

ACTION TAKEN REPORT OF COMMISSIONER, COONOR MUNICIPALITY
IN O.A. No.:203 OF 2017 (SZ)

Background:

As directed by the Hon'ble National Green Tribunal (SZ) during its hearing on 06.01.2021, the Hon'ble National Green Tribunal (SZ) considered the Report filed by the Joint Committee, and issued the following directions:

"5. It is seen from the report that there around 50% of the legacy waste is left for processing and it is mentioned in the report that they will complete the work by 31.03.2021.

6. However, the directions issued by the Principal Bench of National Green Tribunal, New Delhi in Original Application No.606 of 2018 provided some cut of date to comply with the provisions of the Solid Waste Management Rules, 2016 in its letter and spirit and directed the Pollution Control Board to take action against erring local bodies for non-compliance of the directions issued including imposition of compensation and provided certain slab depending upon the population of the local bodies as penalty for non-compliance but nothing was mentioned about the same in the report.

7. So considering the circumstances, the committee is directed to ascertain those aspects and also submit a further progress report and action taken report in this regard in compliance with the directions issued by the Principal Bench of National Green Tribunal, New Delhi in O.A. No.606 of 2018 and submit a report to this Tribunal on or before 02.12.2020 by e-filing after complying with the necessary procedure of producing as many number of hardcopies as required as per rules."

Subsequently during the hearing on 06.01.2021, the Hon'ble National Green Tribunal (SZ), granted time till 04.02.2021, for the filing of further report, and ordered as follows:

“4. Under the circumstances, we feel that some more time can be granted to the committee, Pollution Control Board and also the Municipality to submit their response as directed by this Tribunal. They are directed to submit the further report on or before 4.2.2021 by e-filing in the form of Searchable PDF/OCR Supportable PDF and not in the form of Image PDF along with necessary hardcopies to be produced as per Rules”.

This Action Taken Report is submitted in compliance of the orders of the Hon'ble National Green Tribunal (SZ), as follows:

Coonoor Municipality`s Solid Waste Management initiatives and the current status of Legacy Waste Management

Understanding the need for the disposal of Solid Wastes in scientific manner, in compliance to the provisions of the Solid Waste Management Rules notified by the Government of India, at various stages, the Municipality has formulated schemes for the processing of the wastes, in line with the prescription in the Solid Waste Management Rules, 2016. The earlier waste disposal sites have become dumping sites, which, under the provision of the Solid Waste Management Rules, 2016, need to be remediated within five years from the date of Notification, i.e. before 7th April, 2021.

1. At present, the solid waste generated is managed with processes such as composting in case of wet-organic waste, controlled high temperature burning of rags, diapers, used sanitary napkins and the segregation and selling of the dry wastes. The quantity of the legacy waste that was lying in the dumping sites which need to be processed as on 31st January, 2021 is estimated at 2820 MT.
2. The Legacy waste that slid from Ottupattarai Dump yard, into the adjacent private land, which also a part of the subject matter of consideration in O.A. No.: 108 of 2017 had been removed completely and kept adjacent to the processing shed of the Resource Recovery park at Ottupattarai, established

at the erstwhile dump yard at Ottupattarai, for the purpose of processing / bio-mining. Coonoor Municipality assured before the Hon'ble national Green Tribunal (SZ) that the entire legacy waste would be processed and completed before, 31st of March, 2021.

3. With a view to complete the bio-mining/ processing of the legacy waste, a hand operated siever available was put into use, since November 2020. Even though the operation yielded the desired results, the very-low output in that operation made us to feel that the same needs to be mechanized. However, it was found that even with the mechanization of the available siever, the desired rate of processing could not be performed. With inputs from District Environmental Engineer, TNPCB, Nilgiris, and discussion with fabricators, it was decided to fabricate a heavy-Duty mechanized siever. The dimensions are finalized in discussion with the fabricator, officials of the Municipality and District Environmental Engineer, TNPCB, Nilgiris. The said system has been fabricated and put in to use in beginning of January, 2021.
4. However, the unprecedented rains in December 2020 & January 2021 has delayed the trial operations and once the legacy waste dried, the same was put on trial, in the second half of January, 2021, after Pongal Holidays. Now, the trial has been completed, the teething problems experienced are addressed and presently, we are able to run the siever at a rate of 3 MT/Hour, comfortably, thereby around 30 MT/day of legacy waste could be processed in a day with ten hours of operation. We have operated the system for about one week with this level of performance, i.e. 3 MT/Hour.
5. At this is level, we have completed about 180 MT of legacy waste, as on 31st January, 2021, out of the total estimated legacy waste of 3000 MT, and the remaining quantity of legacy waste remaining at various places as on 1st February, 2021 is assessed as 2820 MT, which we are confident of completing before 30th June, 2021. In this regard, it is informed that that the

