

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**O.A. No. 469 OF 2023****In the matter of:****Jagjeet Singh****.....Applicant****V/S****State of Punjab & Ors.****.....Respondent**

**Reply in the form of Affidavit by Surabhi Malik, IAS, Deputy
Commissioner, Ludhiana**

It is most respectfully showeth:

1. That undersigned is posted as District Magistrate, Ludhiana and thus filing the reply as Respondent.
2. That Hon'ble National Green Tribunal vide orders dated 10.11.2023 has directed as follows:-

***" 2. Report of the Joint Committee be filed within one month by email at
judicial-ngt@gov.in preferably in the form of searchable PDF/OCR
Support PDF and not in the form of Image PDF.***

3. List for further consideration on 19.12.2023.."

3. That in compliance to the orders of Hon'ble NGT, New Delhi It is humbly submitted that the Joint Committee comprising of Scientist-C on behalf of

Central Pollution Control Board, Environmental Engineer on behalf of Punjab State Pollution Control Board, Assistant Environmental Engineer on behalf of Punjab State Pollution Control Board and Additional Deputy Commissioner (Rural Development), Ludhiana on behalf of undersigned had visited the site to submit factual report on the directions of Hon'ble National Green Tribunal and the Status report of the Joint Committee is **Attached at Annexure-A .**

4. That in view of the joint status report, it is clear that all the points have been visited by the concerned departments and remedial action has been taken and compliance has been made and directions have been issued to all the concerned departments to ensure strict vigilance and to comply with the rules and regulations.
5. The undersigned has followed the instruction passed earlier by Hon'ble National Green Tribunal. That in the view of the compliance of factual report is submitted made herein above, with request to Original Application No 469 of 2023 may be disposed-off with appropriate orders. Any instructions passed by the Hon'ble Tribunal shall be complied in letter and spirit.

It is, therefore, prayed that the Original Application No. 469 of 2023 may kindly be disposed of with appropriate orders.

Submitted by



(Surabhi Malik, IAS)

District Magistrate, Ludhiana

Verification:-

Verified that the contents of para no.1 to 5 of the above reply are true and correct to my knowledge as derived from the official record. No part of the above reply is false and nothing material has been kept concealed therein.

Dated:- 14.12.2023

Place:- LUDHIANA


(Surabhi Malik, IAS)
District Magistrate, Ludhiana

Sub :- Factual report of the Joint Committee in compliance to the Hon'ble National Green Tribunal (NGT) in O.A. no. 469 of 2023 (Sh. Jagjeet Singh Vs State of Punjab)

1. Background:

In the matter of Original Application No. 469/2023, filed before Hon'ble NGT alleging air pollution (due to spreading of smoke and ashes from burning of some material/fuel in furnace) and non-consented extraction of ground water by M/s Global Refinery, Sahnewal, Ludhiana. The Hon'ble National Green Tribunal in Para No. 3 of its order dated 03.08.2023 directed that:

"... Joint Committee be constituted to verify the factual position and take appropriate remedial action. Accordingly, we constitute a Joint Committee comprising of Central Pollution Control Board (CPCB), Punjab State Pollution Control Board (PSPCB) and District Magistrate (DM) Ludhiana and direct the same to meet within one week, undertake visits to the site, look into the grievances of the applicant, associate the applicant and representative of the concerned project proponent, verify the factual position and compliance to the provision of Rule 9 of the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016, CTE/CTO conditions and sources of water duly authorized for usage and take appropriate remedial action by following due course of law and giving opportunity of being heard to project proponent. The PSPCB will be nodal agency for coordination and compliance.."

In compliance of aforesaid order, the Joint Committee comprising of following officials visited the site on 02.11.2023 to submit factual report on the directions of Hon'ble National Green Tribunal:

1. Sh. Rupinder Pal Singh, PCS, Additional Deputy Commissioner (Rural Development), Ludhiana
2. Sh. Sahil Patel, Scientist 'C', Central Pollution Control Board
3. Sh. Ravinder Bhatti, Environmental Engineer, Punjab Pollution Control Board, Regional Office -2, Ludhiana
4. Sh. Sushil Kumar, Assistant Environmental Engineer, Punjab Pollution Control Board, Regional Office -2, Ludhiana

2. ACTION TAKEN BY THE JOINT COMMITTEE

The Joint Committee made visit to the unit alongwith Sh. Jagjeet Singh, applicant on 02.11.2023.

Prior to inspection of the unit, Joint Committee interacted with Sh. Jagjeet Singh, the Applicant in the matter to hear his grievances. During the interaction the Applicant informed that in the past black smoke has been observed to be released from the unit intermittently and ashes emitted from the unit was being scattered in the vicinity damaging the plantations. Further, he has also alleged that the unit is extracting large amount of ground water illegally for its process operations.

