



TELANGANA STATE POLLUTION CONTROL BOARD

Paryavarana Bhavan, A-III, Industrial Estate, Sanathnagar, Hyderabad-500 018
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BY REGD. POST WITH ACK. DUE

Order No.GEN-Pyrolysis/TSPCB/U-V/TF/2019- 2141

Dt:09.01.2020

Sub : M/s. Jade Bio Fuel, Sy.no.95, Mothigaonpur(V), Balanagar (M), Mahaboobnagar District - Water (Prevention and Control of Pollution) Amendment Act, 1988 - Air (Prevention and control of Pollution) Amendment Act, 1987 - Non compliance of SOP conditions issued by MoEF&CC, GoI and Consent Conditions - **CLOSURE ORDERS** - Issued - Reg.

Ref :

1. CFO Order dated 06.11.2015.
2. Telangana Renewal Green Energy Welfare Association letter dated 26.04.2018.
3. CFO amendment order & directions dated 16.05.2018
4. Hon'ble NGT order dt.09.05.2018, 18.05.2018 & 29.05.2018.
5. Hon'ble NGT, New Delhi order dt.14.08.2018 w.r.t Original Application Nos. 224 to 228 of 2018 (5 Nos.); 259 to 275 of 2018 (17 Nos.); 285 to 298 of 2018 (14 Nos.) and 383 of 2018 of tyre pyrolysis units.
6. Hon'ble NGT, New Delhi order dt.23.10.2018 in OA No.723 of 2018.
7. CPCB, New Delhi letter dated:28.05.2019 forwarding the Hon'ble NGT Order dt:25.04.2019 in OA No.400 of 2019.
8. Order No. Gen - Pyrolysis/TSPCB/U-I/TF/2019 date:12.07.2019.
9. Inspection of your industry by the Board officials on 05.11.2019.
10. CPCB Lr.No.B29016/1(NGT)/19/WM-III Division, dt.04.12.2019 issuing directions U/s 5 of E(P) Act, 1986.

1. WHEREAS, you are operating the industry located at Sy.no.95, Mothigaonpur(V), Balanagar (M), Mahaboobnagar District and is a tyre pyrolysis unit.
2. WHEREAS, the Board issued CFO vide Order dated 06.11.2015 for production of Tyre Pyrolysis Oil - 136.67 KL/Month & Carbon Black - 91.25 Tons/Month and Steel Scrap - 45.67 Tons/Month as by-product with validity period upto 30.09.2020.
3. WHEREAS, the Board issued an amendment of CFO & HWA order on 16.05.2018 to the industry for implementation of SOPs stipulated for tyre pyrolysis industries by 30.04.2018.
4. WHEREAS, the Board issued directions vide order dated 16.05.2018 for implementation of SOPs by 25.05.2018.
5. WHEREAS, the Telangana Renewal Green Energy Welfare Association, Venkateshwara Nagar, Chintal Circle, Ranagreddy District vide their letter dated 26.04.2018 submitted a representation for deferment of the compliance of the Amendment of CFO Orders in respect of implementation of SOPs for Tyre Pyrolysis Units as the matter is Sub Judge before Honourable National Green Tribunal, Principal Bench, New Delhi in O.A No.723 of 2017.
6. WHEREAS, the Board issued directions to your industry vide order dated 12.07.2019 for implementation of Standard Operating Procedure (SOPs) specified for tyre pyrolysis units issued by MoEF & CC.
7. WHEREAS, the Hon'ble NGT passed interim orders on 09.05.2018, stating the following and posted the batch of cases for hearing on 29.05.2018:

"... there shall be interim order of stay to the direction issued by the Telangana Pollution Control Board subject to further orders that may be passed at the same time we direct the Industry to take all required steps as may be necessary for compliance subject to further order that may be passed in Original Application No. 723 of 2018..."