quantity of legacy waste was previously estimated as 7000 MT at a bulk density of around 0.7. However, the experience on the removal of legacy waste for processing revealed that the total quantity of waste is around 3000 MT only, mainly due to two reasons (i) A fire occurred subsequent to 2017, after the estimation of the waste has reduced the quantity substantially and (ii) There is sizable physically removable material, without sieving is also present in large quantities, and thereby the total legacy waste that is required to be processed is re-worked as 3000 MT. It is submitted, that the remaining waste up to around 3000 MT could be processed, before 30th June, 2021, provided the process is not interrupted with rain. In as much as there is no rainy season till May, it is possible for Coonoor Municipality to meet the Time Line.

6. It is also to be informed that the accumulated mixed dry waste that were kept in the erstwhile IL& FS premises were completely processed and disposed even before December 2020 as against the commitment made of 31.03.2021. It is estimated that the quantity of wastes so processed is around 200 MT only as against the original estimation of 300 MT. Now the area is completely free from any sort of waste.

Removal of the slid waste in the Private Land

The entire quantity of the legacy waste that was slid in to the private land was completely removed and is being processed. There is no waste lying in the Private land, which was confirmed by the inspection by the District Environmental Engineer on 01.02.2021

Show Cause Notice from District Environment Engineer (DEE), TNPCB

Coonoor Municipality received a show cause notice from District Environmental Engineer (DEE), TNPCB vide Proc. No.:DEE/NLG/ O.A.606 of

2018/NGT –PB/SWM/2020-1 Dated 12.01.2021 (enclosed herewith) for non-compliance of the provisions of the Solid Waste Management Rules 2016.

Coonoor Municipality sent a detailed reply (enclosed herewith) highlighting the Action Taken Report and requested to accept the reply and drop all further proceedings on levying of environment compensation for Coonoor Municipality.

Coonoor Municipality hereby submits the request before the Hon'ble National Green Tribunal (SZ), that Tamil Nadu Pollution Control Board may be suitably advised to keep the procedure of levying of Environmental Compensation to Coonoor Municipality in abeyance till June, 2021, and any further course of action in this matter be taken on us only if Coonoor Municipality failed to complete the processing of legacy waste by June, 2021 or adequate progress in this regard is not made with.

It is submitted for the kind consideration of the Hon'ble National Green Tribunal (SZ) that the processing of legacy waste has been undertaken in a very few urban local bodies in India, and at this backdrop, the action of Coonoor Municipality, having many locational, climatic and economic constraints, commencing the processing of legacy waste should be encouraged, and at this juncture, levying of Environmental Compensation would only be a deterrent to the activities of Municipality, in this regard, which would also demoralize everyone involved in the solid waste management and legacy waste management in Coonoor Municipality.

PRAYER

Commissioner, Coonoor Municipality do hereby submit this Action Taken Report, as ordered by the Hon'ble Tribunal, and kindly requests that the same may be accepted.

It is also kindly requested that Tamil Nadu Pollution Control Board may be suitably advised to keep the procedure of the levying of Environmental Compensation to Coonoor Municipality in abeyance till June, 2021, and any further course of action in this matter be taken on us only if Coonoor Municipality failed to complete the processing of legacy waste by June, 2021 or adequate progress in this regard is not made with.

It is submitted that the Hon`ble National Green Tribunal(SZ) to pass appropriate orders the Hon`ble National Green Tribunal (SZ) considers deem fit on the facts and circumstances of the issue.

- Encl: 1. Photographs
2. TNPCB Show Cause Notice.
3. Reply to TNPCB.

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Commissioner,
Coonoor Municipality
3.2.21