Ministry: -

1. According to the HOWM guidelines, spent acid generated during LABSA manufacturing has been classified as Hazardous waste. Is this correct?
2. Basis this, CPCB has come out with Draft SoP for use of the same in SSP manufacturing.
3. Till this SoP is notified, can a SSP manufacturer, in the interim, continue to use Spent Acid generated from LABSA manufacturing?

- 26.04.2024** Email sent by Applicant, Sai Fertilizers Pvt. Ltd to Respondent No.2, Secretary, MoEF&CC seeking clarification on the queries mentioned above and also requesting for an appointment to have clarity on the matter. Pertinently, the email notes that Sai Fertilizers is refraining from using spent acid in the interim period.
- 16.05.2024** Email sent by the Applicant, Sai Fertilizers Pvt. Ltd. to Respondent No.2, Secretary, MoEF&CC seeking clarification on the aforementioned queries.
- 29.05.2024** The Applicant is constrained to file the present Original Application since it has received no response from any Respondents till date and is being prejudiced for no fault of his own.

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH AT KOLKATA
ORIGINAL APPLICATION NO. OF 2024**

(Under Section 14 read with 18(1) of the National Green Tribunal Act, 2010)

IN THE MATTER OF:

1. **M/s Sai Fertilizers Pvt. Ltd.**
Through its Director
21, C. R. Avenue, White House,
2nd Floor, Kolkata 700072
Email: schakraborty@foglagroup.com +91- 7439969826 **...Applicant**

Vs

1. **Central Pollution Control Board**
Through the Member Secretary
Parivesh Bhawan
CBD-cum-Office Complex East Arjun Nagar
Delhi - 110 032
Email: ccb.cpcb@nic.in +91-11-43102030 **...Respondent No.1**
2. **Ministry of Environment, Forests and Climate Change**
Through the Secretary
Indira Paryavaran Bhawan
Jor Bagh, New Delhi -110003
Email: secy-moef@nic.in 011- 20819308 **...Respondent No.2**
3. **Department of Fertilizers**
Through the Secretary
Ministry of Chemicals and Fertilizers
Shastri Bhawan
New Delhi – 110001
Email: fertsec@nic.in 011- 23381275 **...Respondent No.3**
4. **West Bengal Pollution Control Board**
Through the Member Secretary
Paribesh Bhavan Canteen, 10A, Broadway Rd
LA Block, Sector 3, Bidhannagar
Kolkata - West Bengal 700106
Email: ms.wbpcb-wb@bangla.gov.in **...Respondent No.4**
5. **Fertilizer Association of India**
Through the Director
10, Shaheed Jit Singh Marg
New Delhi – 110016
Email: nr@faidelhi.org +91-11-26567144 **...Respondent No.5**

- I. The address of the Applicant is given above for the service of notices of this Application.
- II. The addresses of the Respondents are given above for the service of notices of this Application.

MOST RESPECTFULLY SHEWETH: -

1. That the present Application is being filed by the Applicant herein, M/s Sai Fertilizer Pvt. Ltd., seeking clarification/direction by this Hon'ble Tribunal on the utilization of Spent Acid generated from the manufacture of Linear Alkyl Benzene Sulphonic Acid (LABSA) for manufacturing Single Super Phosphate (SSP), pending the finalization of the Standard Operating Procedure (hereinafter, the SoP) by the Respondent No.1, Central Pollution Control Board. This may result in misuse of spent acid thereby impacting environment. Further, the reduction in manufacturing of SSP or use of alternatives such as fresh acid would result in adverse impact on agriculture and thereby the overall environment.
2. It is submitted that as per the 'Framework on Identification of Materials Generated from Industrial Processes as Wastes or By-Products, 2019', Spent Acid generated from LABSA Manufacturing has been categorized as 'hazardous waste' and Respondent No.1, CPCB had come out with the aforementioned Standard Operating Procedure in January 2024 for utilization of such Spent Sulphuric Acid as a resource in manufacturing Single Super Phosphate. The Draft SoP was shared with the Applicant vide Letter dated 18.03.2024 by virtue of being a member of the Fertilizer Association of India for evaluating the said draft and seeking suggestions.
3. That the Applicant submits that SSP is an indispensable phosphatic fertilizer that plays a critical role in supporting agricultural growth and food security and also using a hazardous waste produced by industrial units, thereby

reducing adverse impact on the environment. The application of SSP is a cost-effective source of balanced phosphorous nutrition, contributes to sustainable agriculture, improves soil quality and fosters environmental friendliness.

4. That the Applicant herein is engaged in manufacturing Single Super Phosphate (hereinafter referred to as "SSP") and has been using Spent Acid generated during LABSA process for the past several years for manufacturing SSP without any complaints from the Regulator. The Applicant is arguably the biggest and the only exporter of SSP fertilizers in India. It is humbly submitted that since the issuance of the Draft Standard Operating Procedure on Utilization of spent sulphuric acid generated from Linear Alkyl Benzene Sulphonic Acid (LABSA) process in manufacturing of single Super Phosphate by the Respondent No.1, CPCB, the Applicant has been continuously submitting representations to the Respondent No.1, CPCB, Respondent No.2, MOEF&CC and Respondent No.3, Department of Fertilizers, Ministry of Chemicals and Fertilizers, seeking clarity in respect of using spent acid, generated from LABSA process, for manufacturing SSP, during the interim period till the Draft SoP is finalized. However, no clarification on the said issue has been furnished by the Respondents till date. It is pertinent to note that, pursuant to the issuance of the Draft SoP, the Applicant has refrained from producing SSP and is therefore facing huge financial losses with contractors for supply of acid and the contracts for future supply of acids also being put in jeopardy. More importantly, the spent acid is likely to be misused and have adverse impact on environment whereas a known and a tried and tested use has been in practice which has currently been suspended due to the inaction of the regulator, especially the Respondent No. 1, CPCB.

5. That the Applicant submits that this delay is despite the categorical recommendation of the Department of Fertilizers, Ministry of Chemicals and Fertilizers, vide letter dated 19.02.2024 which clearly stated that the utilization of Spent Sulphuric Acid has been in practice for over five decades, without any known adverse impacts on the environment like water, air and soil. The said letter, while stating that long-term studies are being undertaken, some of which may take 18-24 months, hence any restriction on the use of Spent Acid will result in replacement with fresh acid, which will significantly impact the viability of SSP production and hence its availability. The letter then goes on to advise that until such long-term studies are concluded, Respondent No.1, CPCB may temporarily continue to allow the utilization of Spent Sulphuric Acid as generated from all sources including from the production of synthetic organic chemicals for the manufacturing of SSP. The said letter dated 19.02.2024 to which the Applicant is privy owing to being a member of the Fertilizer Association of India is marked and annexed herewith as **ANNEXURE A/1**.

