

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

IN

ORIGINAL APPLICATION No.O A 77 of 2021(SZ)

IN THE MATTER OF

SuoMotu proceedings initiated

based on letter received

From Justice A.V. Ramakrishna Pillai,

Former Judge, High Court of

Kerala, Chairman,

SLMC, Kerala.

:

Applicant(s)

Verses

The Chief Secretary,

Government of Kerala,

Thiruvananthapuram and Others

:

Respondent(s)And

ORIGINAL APPLICATION No. O A 442/2013(SZ)

Applicant(s) : Jith Kumar, Muthedathu

Versus

Respondent(s) : The State of Kerala & others

And

ORIGINAL APPLICATION No.O A 20 / 2017(SZ)

Abdul Basheer

Versus

Kochi Municipal Corporation & Others

ORIGINAL APPLICATION No.O A 276/2017(SZ)

Lawyers Environmental Awareness Forum

Versus

SEIAA, Thiruvanathapuram

VOLUME 2

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Dated this the 6th day of April 2022

Adv. RemaSmrithi,

ADDITIONAL STANDING COUNSEL FOR THE RESPONDENT



KERALA STATE POLLUTION CONTROL BOARD

DISTRICT OFFICE (ERNAKULAM -II), PERUMBAVOOR

PMC. 20/733, Govt. Hospital -KSRTC Road, Near Kallunkal Auditorium, Perumbavoor - 683 542

Telephone : 0484-2593747

E-mail: pcbdo2ekm@gmail.com

Website : www.keralapcb.nic.in

File No: PCB/CHN/WC-24/05

Date: 21.03.2022

- Ref: 1. Show cause notice No. PCB/RO-EKM/GEN-258/19 dated 16.03.2021 from Regional Office, Ernakulam.
2. Clarification letter No. PCB/RO-EKM/GEN-258/19 dated 01.05.2021 from Regional Office, Ernakulam.

SHOW CAUSE NOTICE

WHEREAS Solid waste treatment of plant of Kochi Corporation comes under Environmental protection Act 1986 and the Solid Waste Management Rules 2016 comes under the Environmental Protection Act 1986;

WHEREAS, in exercise of the power conferred by sections 3,6 and 25 of the Environment (Protection) Act, 1986 (29 of 1986) and in supersession of the Municipal Solid Waste (Management and Handling) Rules 2000, The Central Government make solid waste management Rules 2016;

WHEREAS the Solid Waste Management Rules 2016 comes into force from 8th April 2016;

WHEREAS these rules shall apply to every urban local body, outgrowths in urban agglomerations, census towns as declared by the Registrar General and Census Commissioner of India, notified areas, notified industrial townships, areas under the control of Indian Railways, airports, airbases, Ports and harbours, defence establishments, special economic zones, State and Central government organisations, places of pilgrims, religious and historical importance as may be notified by respective State government from time to time and to every domestic, institutional, commercial and any other non residential solid waste generator situated in the areas except industrial waste, hazardous waste, hazardous chemicals, bio medical wastes, e-waste, lead acid batteries and radio-

active waste, that are covered under separate rules framed under the Environment (Protection) Act, 1986;

WHEREAS as per section 15 (v) It is the duty of urban agglomerations to facilitate construction, operation and maintenance of solid waste processing facilities and associated infrastructure on their own or with private sector participation or through any agency for optimum utilisation of various components of solid waste adopting suitable technology including the following technologies and adhering to the guidelines issued by the Ministry of Urban Development from time to time and standards prescribed by the Central Pollution Control Board. Preference shall be given to decentralised processing to minimize transportation cost and environmental impacts such as-

- a) bio-methanation, microbial composting, vermi-composting, anaerobic digestion or any other appropriate processing for bio-stabilisation of biodegradable wastes;
- b) waste to energy processes including refused derived fuel for combustible fraction of waste or supply as feedstock to solid waste based power plants or cement kilns;

WHEREAS as per section 19 (5) The operator of the facility shall design and set up the facility as per the technical guidelines issued by the Central Pollution Control Board in this regard from time to time and the manual on solid waste management prepared by the Ministry of Urban Development;

WHEREAS fire out breaks happened in the dumping yard in 2019 and 05.03.2021;

WHEREAS frequent fire out breaks happening in the legacy waste area on 18.01.2022, 21.03.2022 and causing serious air pollution problem due to the burning of solid wastes including plastic, textile materials and other wastes;

WHEREAS directions given from the Board to provide necessary control measures to avoid the fire out breaks from the dumping area;

WHEREAS ever repeated instructions given for the safe management of solid waste including plastic waste, to avoid fire accidents repeated incidents is a serious lapse from your part in complying the directions;

NOW THEREFORE you are hereby directed to show cause if any within 15 days why actions shall be taken against you under the provisions of Environment protection Act 1986.