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Sh. Rishi Kumar & Sh. Bhavesh Kumar, Partners of unit were representing the unit during the visit. Observations made by Joint Committee during the visit are as under:

A. ABOUT THE PLANT:

M/s Global Refinery, Sohnewal, Ludhiana (hereafter referred as unit) was found to be engaged in recycling of used oil and used transformer oils (collected from service centres/power distribution companies etc.) to produce secondary grade Refined oil (reclaimed lubrication oil).

The unit has obtained Consent to Operate from PPCB under section 25/26 of Water (Prevention & Control of Pollution) Act, 1974 and 21 of the Air (Prevention & Control of Pollution) Act, 1981 with a validity of 30/06/2027 for processing of 10000 liters/day of used oil and 10000 liters/day of transformer oil to produce insulating oil (Transformer oil) @ 9900 liter/day; Refined oil (reclaimed lubrication oil) @8000 liter/day and diesel (recovered fuel oil) @ 1500 liter/day. The unit is also consented to use HSD @120 liters for heating the kettle furnaces. The facility has authorization under Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016, valid upto 30/06/2027

The Used/transformer oil collected by unit is screened through a wired mesh and stored in barrels. Thereafter, the same are pumped into kettle furnaces (02 Nos. each of capacity 10000 litres/day).

In the Kettle furnace, the used oil is mixed with fuller earth and Temperature of 180-220 degree Celsius is maintained in the kettle furnace using HSD through burner. After 4-6 hrs of heating, the furnace is cooled using the water from the cooling tower. The unit also extracts the lighter portion of the used oil (Light Diesel Oil) under vacuum from kettle furnaces through condenser at about 120 degree Celsius. The extracted Light Diesel Oil is stored into barrels and sold as industrial fuel. After, cooling the mixture of used oil and clay is transferred to filter press for filtration and collection of re-refined base oil (used for production secondary grade lubrication oil). The re-refined oil is stored in drums and sent to nearby industrial units for lubrication of the machinery.

The unit is recycling transformer oil separately by transferring the same into kettle furnace and heated at temperature of 120-150 degree Celsius for about 4-6 hrs and cooled using water through circulation.

B. WITH REGARD TO GRIEVANCES OF APPLICANT:

i) **Air Pollution from the unit**

During the visit, the Joint Committee carried out stack emission monitoring and collected samples of treated wastewater recirculated for cooling of furnaces. Emission samples were collected from the stack attached with kettle furnace (with HSD as fuel). The observations are given below;

- (a) The unit was using HSD as fuel for heating the Kettle furnaces, record of diesel consumption has not been maintained. The emissions generated from the

   

burning of diesel is dispersed in environment directly through stack of height 25m above the ground level. The stack monitoring results are as following:

Parameter	Results	General Emission Standard
Particulate Matter (PM)	35 mg/Nm ³	150 mg/Nm ³
Sulphur Dioxide (SO _x)	01 ppm	-
Nitrogen Oxides (NO _x)	22 ppm	-
Hydrocarbon (HC)	22 ppm	-
Hydrogen Sulphide (H ₂ S)	03 ppm	-

(b) The above analysis results shows that PM levels are within the General Emission standard of 150 mg/Nm³.

(c) During the visit, there were no traces of deposition of ash (released from stack) on the land within and outside the premises of the unit including the plantation land of the Applicant.

ii) Extraction of Groundwater

(a) The unit found to be extracting ground water using the submersible pump. As per records, the daily consumption of water is about 230-250 liters/day. The unit has also installed flowmeter to quantify the extraction of groundwater near its storage tank. The estimated monthly consumption of groundwater is about 7.5 cubic meters.

(b) As per notification dated 27/01/2023 issued by Punjab Water Regulation and Development Authority (PWRDA), extraction of groundwater by the units/entities upto 300 cubic meters per month is exempted from obtaining the permission.

(c) The consumption of water is limited in the unit as the process water is required only for condenser cooling, kettle cooling and domestic purposes.

C. WITH REGARD TO COMPLIANCE TO REGULATIONS:

1. The Used and Transformer Oil have been classified as Commonly Recyclable Waste under Schedule IV of Hazardous and Other Wastes (Management and Transboundary Movement) (HOWM) Rules, 2016. As per HOWM Rules, 2016, recycling of the said materials have to be carried out as per the Guidelines issued by CPCB and authorisation from SPCB.
2. The unit has Authorization under Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 with validity upto 30/06/2027 for recycling, generation and management of hazardous waste i.e categories 4.1 (Oil Sludge), 4.5 (Spent Clay Containing Oil) and 5.1 (Used or Spent Oil) as specified under HOWM Rules, 2016.