BRIEF FACTS

1. That the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 (hereinafter referred to as “HOWM Rules”) were notified by the Government of India on 04.04.2016, in supersession of the Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2008, to provide for the safe and environmentally sound management of hazardous and other wastes. “Waste” is defined under Rule 3(38) of the HOWM Rules to *inter alia* include materials that are not products or by-products, for which the generator has no further use for the purposes of production, transformation or consumption. Pertinently, as per Rule 9 of the HOWM Rules, the CPCB is empowered to formulate standard operating

procedures/ guidelines prescribing the conditions for utilization of a hazardous waste. The Rule further provides that utilization of hazardous waste as a resource shall be carried out, after obtaining authorization from the SPCB, in respect of hazardous wastes for which SoPs/ guidelines for utilization have been circulated by the CPCB.

2. That in pursuance of the Order dated 12.04.2019 passed by this Hon'ble Tribunal in *Rajiv Narayan & Anr. vs Union of India & Ors.*, Original Application No. 804/2017, the CPCB formulated the "Framework on Identification of Materials Generated from Industrial Processes as Wastes or By-Products" with the objective of ensuring that no hazardous waste gets categorized as a by-product thereby escaping the strict scrutiny of the HOWM Rules, 2016. The framework lays down eight guiding factors that may be considered by State Pollution Control Boards ("SPCB") while accepting a material as a by-product and the by-product shall be handled and managed as per the conditions stipulated by the SPCB/PCC. It is according to this Framework that spent acid generated during LABSA manufacturing has been categorized as hazardous waste.

6. That it is pertinent to note that in January 2024, Respondent No.1, CPCB has issued a Draft SoP on "Utilization of spent sulphuric acid generated from Linear Alkyl Benzene Sulphonic Acid (LABSA) process in manufacturing of single Super Phosphate" in order to regulating utilization of spent acid as a resource in manufacturing Single Super Phosphate. It is worth noting that the SoP is still in its draft stage and representations have been submitted by various stakeholders including Respondent No. 3, Department of Fertilizers, Ministry of Chemicals & Fertilizers, requesting permission to utilize spent

acid for manufacturing SSP, as an interim measure, during the finalization of the SoP. True copy of the letter dated 18.03.2024 alongwith the Draft Standard Operating Procedure prepared by the Respondent No.1, CPCB for 'Utilization of Spent Sulphuric Acid generated from Linear Alkyl Benzene Sulphonic Acid (LABSA) process in manufacturing of Single Super Phosphate' is marked and annexed herewith as **ANNEXURE A/2**.

3. That the Applicant herein, who is arguably the biggest and the only exporter of SSP fertilizers from India, has been submitting representations to the Respondent No. 1, CPCB, Respondent No. 2, MoEF&CC and the Respondent No. 3, Department of Fertilizer under Ministry of Chemicals & Fertilizers seeking clarity on whether spent sulphuric acid can be used in the manufacturing of till the finalization of the Draft SoP.
4. That the Applicant on 19.04.2024 sent an email to the Member Secretary, CPCB seeking clarification on whether spent acid generated from LABSA manufacturing could be used in the manufacturing of Single Super Phosphate, as an interim measure, till the time the Draft SoP is finalized. Pertinently, the Applicant had also requested CPCB to clarify as to when the SoP would be finalized. True copy of the email dated 19.04.2024 is marked and annexed herewith as **ANNEXURE A/3**.
5. That on receiving no response from the Respondent No.1, CPCB, the Applicant wrote an email to the Respondent No.2, Secretary, MoEF&CC on 22.04.2024 requesting for an urgent intervention in the matter and also sought clarification on the following queries: -
 1. "According to the HOWM guidelines, spent acid generated during LABSA manufacturing has been classified as Hazardous waste. Is this correct?"

2. Basis this, CPCB has come out with Draft SoP for use of the same in SSP manufacturing.
3. Till this SoP is notified, can a SSP manufacturer, in the interim, continue to use Spent Acid generated from Labsa manufacturing?"
6. That as the aforesaid emails sent by the Applicant did not evoke any response, the Applicant, on 26.04.2024, again preferred a reminder email to the Secretary, MoEF&CC seeking clarification on the queries mentioned in the email dated 22.04.2024 with a copy to the Member Secretary CPCB as well. The Applicant also requested for an appointment with the with the Secretary, MoEF&CC to have clarity on the matter. Pertinently, the email notes that the Applicant is refraining from using spent acid in the interim period till the SoP is finalized by the Respondent No. 1, CPCB.

True copy of the emails dated 22.04.2024 and 26.04.2024 are marked and annexed herewith as **ANNEXURE A/4**.
7. That on 16.05.2024, the Applicant again preferred a reminder email to the Secretary, MoEF&CC seeking a clarification in respect of the aforementioned queries, with a copy to the Member Secretary CPCB as well but received no response. True copy of the email dated 16.05.2024 is marked and annexed herewith as **ANNEXURE A/5**.
8. That the Applicant has approached this Hon'ble Tribunal since it has been rendered helpless in the lack of any clarity on the use of spent acid, which is the raw material for the manufacture of SSP and is facing huge financial losses. Moreover, the lack of clarity from the CPCB or non-finalization is likely to have an adverse impact on environment through potential misuse of spent acid in an un-authorized manner.

GROUND:

9. That due to the aforementioned facts and circumstances, the Original Applicant herein has been constrained to file the present Original Application before this Hon'ble National Green Tribunal on the following grounds, among others, as mentioned herein below:

- A. Because the pendency of the Draft SoP for Utilization for Spent Acid generated in the LABSA Manufacturing Process as prepared by the Respondent No.1, CPCB is violative of Article 19(1)(g) of the Constitution of India which guarantees the freedom to carry on any occupation, trade or business.
- B. Because the pendency of the Draft SoP for Utilization for Spent Acid generated in the LABSA Manufacturing Process as prepared by the Respondent No.1, CPCB may result in misuse of spent acid thereby adversely impacting the environment.
- C. Because the Hon'ble Supreme Court in a catena of cases has held that the right guaranteed by Clause (g) of Article 19(1) is intended to ensure that citizen's right to business does not depend on grant by the State and that the State cannot prevent a citizen from carrying on a business, except by a law imposing a reasonable restriction in the interest of the general public.
- D. Because the said pendency in finalization of the draft SoP is also in violation of Rule 9 of the HOWM Rules, 2016 and has led to the Applicant having to bear huge financial losses owing to no fault of his own and despite complying with the laws of the land;
- E. Because the Respondent No.1, CPCB had in fact sought an opinion from the Respondent No.3, Department of Fertilizers, Ministry of Chemicals and Fertilizers regarding the application of fertilizers such as SSP produced from

spent acid and which has clearly stated that the past fifty years are evidence of the fact that spent acid generated during LABSA does not have any known impacts on the environment and any hurdle in SSP production will adversely affect the phosphatic fertilizer availability and agricultural output of the country.

