



Report of the Joint Chief Environmental Engineer (Monitoring), TNPCB, Salemin connection with O.A. No. 99 of 2017 filed before the Hon'ble NGT (SZ) by Mr. R. Dinesh regarding the dumping of Municipal Solid Waste by the Gobichettipalaym Municipality, Erode District, Tamil Nadu.

1. Background

It is submitted that an application was filed before the Hon'ble National Green Tribunal (SZ) vide O.A. No. 99 of 2017 by Mr. R. Dinesh residing at No. 6, Parvathy Nagar, Pudupalayam, Gobichettipalayam Taluk, Erode District stating that the dumping of Municipal Solid Waste by the Gobichettipalayam Municipality of Erode District was carried out at the adjacent site of T. S. No. 2, Block 5, Ward D of Gobichettipalayam Municipality, Erode District resulted in complete contamination of Ground water and also prayed before the Hon'ble NGT (SZ)

- a) To cease the dumping of waste at the site, T.S.No. 2, Block 5, Ward D of Gobichettipalayam Municipality, Erode District
- b) To remediate the said site, restore it to its previous pristine state including remediation of ground water and soil.
- c) To Direct the 3rd Respondent, District Environmental Engineer, TNPCB, Perundurai to initiate prosecution under the Environment (Protection) Act, 1986, the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 for violations committed by them.

The Hon'ble National Green Tribunal (SZ) in its latest order dated 08.04.2022 has directed the Tamil Nadu Pollution Control Board to file a further action taken report for non-implementation of the Solid Waste Management Rules, 2016 in Gobichettipalayam Municipality, in tune with the directions issued by the Principal Bench of National Green Tribunal,

New Delhi in O.A. No.606 of 2018. In this regard, the following Report is submitted.

1) Management of fresh Municipal Solid Wastes:

Gobichettipalayam Municipality comprises of 30 wards with a population of 59505 as per 2011 census. It consists of 18135 residential households with 3095 commercial establishments. The town is spread over an extent of 7.5 Sq.km.

The Commissioner, Gobichettipalayam Municipality has obtained Authorization vide Proc. No. JCEE/SLM/TNPCB/SWM/F.07/PND/2019 Dated: 12/04/2019 for processing, recycling, treatment and disposal of municipal solid wastes of 22 MT/day under the Solid Waste Management Rules, 2016 for the period upto 31.03.2020 for carrying out processing/ recycling/ treatment/ disposal facility for the municipal solid waste generated at the following locations:

- i) Micro Composting Centre at Ramar Extension, T. S. No. 1, 4, Ward B, Block 15 (Old S.F. No. 15 B, 16 A pt, 16 B pt), Gobichettipalayam – 4 MT
- ii) Micro Composting Centre at Nayakankadu, T. S. No. 7, Ward D, Block 4 (Old S. F. No. 185 pt), Gobichettipalayam – 3 MT
- iii) Bio Methanation Plant at Nayakankadu, T. S. No. 2, Ward D Block 5 (Old S. F. No. 180 pt), Gobichettipalayam – 2 MT

At Present, the Municipality generates around 20 T/day of Solid Wastes, of which 2 T/day is Bulk Wastes. The segregated organic Municipal Solid Wastes are subjected to Windrow composting within the composting yard. The organic materials are processed and converted as compost and sold out as manure for the nearby farmers. The food waste and vegetable waste are shredded and used to produce bio gas in the bio methanisation plant. The biogas generated is used to generate Power by using 30 KVA gas-based DG Set. The Power generated is utilized for operation of the machinery and lighting purpose within the premises. The Municipality has provided a shredding machine to shred the plastic waste. The plastics waste was found separated and stored within the premises for further disposal to the recyclers. The local body has made

MOU agreement with M/s. Ultratech Cements Limited, Ariyalur for Co-incineration of plastic waste generated in the Municipal limit.