Yours faithfully

A handwritten signature in green ink, appearing to be "Dul", written over the typed name "ENVIRONMENTAL ENGINEER".

ENVIRONMENTAL ENGINEER

To

THE SECRETARY
KOCHI MUNICIPAL CORPORATION,
PARK AVENUE ROAD,
KOCHI- 11.

Copy to : 1. The Member Secretary

Kerala State Pollution Control Board
Head Office, Thiruvananthapuram.

2. The Chief Environmental Engineer

Regional Office, Ernakulam.

Bio-mining at Bhramapuram – Suggestions

Based on the Technical Committee Meeting held on 03.01.2022, it is informed that the bio-mining project submitted by M/s Zonta Infratech Pvt Ltd is acceptable subject to the following conditions:

1. Dumping of waste in the area to be bio-mined is continuing thereby the quantity to be mined is going on increasing from that already assessed. May be clarified by the company about the methodology to be adopted for this additional waste and whether there is any cost increase for processing the additional waste.
2. The Corporation have to ensure that fresh waste is not be dumped over the area to be mined.
3. Contour map before & after bio mining shall be prepared.
4. After the excavation of the waste, the company has to ensure the complete stabilization of waste. Mere, spreading of waste for 2 or 3 days in the sun is not adequate. Adopting windrow/cone method and spraying bio-culture over the windrow is also not enough. Complete stabilization can be ensured when there are no fumes when the waste is transferred to trommels.
5. The agency is required to take adequate measures to ensure that there are no complaints on odour during the whole process.
6. The screening of waste has to be as per CPCB guidelines. Adequate number of trommel screens has to be ensured in the site. In many cases, the under 30mm fraction may contain lot of plastics & inerts restricting its use for beneficial purpose like soil enricher. Adequate number of trommel screens for size range 150, 80-100, 24-50, 12-16 & 4-6mm are required for the process. Instead of multiple trommels, single trommel of 16-20mm bore size screen with reject conveyor (with blower to remove dust) can also be used. Where there are space constraints, mobile trommels may also be used.
7. Adequate control measures to contain dust generated during excavation, screening etc like wind screens shall be installed.

8. The output from screens are to be passed through air density separator to remove plastics. Electromagnets for separating ferrous metals are also to be provided. Recovered plastic is to be bailed and given to cement plants for co-incineration. Agreement with cement plants in this regard is to be provided.
9. Inerts shall be utilized to the maximum possible extent like road making. This is essential for minimizing the space required for land filling of inerts.
10. Analysis of bio earth shall be done at least twice a month and copy to be submitted to the Board.
11. There has to be a clear plan of action for removal of RDF recovered from the bio mining process. Preferably, contractors have to be empanelled for this purpose by the Corporation or adequate arrangements made by the agency to prevent accumulation of waste in the site.
12. Facilities for regular measurement of the parameters related to the quality of RDF like moisture control, calorific value have to be arranged.
13. Once the mining starts, records related to the generation & disposal of each fraction of the materials recovered from the bio mining process is to be correctly maintained. Copy of these records shall be made available to the Board periodically.
14. Facilities for leachate treatment are to be provided at the site. Leachate characteristics have to be identified and reported.
15. It may rain on any day in Kerala. Hence adequate facilities like transparent roofing, facilities to divert runoff etc are to be provided.
16. Facilities for monitoring the whole system through a computerized system in which quantity of waste processed, power consumption, processing percentage of each screens, belt conveyors, run hours etc are being recorded. Preferably a website may be created through which the Corporation and the Board can access these data.
17. Disposal of processed legacy waste is a matter of prime importance as recyclers do not usually accept processed legacy waste due to its poor quality. Hence arrangements for disposal of processed legacy waste has to be planned in advance.

18. Transportation of processed waste shall be done only in GPS tagged vehicle and correct records kept in this regard.
19. A comprehensive time bound action plan for bio remediation, including time frame for clearance of the site, details of machinery to be setup, utilization of screened fraction is to be submitted. Executing the work on piece meal basis can eventually lead to the failure of the process.
20. It is advisable to get a third party audit of the project done by a reputed agency.
21. Consent to Operate shall be obtained from the Board for bio mining/bio remediation.
22. Submit monthly compliance report to CPCB with copy to State Board with time frame for completion which is subject to verification by CPCB/State Board.
23. Facilities for fire prevention/fire hazards have to be taken.
24. Bio mining should be undertaken to the maximum extent possible without having significant environmental impacts on adjoining population.

It is recommended that the project may be approved and the above suggestions incorporated in the project report submitted by M/s Zonta Infratech Pvt Ltd.

**ALEXANDER
GEORGE**

**Senior Environmental Engineer
Head Office**

Kerala State Pollution Control Board

 Digitally signed by ALEXANDER
GEORGE
Date: 2022.01.07 13:00:04 +05'30'