- F. Because the Respondent No.2, MoEF&CC has categorically excluded the manufacturing of LABSA from the ambit of the Environment Impact Assessment Notification, which means that process itself has no adverse impact on the environment.
- G. Because the export orders of almost Rs. 20 Crores have been affected wherein buyers have waited for more than 14 months for shipments and such exports are now facing the threat of cancellation which will result not only in financial losses for the Applicant, but also for the nation at large.
- H. Because the reduction in manufacturing of SSP or use of alternatives such as fresh acid would result in adverse impact on agriculture and thereby the overall environment.
10. That the balance of convenience lies with the Applicant and no party will be harmed if the prayers made by the Applicant are allowed by this Hon'ble Tribunal.
11. That the Application has been filed bonafidely and in the interest of justice and equity.

PRAYER FOR INTERIM RELIEF (s)

That given the facts and circumstances of the case, this Hon'ble Tribunal, in the pendency of the instant case, may be pleased to:

- (i) Direct the Respondent No.1, CPCB to allow the utilization of Spent Sulphuric Acid generated from LABSA Manufacturing for the manufacturing of SSP as per the draft SoP prepared for the same;

- (ii) Pass any other Order/(s) that this Hon'ble Tribunal may deem fit and proper.

PRAYER

That given the facts and circumstances of the case, this Hon'ble Tribunal, may be pleased to:

- (i) Allow the instant Original Application;
- (ii) Direct the Respondent No.1, CPCB to expeditiously issue the final Standard Operating Procedure for Utilization of Spent Sulphuric Acid generated from LABSA process in manufacturing of Single Super Phosphate;
- (iii) Direct the Respondent No.2, MoEF&CC to direct the Respondent No.1, CPCB to finalize the Draft SoP and make it available in the public domain;
- (iv) Pass any other Order/(s) that this Hon'ble Tribunal may deem fit and proper for which the Applicant herein would be forever grateful.

Drawn on: 29.05.2024

Filed on: 29.05.2024

Place: Kolkata

DRAWN AND FILED BY:



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SETTLED BY:

Shri Sanjay Upadhyay
(Senior Advocate)

Sl. No. 90/2024

BEFORE THE NATIONAL GREEN TRIBUNAL
AT ITS EASTERN ZONAL BENCH, KOLKATA
ORIGINAL APPLICATION NO. OF 2024

IN THE MATTER OF:

M/s Sai Fertilizers Pvt. Ltd. ...Applicant

Versus

Central Pollution Control Board & Ors. ...Respondents

AFFIDAVIT

I, Mr. Suman Chakraborty, S/o Late Shri. K. C. Chakraborty, aged about 46 years, am the Authorized Signatory for M/s Sai Fertilizers Pvt. Ltd., resident of 265/234, Banerjee Para Road, Kolkata - 700041, do hereby solemnly affirm and declare as under:

1. That I am fully conversant of the facts and circumstances of the matter and am competent to swear this Affidavit.
2. The contents of the accompanying Original Application are true and correct to the best of my knowledge and have been drafted by the counsel on my instructions and nothing material has been concealed therefrom.
3. That the accompanying Annexures to the present Original Application are true and correct to the best of my knowledge.

Suman Chakraborty
DEPONENT

VERIFICATION:

Verified at..... on this.....day of....., 2024 that the contents of the above Affidavit are true and correct to my knowledge and belief and nothing material has been concealed there from.

Identified by me



[Signature]
Advocate



Suman Chakraborty
DEPONENT

SOLEMNLY AFFIRMED AND DECLARED
BEFORE ME ON IDENTIFICATION

29 MAY 2024

[Signature]
REKHA TEWARI
NOTARY

File No.23011/23/2024-P&K/SSP
Government of India
Ministry of Chemicals & Fertilizers
Department of Fertilizers

ANNEXURE A/1

Shastri Bhawan, New Delhi
Dated the 19th February, 2024

To

Members Secretary
The Central Pollution Control Board
Parivesh Bhawan, East Arjun Nagar, Delhi-110032

Subject: Regarding Permission to Utilize Spent Sulfuric Acid in SSP
Manufacturing.

Sir,

Single Super Phosphate (SSP) manufacturers and Fertilizer Association of India (Representative of SSP Industry) have brought to the knowledge of the Department of Fertilizers about the difficulties being faced by them due to restriction in use of spent sulphuric acid in the production of SSP. Single Super Phosphate (SSP) is an indispensable phosphatic fertilizer that plays a critical role in supporting agricultural growth and food security. The application of SSP is a cost-effective source of balanced phosphorus nutrition, contributes to sustainable agriculture, improves soil quality, and fosters environmental friendliness. Therefore, ensuring an adequate supply of SSP is one of our primary objectives. Any hurdle in SSP production will adversely affect the phosphatic fertilizer availability and agricultural output of the country.

2. SSP manufacturers informed about the recommendations put forth in the Technical Expert Committee Meetings and communication issued by the Central Pollution Control Board (CPCB) time to time. The Department recognizes the concerns of using Spent Sulphuric acid in the manufacturing of SSP and its use as a fertilizer. However, currently due to a lack of conclusive long-term studies or reports, as well as looking into its application for the last several decades for producing SSP from spent acid, it is difficult to comment on the impact resulting from the use of Spent sulphuric acid for SSP production. The utilization of spent sulphuric acid has been in practice for over five decades, without any known impacts on the environment like water, air and soil.

3. We understand that the trial runs are being conducted by CPCB and State Pollution Control Boards (SPCB) for the utilization of spent sulphuric acid generated from various industrial sources for the manufacturing of SSP. The trials for some of the spent acids have been completed and that from synthetic organic chemicals are going under long-term study as suggested by the Expert Committee of CPCB.

4. We understand that the Standard Operating Procedure (SOP) for SSP for which study has been completed is yet to be released and for others the same shall only be released after the long-term study is completed. The industry association and FAI representatives informed that such studies may take 18-24 months. Therefore, any restriction on the use of spent acid will result in replacement with fresh acid which will significantly impact the viability of SSP production and hence its availability.