All the fresh solid wastes are processed in compliance of the solid Waste Management Rules, 2016 and no fresh solid waste is dumped at any site at present.

2) Status of Biomining:

Earlier, the Centre of Environmental Studies, Anna University has estimated the quantity of legacy waste to be processed by the Gobichettipalayam Municipality as 40,000 m³. In this connection, the Municipality has reported that they have processed the estimated quantity of 40,000 m³. However, the same is to be certified by the Centre of Environmental Studies, Anna University. Further, there was around 2682 m³ of buffer quantity of legacy waste in the said biomining site in addition to the already estimated 40,000 m³ of legacy waste.

The Biomining site of Gobichettipalayam Municipality was inspected by the officials of TNPCB on 28.06.2022 so as to assess the status of Biomining works. During inspection, the Biomining works was not under operation. Further, it was observed that the biomining of buffer quantity of legacy waste was not yet completed.

In this connection, the Gobichettipalayam Municipality has already reported that the Biomining of this excess legacy waste would be completed by 31.05.2022. However, the Municipality has not completed the same.

In this regard, the Municipality has reported that they have already completed the biomining of 1500 m³ of the said buffer legacy waste and remaining 1182 m³ of buffer legacy is yet to be biomined. However, the Municipality has not furnished any certified documents from the Centre of Environmental Studies, Anna University for the same. The Municipality has reported that they are in the process of obtaining the said certified reports from the Centre of Environmental Studies, Anna University.

3) Imposition of Environmental Compensation to the Municipality:

The Hon'ble National Green Tribunal (PB) in its order dated 28.02.2020 in connection with O.A. No.606/2018 has issued the following Directions regarding the imposition of environmental compensation to the local bodies.

"...Legacy waste remediation was to 'commence' from 01.11.2019 in terms of order of this Tribunal dated 17.07.2019 in O.A. No. 519/2019 para 28 even though statutory timeline for 'completing' the said step is till 07.04.2021 (as per serial no. 11 in Rule 22), which direction remains unexecuted at most of the places and delay in clearing legacy waste is causing huge damage to environment in monetary terms as noted in para 33 above, pending assessment and recovery of such damage by the concerned State PCB within four months from today, continued failure of every Local Body on the subject of commencing the work of legacy waste sites remediation from 01.04.2020 till compliance will result in liability to pay compensation at the rate of Rs. 10 lakh per month per Local Body for population of above 10 lakhs, Rs. 5 lakh per month per Local Body for population between 5 lakhs and 10 lakhs and Rs. 1 lakh per month per other Local Body ..."

The Gobichettipalayam Municipality has reported that they have processed the estimated quantity of 40,000 m³. However, the same is to be certified by the Centre of Environmental Studies, Anna University. Further, there was around 2682 m³ of buffer quantity of legacy waste in the said biomining site in addition to the already estimated 40,000 m³ of legacy waste. In this regard, the Municipality has reported that they have already completed the biomining of 1500 m³ of the said buffer legacy waste and balance 1182 m³ of buffer legacy waste is remaining at the site. However, the Municipality has not furnished any certified documents from the Centre of Environmental Studies, Anna University for the same.

Since the Biomining works was not completed as on 31.03.2022, Recommendations were submitted to the TNPC Board by the District Environmental Engineer, Perundurai vide Letter No.

PND/DEE/TNPCB/Hon'ble NGT/O.A. No. 99 of 2017/2022, dt. 01.06.2022 to levy interim Environmental Compensation to Gobichettipalayam Municipality for the period 01.04.2020 to 31.03.2022. Since, the population of the Gobichettipalayam Municipality is 63472 (based on 2011 census), the interim environmental compensation is calculated as submitted below.