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3. The unit has installed and displayed the Environmental Data in the Display Board at the Factory gate.
4. The unit is maintaining manifest records for collection and transportation of used oil/used transformer oil. Further, daily records for generation and management of hazardous waste is also maintained by the unit.
5. Entry related to details on the receipt of use oil/used transformer oil have been made in the Passbook issued to unit. However, for most of the entries made in the said passbook, stamp and signature of the senders were not available.
6. The oil sludge/residue left in the kettle after heating of used oil/transformer oil is removed and stored at dedicated hazardous waste storage area.
7. As per the records, since Commissioning (i.e. Jan, 2023), the unit has procured 197898 liters of Used Oil and 212290 liters of Transformer oil of which 150300 liters of used oil and 172200 liters of transformer oil have been recycled. The committee couldn't verify the production data as the same has not been maintained.
8. The Oil contaminated Empty barrels (HW category 33.1) were found to be stored at various locations inside the premises of unit. However, the unit does not have authorization for the same.
9. The Packaging and labelling was being carried out for the waste generated by the unit.
10. The unit has submitted Annual Return on Generation and Management of Hazardous Waste as per provisions of HOWM Rules, 2016.
11. The unit is using water for cooling of the Kettle furnaces and same is being recirculated after cooling and treatment through wastewater treatment system comprising of O&G trap tank, Activated Carbon Filter and Multi Grade Filter.
12. The unit is consented to dispose treated wastewater on land for plantation. During the visit, there was no outlet for discharge of effluent inside and around the unit premises. The treated water is being recycled for cooling of kettle furnaces.
13. The sample of treated wastewater stored in re-circulation tank was also collected by Joint Committee and was analysed by PPCB. The analysis results are as following:

Parameter	Results	General Discharge Standard (on land for irrigation)
pH	8.6	5.5 to 9.0
Total Suspended Solids (TSS)	11 mg/l	100
Total Dissolved Solids (TDS)	1348 mg/l	-
Chemical Oxygen Demand (COD)	36 mg/l	-
Biological Oxygen Demand (BOD)	Below Detection Limit	100mg/l
Oil & Grease	Below Detection Limit	10mg/l



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14. As per the above analysis report, the treated effluent meets the discharge norms prescribed for land irrigation wrt pH, TSS, BOD and Oil & grease.
15. The unit has installed septic tank for the treatment of domestic sewage as generated from the unit.
16. The unit has installed firefighting arrangement around the kettle furnace area.
17. The unit has one DG set of 82.5 KVA with stack of approximate 3 mtr height above the shed area.
18. The Committee observed that there is no provision for collection and treatment of storm water discharge form the premises of the facility, and the management system for the same is required as it may contain traces of Oil and Grease from the premises.

3. Action taken on the complaint:

Punjab Pollution Control Board had inspected the unit on 17/07/2023 on receipt of a complaint dated 04/07/2023. During the visit smell was observed and for which a Show Cause Notice for revocation of consent to operate granted under Air (Prevention & Control of Pollution) Act, 1981, with an opportunity of personal hearing before Senior Environmental Engineer of the Board was issued vide letter no. 3998 dated 26.07.2023. The unit was directed to take adequate measures to control the odour from process emissions and to increase the height of stack connected with HSD fired furnace. During personal hearing, the unit representative submitted that height of shed is being raised for another 10 feet for reduction of odour.

PPCB has carried out stack emission monitoring of the unit on 29/09/2023 wherein the PM levels were found to be 39 mg/Nm³ which is within norms compared to general emission standards (i.e. 150 mg mg/Nm³). PPCB also informed that unit had raised the height of shed as per its submission.

4. Conclusions and Recommendations:

It is observed that the PPCB has taken up follow up action against the complaint raised by the Applicant with respect air pollution and the unit has taken certain measures to address the same. Further, the unit is exempted from obtaining permission for the groundwater extraction. The unit was broadly complying with the conditions of consent and authorization including compliance to emission and discharge standards at the time of inspection. However, the unit may further be directed to comply with the following recommendations;

1. The unit shall maintain daily records on production of reclaimed lubrication oil, recovered fuel oil, re-refined transformer oil, alongwith fuel consumption.
2. The unit shall ensure that the passbook for receipt of Used/Transformer oils is duly signed by the sending unit.
3. The unit shall obtain amended authorization from PPCB for handling and transfer of Hazardous Waste of category 33.1 (Empty Barrels/containers) to the authorised facilities for further utilization.



4. The unit shall provide suitable arrangement for collection and treatment of storm water drainage from the premises, such as collection pit and Oil & Grease trap prior to discharge from the premises.



Rupinder Pal Singh, PCS
Additional Deputy Commissioner
(Rural Development), Ludhiana



Sahil Patel, Scientist-C,
Central Pollution Control Board,
New Delhi



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Regional Office -2, Ludhiana



Sushil Kumar, Assistant Environmental Engineer
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