5. Thus, to avoid any disruption in supply of SSP, it is advised that until the long-term study is concluded, CPCB may temporarily continue to allow the utilization of spent sulfuric acid generated from all sources including from the production of synthetic organic chemicals for the manufacturing of SSP.

6. We appreciate an early resolution of the issues in the interest of SSP industry and sustainable agriculture at large.

Yours faithfully



(Dalbir Singh)
AC (Movt.) & SSP
Ph- 23385119

Shastri Bhawan, New Delhi
Dated the 18th March, 2024

To

1. Shri Praveen Kumar
Addl. GM (SSP & QC Audit),
Projects & Development India Ltd.,
PDIL Bhawan, A-14, Sector - 1, Noida,
Gautam Buddh Nagar- 201301, UP
2. The Director
The Fertiliser Association of India
10, Shaheed Jit Singh Marg

Subject: Draft SoP prepared by CPCB in consultation with Gujarat Pollution Control Board for utilization of Spent Sulphuric acid (generated during manufacturing of Linear Alkylbenzene Sulfonic Acid (LABSA) for detergents) in production of Single Super Phosphate (SSP) fertilizers .

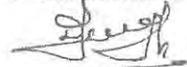
Sir,

I am directed to refer to letter dated 19.1.2024 and 5.3.2024 of Central Pollution Control Board (CPCB) on the above mentioned subject. CPCB in consultation with Gujarat Pollution Control Board has prepared draft SoP for utilization of Spent Sulphuric acid (generated during manufacturing of Linear Alkylbenzene Sulfonic Acid (LABSA) for detergents) in production of Single Super Phosphate (SSP) fertilizer. CPCB has requested to evaluate the draft SOP and sought suggestions on the following points for incorporating in the draft SOP.

- i. Percentage mixing ratio of virgin acid with the above Spent sulphuric acid in manufacturing of Single Super Phosphate fertilizer;
 - ii. List of trace organic compounds and heavy metals with their limiting concentrations in the SSP derived by utilizing the Spent acid.
 - iii. The method of application of the SSP (derived by utilizing Spent acid) in terms of periodicity of application and quantity that can be applied in per unit area of land.
 - iv. Important notice/ Labelling required to be put on the fertilizer bags.
2. Also a letter has been received from M/s Sai Fertilizers Pvt Ltd on the matter of utilization of spent acid.
3. You are requested to furnish your comments on the Draft SoP as well as on the queries raised by CPCB. Your comments on the letter of M/s Sai Fertilizers Pvt Ltd may also be provided.

Encl: As above.

Yours faithfully



(Dalbir Singh)
AC (Movt.) & SSP
Ph- 23385119

Standard Operating Procedure and Checklist of Minimal Requisite Facilities for utilization of hazardous waste under Rule 9 of the Hazardous and Other Wastes (Management and Transboundary movement) Rules, 2016

**Utilization of spent sulphuric acid generated from Linear Alkyl Benzene Sulphonic Acid (LABSA) process in manufacturing of Single Super Phosphate
(DRAFT)**



January, 2024

Central Pollution Control Board

(Ministry of Environment, Forest & Climate Change, Government of India)

Parivesh Bhawan, East Arjun Nagar,

Shahdara, Delhi – 110032

Utilization of spent sulphuric acid generated from Linear Alkyl Benzene Sulphonic Acid (LABSA) process in manufacturing of Single Super Phosphate

Procedure for grant of authorization by State Pollution Control Boards (SPCBs)/ Pollution Control Committee (PCCs) for utilization of Hazardous waste

- 1) While granting authorization for utilization of hazardous wastes, SPCBs/PCCs shall ensure that authorization is given only to those wastes for which Standard Operating Procedures (SoPs) for utilization have been circulated by Central Pollution Control Board (CPCB) ensuring the following:
 - a. The waste (intended for utilization) should have similar source of generation as specified in SoP.
 - b. The utilization shall be similar to as described in SoP.
 - c. End-use / product produced from the waste shall be same as specified in SoP.
 - d. Authorization shall be granted only after verification of details and minimum requisite facilities as given in SoP.
 - e. Issuance of passbooks (similar to the passbooks issued for recycling of used oils, waste oil, non-ferrous scraps, etc.) for maintaining records of receipt of hazardous wastes for utilization.
 - f. Monitor closely the quantity of hazardous waste (spent sulphuric acid) being sent by generators and the quantity being utilized by authorized facilities to manufacture the product (Single Super Phosphate), including the end usage of the product.
- 2) After issuance of authorization, SPCBs/PCCs shall verify the compliance of checklist and SoP on quarterly basis for initial 1 year; followed by random checks during subsequent period for atleast once a year. The compliance reports may be submitted to CPCB.
- 3) In-case of lack of requisite infrastructures with the SPCBs/PCCs, they may engage 3rd party institutions or laboratories having EPA, 1986/NABL/ISO17025 accreditation/ recognition for monitoring and analysis of prescribed parameters in SoPs for verification purpose.
- 4) SPCBs/PCCs shall provide half yearly updated list of units permitted under Rule 9 of Hazardous & Other Wastes (Management & Transboundary Movement) Rules, 2016 (HOWM Rules, 2016) to CPCB and also upload the same on SPCB/PCC website, periodically. Such updated list shall be sent to CPCB.
- 5) Authorization for utilization shall not be given to the units located in the State/Union Territory where there is no Common TSDF, unless the unit ensures authorised captive disposal of the hazardous waste (generated during utilization) or its complete utilization or arrangement of sharing with any other authorised disposal facility.
- 6) In case of the utilization proposal is not same with respect to source of generation or utilization process or end-usage as outlined in this SoP, the same may be referred to CPCB for clarification /conducting trial utilization studies and developing SoPs thereof.
- 7) The source and work zone standards suggested in the SoP are based on E(P)A notified and OSHA standard respectively. However, SPCBs/PCCs may impose more stringent standards based on the location or process specific conditions.

Utilization of spent sulphuric acid generated from Linear Alkyl Benzene Sulphonic Acid (LABSA) process in manufacturing of Single Super Phosphate

- 8) SPCBs/PCCs shall ensure that the utilizer of spent sulphuric acid shall maintain daily records in National Hazardous Waste Tracking System (NHWTS) once operationalized by CPCB.