S. No	Item	Details
1	Period of Environmental Compensation to be levied	01.04.2020 to 31.03.2022 (24 months)
2	Monthly compensation to be levied for population less than 5 Lakhs as per NGT order.	Rs.1.0 Lakh
3	Total Compensation for 24 months	Rs.24 Lakhs

Based on the Recommendations, the Chairman, TNPCB vide Proc. No. T1/TNPCB/LAW/NGT/11942/2022, dt. 30.06.2022 has issued Show Cause Notice under the section 5 of the Environment (Protection) Act, 1986 to the Commissioner, Gobichettipalayam Municipality as to why the Board shall not levy interim Environmental Compensation of Rs. 24 Lakhs for the period from 01.04.2020 to 31.03.2022 for not complying with the provisions of the solid Waste Management Rules, 2016.

Based on the reply of the Gobichettipalayam Municipality, necessary action will be taken on levying Environmental Compensation.

4) Details of Soil Analysis:

The Joint Committee has collected 12 Nos of soil samples from the legacy waste site at various locations and at various depths. Two sets of samples were collected at the above locations. One set of samples were handed over to the Gobichettipalayam Municipality to analyze through Tamil Nadu Agricultural University, Coimbatore and another set of samples were handed over to a NABL Accredited third party laboratory for analysis.

The Reports of Analysis reveal that the Arsenic level is within the screening values for all the samples (12 Nos) collected within the legacy waste site, but slightly exceeded only at top layers at a site 50 m distance from the legacy waste site (2 Nos). Hence, it is submitted that this exceedance may not be due to the effect of Biomining site.

Cadmium level is within the Screening value for all the soil samples (12 Nos) except the soil sample collected at a depth of 4 m inside the legacy waste site (5.24 mg/kg) slightly exceeded the Screening level for Agricultural use but within the screening values for Residential, commercial and Industrial land use.

Though the Copper level in 2 out of 12 Nos of soil samples exceeded the Screening level for all land use, they satisfy the standard for Copper in Biocompost as per the solid Waste Management Rules, 2016.

The levels of the other metals / pollutants such as Zinc, Chromium, Lead, Nickel and Mercury are well within the Screening levels / Below Detectable limits

5) Status of Ground Water Quality

In compliance of the earlier orders passed by the Hon'ble NGT(SZ), the ground water samples were collected in and around the dumpsite area and the report was submitted to the tribunal on 09.09.2020. The analysis results reveal that concentration of Arsenic, Cadmium, Chromium (as Cr6+), Copper, Cyanide, Lead, Mercury, Nickel, Nitrate, Iron as Fe, Phenolic Compound, Zinc are Below Detectable Limit / Below Limit of Quantification, i.e., within the desirable limits in all the 10 sample locations.

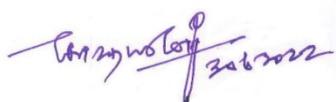
6) Conclusion & Recommendations:

In view of the above facts, the following are submitted.

- a) The Tamil Nadu Pollution Control Board vide Proceedings No. T1/TNPCB/LAW/NGT/11942/2022, dated 30.06.2022 has issued Show Cause Notice under the section 5 of the Environment (Protection) Act, 1986 to the Commissioner, Gobichettipalayam

Municipality as to why the Board shall not levy interim Environmental Compensation of Rs. 24 Lakhs for the period from 01.04.2020 to 31.03.2022 for not complying with the provisions of the solid Waste Management Rules, 2016. Based on the reply of the Gobichettipalayam Municipality, necessary action will be taken on levying Environmental Compensation.

- b) The ground water quality around the dump site of Gobichettipalayam Municipality is not contaminated by Heavy metals.
- c) Based on the Soil analysis Reports, the biomining site of Gobichettipalayam Municipality may not come under the contaminated site as per the Guidelines issued by the MoEF&CC, Govt of India for assessment of contaminated sites.
- d) As per the solid Waste Management rules, 2016, the levels of Zinc, Copper, Chromium, Lead, Nickel, Mercury, Arsenic and Cadmium are within the standards prescribed for Biocompost.



District Environmental Engineer
TNPCB, Perundurai



Joint Chief Environmental Engineer (M),
TNPCB, Salem