97.0 Utilization of Spent Sulphuric Acid:

Type of HW	Source of generation	Recovery/Product
Spent Sulphuric Acid (Category no. B-15 & C 2 of Schedule II of HOWM Rules, 2016)	Linear Alkyl Benzene Sulphonic Acid (LABSA) manufacturing process in detergent industry or any other industry producing LABSA for supply to detergent industry.	As a supplementary resource in manufacturing Single Super Phosphate (SSP)

97.1 Source of Waste (Spent sulphuric Acid)

Sulphonation reaction of Linear Alkyl Benzene with sulphuric acid (98%) and oleum in presence of water results in formation of LABSA, a synthetic detergent. During this process 70 – 80% concentrated spent sulphuric acid is generated. This spent sulphuric acid is categorized as hazardous waste as category B-15 (Inorganic Acid) & C2 of Schedule II of HOWM Rules, 2016 which is required to be disposed in authorized disposal facility in accordance with authorization condition, when not utilized as resource recovery.

Table 1:- Typical Characteristic of spent sulphuric acid generated from LABSA:

Parameters	Results*	Unit
Moisture	19	%
Acid content (H ₂ SO ₄)	80	%
Ph	Highly acidic	-
TOC	200	ppm
Nickel	3	mg/Kg
Calcium	6	mg/Kg
Cobalt	0.13	mg/Kg
Iron	720	mg/Kg
Copper	0.12	mg/Kg
Zinc	3.5	mg/Kg

Utilization of spent sulphuric acid generated from Linear Alkyl Benzene Sulphonic Acid (LABSA) process in manufacturing of Single Super Phosphate

97.2 Utilization Process

- (a) **At production stage** - Rock Phosphates is grinded and screened through 0.15 mm screen. The coarse material is sent back to silo for grinding and the fine material charged to acidulation vessel along with Spent Sulphuric acid and water. The reacted mass is cured for 2-6 weeks and the final product (i.e., SSP) is packed in form of powder or in form of granules.

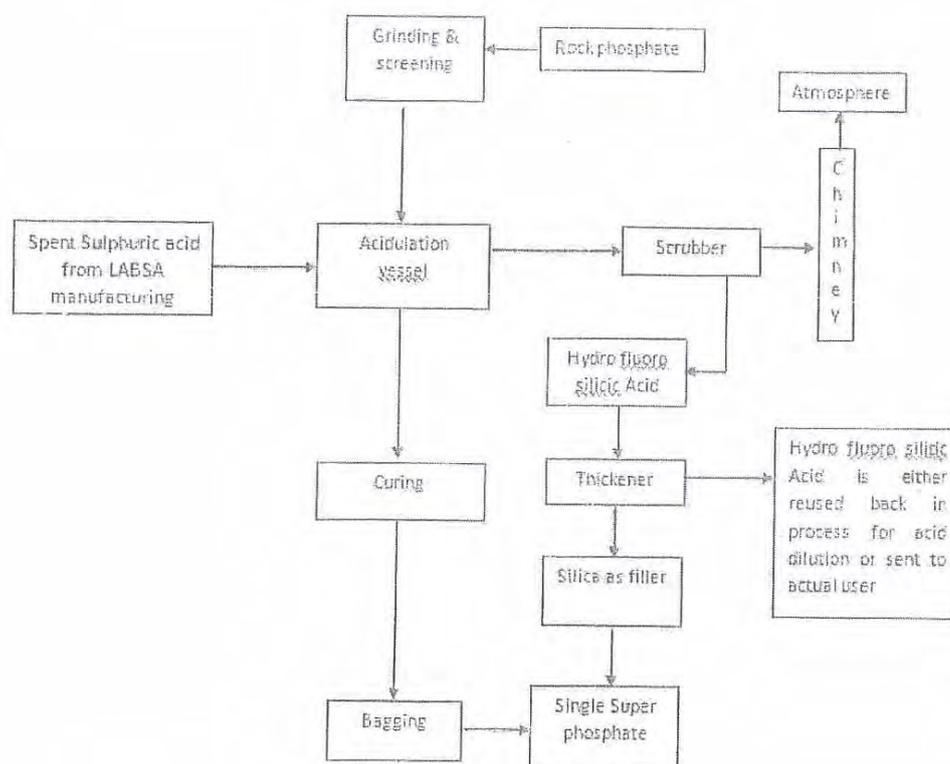


Figure 1: Process flow diagram for utilization of spent sulphuric acid in manufacturing of SSP

(b) **End utilization** - The product (i.e. SSP fertilizer produced utilizing the spent sulphuric acid) to be applied on land as fertilizer as per the SOP given at section 97.3 (b).

97.3 Standard Operating Procedure for utilization

(a) At production stage

This SoP is applicable only for utilization of spent sulphuric acid generated from LABSA process in manufacturing of Single Super Phosphate.

- 1) The spent sulphuric acid shall be transported in SPCB/PCC registered tankers mounted on vehicles fitted with requisite safeguards ensuring no spillage of the same.

Utilization of spent sulphuric acid generated from Linear Alkyl Benzene Sulphonic Acid (LABSA) process in manufacturing of Single Super Phosphate

- 2) There shall be a designated space for unloading of spent sulphuric acid in to a storage tank. The receiving storage tank shall be placed above the ground and contained with low raise parapet/bund wall with proper slope to collect spillages, if any, into a collection pit.
Further, storage sheds shall have proper slope and seepage collection pit to collect seepage/ floor washing. The collected seepage / floor washing shall be utilized in the process or channelized to ETP for further treatment.
- 3) The spent sulphuric acid shall be transferred through pump to acid feeder where water is mixed to maintain strength of acid as per requirement, ensuring no manual intervention.
- 4) Acid feeder shall be properly covered ensuring no fugitive emission of H_2SO_4 mist.
- 5) The process shall be in a closed system, provided with proper platform for acid feeder and acidulation vessel.
- 6) The units such as grinder and screening shall be connected with adequate dust collection equipment viz. cyclones and bag filters and the dust generated shall be reused back in the system.
- 7) Adequate water and alkali scrubbers to be installed for acidulation vessel for control of process fumes.
- 8) The treated gases shall comply with emission norms prior to dispersion into atmosphere through stack. The stack height shall be a minimum of 30 m from ground level or as prescribed by the concerned SPCB/PCC, whichever is higher.
 - 9) The scrubber bleed (Hydro Fluoro Silicic acid) shall be recycled back into the acidulation vessel. OR sent to thickener for separation of Hydro Fluoro Silicic acid and silica. The silica shall be used as filler in the final product and the Hydro Fluoro Silicic acid shall be sent to authorized utilisers in accordance with the authorization issued by the concerned SPCB/PCC and provisions of HOWM Rules, 20 16.
- 10) Treatment and disposal of wastewater:
Waste water generated from floor-washings, spillages, reactor washing, etc. shall be treated Physico-Chemically in an ETP so as to comply with inlet standards prescribed in case of CETP or be treated in captive ETP having adequate treatment facilities to comply with surface water discharge standards as stipulated in the Consent issued by the SPCBs/PCCs.
In case of zero discharge condition, the treated waste water from ETP may be managed as per conditions stipulated by the SPCB/PCC.
- 11) The hazardous wastes generated (if any) during utilization process shall be collected and temporarily stored in non-reactive drums under a dedicated hazardous waste storage area and be sent to authorized common TSDF or other authorized facility within 90 days from generation of the waste in accordance with the authorization issued by the concerned SPCB/PCC. Such storage shall be done under covered storage area with proper ventilation.

Utilization of spent sulphuric acid generated from Linear Alkyl Benzene Sulphonic Acid (LABSA) process in manufacturing of Single Super Phosphate

- 12) Prior to utilization of spent sulphuric acid, the unit shall obtain authorization for generation, storage, and utilization from the concerned SPCB/PCC under HOWM Rules 2016.
- 13) The unit shall maintain proper ventilation in the work zone and process areas. All personnel involved in the plant operation shall wear proper PPEs specific to the process operations involved and type of chemicals handled as per MSDS. The safety precautions of the worker shall be in accordance with the Factory Act, 1948, as amended from time to time.
- 14) Transportation of spent sulphuric acid shall be carried out by sender (generator) or receiver (utilizer) only after obtaining authorization from the concerned SPCB under HOWM Rules, 2016. Requisite manifest document shall be followed as laid down under the said Rules.
- 15) In case of environmental damages arising due to improper handling of hazardous wastes including accidental spillage during generation, storage, processing, transportation and disposal, the occupier (sender or receiver, as the case may be) shall be liable to implement immediate response measures, environmental site assessment and remediation of contaminated soil/groundwater/sediment etc. as per the "Guidelines on Implementing Liabilities for Environmental Damages due to Handling & Disposal of Hazardous Wastes and Penalty" published by CPCB.
- 16) The unit shall provide suitable fire safety arrangements and flame proof electrical fittings.
- 17) During the process of utilization and handling of hazardous waste, the unit shall comply with requirements in accordance with the Public Liability Insurance Act, 1991 as amended, wherever applicable.

(b) End Usage of the Product

1. Final products manufactured utilizing above said hazardous waste shall meet the specifications mentioned in Fertilizer Control Order, 1985 and amendments thereof.
2. The unit shall label the bags containing the product (i.e. Single Super Phosphate produced utilizing spent sulphuric acid) as "*This Single Super Phosphate has been manufactured by utilizing spent sulphuric acid, generated from LABSA process.*"
3. As per the long term study conducted on crops, application of SSP produced utilizing spent acid shall not exceed application of ___ Kg of SSP per hectare per crop. The same shall be mentioned on the label of SSP fertilizer bags.
4. The sale or marketing of SSP produced utilizing spent acid is permitted as per the acceptance given by Department of Fertilizers vide [Letter Dated....]

97.4 Record/Returns Filing

- 1) The unit shall maintain a passbook issued by the concern SPCB/PCC and maintain details of each procurement of spent sulphuric acid as mentioned below:

- Address of the sender

Utilization of spent sulphuric acid generated from Linear Alkyl Benzene Sulphonic Acid (LABSA) process in manufacturing of Single Super Phosphate

- Date of dispatch
 - Quantity procured
 - Seal and signature of the sender
 - Date of Receipt in the premises
- 2) A log book with information on source and date of generation/procurement of spent sulphuric acid, quantity, date wise utilization of spent sulphuric acid, quantity of SSP manufactured, hazardous waste generation and its disposal, etc. shall be maintained including analysis report of emission monitoring & effluent discharged, as applicable.
 - 3) The unit shall maintain record of hazardous waste generated, utilized and disposed as per Form 3 & also file annual returns in Form 4 as per Rule 20 (1) and (2) of HOWM Rules, 2016.
 - 4) The unit shall submit quarterly and annual information on hazardous wastes consumed, its source, products generated or resources conserved (specifying the details like type and quantity of resources conserved) to the concerned SPCB/PCC.
 - 5) The unit shall use NHWTS to manage the manifest, enter daily records of quantity generated, disposed, etc. and till the time NHWTS is fully operational, the unit shall continue to use the existing tracking system if any of respective State Boards .

97.5 Standards

(a) At Production stage

- 1) Source emission monitoring from the common stack attached to scrubber shall comply with the following emission standards or as prescribed by the concerned SPCB/PCC, whichever is stringent;

PM	150.0 mg/Nm ³
SO ₂	40.0 mg/Nm ³
HF	4 mg/Nm ³
NO _x	25 mg/Nm ³
Total Fluoride	<10 mg/Nm ³

- 2) Fugitive emission in the work zone shall comply with the following standards:

PM ₁₀	5.0 mg/m ³ TWA*
H ₂ SO ₄ mist	13 mg/m ³
Fluorine	0.2 mg/m ³

*time-weighted average (TWA)- measured over a period of 8 hours of operation of process.

- 3) Monitoring of the specified parameters for source emission shall be carried out quarterly for the first year followed by at least annually in the subsequent year of utilization. Fugitive emission for specified parameters shall be carried out quarterly. The monitoring shall be carried out by ISO 17025 accredited or EPA, 1986 approved laboratories and the results shall be submitted to the concerned SPCB/PCC on a quarterly basis.

Utilization of spent sulphuric acid generated from Linear Alkyl Benzene Sulphonic Acid (LABSA) process in manufacturing of Single Super Phosphate

- 4) Standard for wastewater discharge: Treated effluent shall be discharged in accordance with the conditions stipulated in Consent to Operate issued by respective SPCB/PCC under the Water (Prevention and Control of Pollution) Act, 1974. In case of (i) zero discharge as per consent or (ii) non-availability of Common Effluent Treatment Plant (CETP), the unit shall achieve zero discharge by setting up adequate captive treatment facility.

(b) At utilization stage

1. As per the long term study conducted on crops, application of SSP produced utilizing spent acid shall not exceed application of ___ Kg of SSP per hectare per crop. The same shall be mentioned on the label of SSP fertilizer bags.
2. The sale or marketing of SSP produced utilizing spent acid is permitted as per the acceptance given by Department of Fertilizers vide [Letter, Dated....]
3. Analysis of final products with regards to parameters, as prescribed in Fertilizer Control Order (FCO), 1985, and amendments thereof, shall be carried out in every three months and be submitted to CPCB and concerned SPCB/PCC. In case, parameters not meeting prescribed standards, utilization shall be stopped reported to concerned SPCB/PCC.
4. Final products manufactured utilizing above said hazardous waste shall meet the specifications mentioned in Fertilizer Control Order, 1985 and amendments thereof.

97.6 Siting of production Industry

Facilities for utilization of spent sulphuric acid shall be located preferably in a notified industrial area or industrial park/estate/cluster and in accordance with Consent to Establish issued by the concerned SPCB/PCC.

97.7 Size of Plant & Efficiency of utilization

. 0.45 MT spent sulphuric acid per 0.56 MT rock phosphate (raw material) may produce 1 Metric Tonne of SSP. Therefore, requisite facilities of adequate size of storage shed and other plant & machinery as given in para 97.9 below shall be installed accordingly.

97.8 On-line detectors / Alarms / Analysers

Online emission monitoring systems shall be installed in case of continuous process operations for PM, SO₂, NO_x, and F as prescribed by the SPCBs/PCCs.

97.9 Checklist of Minimal Requisite Facilities

Sl. No	Particulars
1.	Storage tank(s) of adequate capacity to store spent sulphuric acid. Storage tank(s) shall be placed above the ground and contained with low raise parapet/bund wall with slope to collect spillages, if any, into collection pit.
2.	Mechanized system for transfer of spent sulphuric acid from storage tank to acid

Utilization of spent sulphuric acid generated from Linear Alkyl Benzene Sulphonic Acid (LABSA) process in manufacturing of Single Super Phosphate

	feeder and acidulation vessel.
3.	Grinder, reactor (acidulation vessel)
4.	Adequate water and alkali scrubbers shall be installed at acidulation vessel.
5.	Adequate dust collection system such as Cyclones and bag filters for dust collection at grinding and screening section.
6.	Suction arrangement to channelize emissions from grinding and screening section and dust collector system to APCD.
7.	Effluent treatment plant.
8.	Common Stack to have sampling port, platform, access to the platform etc. as per the guidelines on methodologies for source emission monitoring published by CPCB under laboratory analysis techniques LATS/80/2013-14.
9.	Online emission monitoring systems shall be installed in case of continuous process operations for PM and other parameters as prescribed by the SPCBs/PCCs.

-TRUE COPY-

From: Nikhil Modi
Sent: 26 April 2024 13:44
To: secy-moef@nic.in
Cc: mscb.cpcb@nic.in
Subject: RE: spent acid generated from Labsa manufacturing

Dear Madam,

We seek an urgent clarification on the trailing mails.

1. According to the HOWM guidelines, spent acid generated during Labsa manufacturing has been classified as Hazardous waste. Is this correct?
2. Basis this, CPCB has come out with draft SOP for use of the same in SSP manufacturing.
3. Till this SOP is notified, can a SSP manufacturer, in the interim, continue to use Spent Acid generated from Labsa manufacturing?

We are SSP manufacturers and as we are refraining from the use of spent acid in the interim period, other SSP, Alum, Magnesium Sulphate, Zinc Sulphate and other users are freely using the spent generated by Labsa manufacturers.

We seek an appointment with you at any suitable day and time in the next week, to have a clarity on this matter.

Regards
Nikhil Modi
Sai Fertilizers Pvt Ltd

From: Nikhil Modi
Sent: 22 April 2024 15:33
To: secy-moef@nic.in
Cc: mscb.cpcb@nic.in
Subject: spent acid generated from Labsa manufacturing

Dear Ma'am,

We have been trying to get clarification from CPCB but to no avail. We seek your intervention in this regard. Our clarifications are as below:

1. According to the HOWM guidelines, spent acid generated during Labsa manufacturing has been classified as Hazardous waste. Is this correct?
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Your urgent response in this matter will be highly appreciated.

Regards
Nikhil Modi
Sai Fertilizers Pvt Ltd

From: Nikhil Modi
Sent: 19 April 2024 13:51

To: mscb.cpcb@nic.in

Cc: Sandeep Fogla <sandeep@foglagroup.com>; Diksha Modi <diksha@foglagroup.com>; Devanshi Fogla <devanshi@foglagroup.com>; Aastha Fogla <aastha@foglagroup.com>

Subject: Draft SoP prepared by CPCB in consultation with Gujarat Pollution Control Board for utilization of Spent Sulphuric acid (generated during manufacturing of Linear Alkylbenzene Sulfonic Acid (LABSA) for detergents) in production of Single Super Ph...

To
Member Secretary
Shri Bharat Kumar Sharma
CPCB

Dear Sir,

We are writing to seek clarity whether we can use spent acid in the manufacturing of Single Super Phosphate at the moment. As per our understanding a draft SOP has been prepared for the same for spent acid generated from Labsa manufacturing. We seek clarity that in the interim, till SOP is finalised can we continue to use the spent acid generated from Labsa production. In the interim if we cannot use the spent acid, kindly clarify as to when the SOP would be finalized.

Your urgent clarification is required in the matter.

Regards
Nikhil Modi
Sai Fertilizers Pvt Ltd

From: Nikhil Modi

Sent: Tuesday, April 16, 2024 4:07:00 PM

To: FAI-Technical <tech@faidelhi.org>

Cc: Dixit, U. C. <udhab.dixit@indorama.com>; 'Narayanan S' <narayans@greenstar.net.in>; 'Ostwal Praveen - Krishna Phoschem' <ostwaldiamond@gmail.com>; 'Paun Dinesh - T J Agro' <tjagrofertiliser@yahoo.com>; 'Raval B P - Narmada Agro' <bpr151970@gmail.com>; Sandeep Fogla <sandeep@foglagroup.com>; Sinha, Bidhan <bidhan.sinha@indorama.com>; Brintak Pal- Jayshree <brintak@jayshreetea.com>; 'Dey P.K. - Progressive' <pfpl_jrd@yahoo.in>; Maheshwari Akhil, Nirma <akhilmaheshwari@nirma.co.in>; 'Ostwal Pankaj - MB Agro Products' <pankaj@ostwal.in>; 'Reddy K Rajasekhar - K. P. R.' <fertilisers@kprgroup.in>; 'Relan, S' <sudheer_relan@potindia.com>; 'Sankarasubramanian S' <sankarasubramanians@coromandel.murugappa.com>; Bhatt Jigar - Singham <jigar@singhamipl.com>; 'Gilda Om Prakash - Shiva Global' <nndshiva@gmail.com>; 'Jain Abhishek - Arihant F&C' <finance.arihant@yahoo.com>; Mathur Raman, Mexican <balram.macl@gmail.com>; 'Patel Y D - Bharat Agri F&R' <ydp13@hotmail.com>; 'Rao P Sahadeva - GDS Chems & Fert' <gdschem@yahoo.com>; 'Vidyaprakash D - Coimbotore' <cpfssp@gmail.com>; 'Bhartia, Shashikant - Basant Agro' <scb@basantagro.com>; 'Dandgawhal, Sandeep N.' <sandeep.dandgawhal@dfpcl.com>; 'Gopalakrishnan, S' <gopalk@ramagroup.co.in>; Agrawal, Abhay - Kasturchand Fert. <kkrushidhan@yahoo.com>; Gadia, Dilip Kumar - Blue Phosphate <dilip@transfurt.com>; 'Jain, Veenu - BEC' <becfert@yahoo.com>; 'Jaketia, Pramod - Ostwal' <pramodjaketia@gmail.com>; 'Jatania Mukesh - Dhanlakshmi' <dhanlakshmi@biochem@gmail.com>; 'Mohit - Patel Phoschem' <mohit@patelphoschem.com>; 'Ratnam, K.Venkata-Andhra Sugars Ltd.' <mktg.tnk@theandhrasugars.com>; Sagar, V Vidya - Subhodaya <chousv@yahoo.com>; Jain Arvind - Ostwal <jain.arvind2@gmail.com>; Bhanawat, Dheeraj <dheeraj@bhoomiphosphate.com>; Gupta, Rajkumar <rajkumar.gupta@adventz.com>; 'Gupta, Vishnu Kant-Agro Phos' <agrophos@rediffmail.com>; 'N Hari Kiran - NG Fert' <ngfcpl@gmail.com>; Purohit Rakesh - Shree Pushkar

From: Nikhil Modi
Sent: 26 April 2024 13:44
To: secy-moef@nic.in
Cc: mscb.cpcb@nic.in
Subject: RE: spent acid generated from Labsa manufacturing

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3. Till this SOP is notified, can a SSP manufacturer, in the interim, continue to use Spent Acid generated from Labsa manufacturing?

We are SSP manufacturers and as we are refraining from the use of spent acid in the interim period, other SSP, Alum, Magnesium Sulphate, Zinc Sulphate and other users are freely using the spent generated by Labsa manufacturers.

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Your urgent response in this matter will be highly appreciated.

Regards
Nikhil Modi
Sai Fertilizers Pvt Ltd

From: Nikhil Modi
Sent: 19 April 2024 13:51

Subject: Fwd: spent acid generated from Labsa manufacturing
Date: Tuesday, 28 May 2024 at 2:36:31 PM India Standard Time
From: Nikhil Modi
To: Sandeep Fogla, Suman Chakraborty
Attachments: image002.jpg

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From: Nikhil Modi <nikhil@foglagroup.com>
Sent: Friday, May 24, 2024 3:17 PM
To: secy-moef@nic.in <secy-moef@nic.in>
Cc: mscb.cpcb@nic.in <mscb.cpcb@nic.in>
Subject: RE: spent acid generated from Labsa manufacturing

Dear Madam

Regret after so many reminders to MOEF and CPCB, we are not getting a clarification in a simple matter. If we do not get it by Monday, we will be constrained to knock the doors of NGT.

Regards
Nikhil Modi
Sai Fertilizers Pvt Ltd

From: Nikhil Modi
Sent: 16 May 2024 15:52
To: secy-moef@nic.in
Cc: mscb.cpcb@nic.in
Subject: RE: spent acid generated from Labsa manufacturing

Dear Madam,

Reminder for clarification of trailing mails.

We seek an urgent clarification on the trailing mails.

1. According to the HOWM guidelines, spent acid generated during Labsa manufacturing has been classified as Hazardous waste. Is this correct?
2. Basis this, CPCB has come out with draft SOP for use of the same in SSP manufacturing.
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Regards
Nikhil Modi
Sai Fertilizers Pvt Ltd



IN THE NATIONAL GREEN TRIBUNAL

ORIGINAL APPLICATION NO. of 2024

IN THE MATTER OF:

M/s Sai Fertilizers Pvt. Ltd.

Sl. No. 91 / 2024

-VERSUS -

Union of India & Ors.

Petitioner (s)
Appellant (s)

Respondent(s)
Defendant (s)

VAKALATNAMA

I, Mr. Suman Chakraborty, S/o Late Shri. K. C. Chakraborty, aged about 46 years, am the Authorized Signatory for M/s Sai Fertilizers Pvt. Ltd., resident of 265/234, Banerjee Para Road, Kolkata - 700041. DEFENDANT / RESPONDENT/ PETITIONER /OPPOSITE PARTY, in the above application/ suit/appeal/petition/ reference do hereby appoint and return **Eisha Krishn / Saumitra Jaiswal / Mansi Bachani/ Gitanjali Sanyal/ Sonali Sengupta/ Shubham Upadhyay/ Surya Gupta/ Meghna Sharma** Advocates of the National Green Tribunal, to act and appear for me/us in the above application/ suit/petition/appeal reference and on my/our behalf to conduct and prosecute or defend or with draw the same and all proceedings that may be taken in respect of any application connected with the same or any decree or order passed therein, including proceedings in taxation and application for Review to file and obtain return of documents and to deposit and receive money on my / our behalf in the Application/Suit/Petition/Appeal reference and application for Review, and to represent me/us and to take all necessary steps on my/our behalf in the above matter. I/We agree to ratify all acts done by the aforesaid advocate, in pursuance of this authority.

Dated this the 29th day of May, 2024

ATTESTED SIGNATURE ONLY
BEFORE ME ON IDENTIFICATION

REKHA TEWARI
NOTARY

29 MAY 2024

Suman Chakraborty

(Petitioner (s) / Appellant (s)
Respondent (s) / Defendant(s) / Opposite Party



Accepted Identified By

Advocate.

MEMO OF APPEARANCE

To,

The Registrar,
National Green Tribunal
Eastern Zonal Bench, Kolkata

Sir,

Kindly enter my appearance in the above matter on behalf of the Petitioner / Appellant / Respondent.

Dated: 29.05.2024

Eisha *Surya*

Advocate for the
Petitioner(s)/Appellant(s)/Respondent(s)
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Gitanjali