8. WHEREAS, the Hon'ble NGT, New Delhi has disposed all the batch cases vide order dt.14.08.2018 with following order:

"In view of the above, as the impugned order dated 20th February, 2018 is consequential to the order passed by MoEF & CC is nor the subject matter of this Application and a separate proceeding are being contemplated by the Applicant against the basic order passed by MoEF. **We do not find any just reason to interfere in the order under challenge.**

9. *Consequently, all the above Original Applications stand disposed of, without any order as to cost".*

10. WHEREAS, the Hon'ble NGT, New Delhi vide order dated 23.10.2018 disposed O.A. No. 723 of 2017 with the following order:

This original application has been filed by the applicant with the following prayers:-

1. Direct the Respondent Authorities to take appropriate legal action against all illegal Tyre Pyrolysis Oil Plants (TPOs) being operating without prior environment clearance, consents to operate under Water & Air Pollution Acts, industrial Registration Certificates, Factory Act License, Explosive License & GST Registration Certificates and also continuing operation in total violation of Guidelines/Standards Operating Procedures (SOPs) issued by Ministry of Environment & Forest & Climate Change, Govt. of India vide Office Memorandum F. No. 23- 61/2015-HSMD dated 24th November, 2015.
2. Direct the Respondent Authorities to immediately take necessary action for immediate closure of such Tyre Pyrolysis Oil Units those who are running without proper registration certificate, consents to operate under Air & Water Act and are also not holding other statutory license/permission/Registration Certificate.

At the outset, it is to be noted that the applicant wishes that appropriate legal action be taken against all the persons/units indulging in illegal Tyre Pyrolysis Oil Units being operated without seeking prior EC/Consent from the respective authorities. Further it has been prayed that respondent authorities be directed to take immediate necessary action for closure of such units.

It would suffice to say that this is a case which is not maintainable in face of the fact that parties against which the aforesaid reliefs have been sought have not been arrayed as party respondent in this application. In absence of impleadment of necessary parties the application itself is not maintainable. Even otherwise, it will not be appropriate for the Tribunal to proceed in this matter where the parties against whom reliefs have been sought have not been made respondents.

Besides it may be noted that it is revealed from the records that States have already taken action against such units.

Consequently, the original application no. 723 of 2017 is dismissed on account of non-joinder of the parties. There shall be no order as to cost.

11. WHEREAS, the CPCB, New Delhi submitted letter dated:28.05.2019 along with the orders of Hon'ble NGT, New Delhi w.r.t OA No.400/2019 Filed by Social Action for Forest & Environment (SAFE) Vs Union of India & Others stating that the Applicant approached the Hon'ble NGT, praying to Ban the Pyrolysis Industries using Scraped Tyres and producing inferior Quality of Pyrolysis Oil, Gas, Char & Solid Residue which are causing environmental damage and also emit highly carcinogenic / cancer causing pollutants.

The Hon'ble NGT, New Delhi while admitting the Application, vide order dated 25.04.2019 directed the CPCB to submit comprehensive status report of compliance of Rules on the subject and remedial measures required, within Three Months.

Accordingly, the CPCB vide letter dated:28.05.2019 requested the TSPCB to submit comprehensive reports duly including following information of all the Pyrolysis industries operating the state on or before 30.06.2019.

- *Details of Pyrolysis industries using waste tyres / end of life tyres (ELTs) in the State including their consented capacity and validity of consent.*
- *Status of compliance of Tyre Pyrolysis Industries using waste tyres /ELTs in your state with respect to the consent conditions and also with respect to the Standard operating Procedure (SOP) issued by the MoEF&CC along with remedial measures to be taken for compliance.*
- *Details of Comprehensive performance assessment study of pyrolysis Industries if carried out by TSPCB.*

12. WHEREAS, the Board officials inspected your industry during 13.11.2018, 15.11.2018 & 19.11.2018 and the status was reviewed in the TF meeting held on 28.06.2019. As per the recommendations of the committee, the Board vide order dated 12.07.2019 issued certain directions to your industry.

13. WHEREAS, the Board officials inspected your industry on 05.11.2019 and observed the compliance of the SOP conditions as follows:

S. No.	Standard Operating Procedures (SOPs)	Industry Compliance
1.	The feed to the pyrolysis reactor should be devoid of steel. After removal of steel wire the tyre can be put either in the form of crumbs or chips (which can be made simply by cutting without going for the shredding process). Further the feeding arrangement of the rubber crumb to the reactor should be mechanised.	The industry is charging the raw material into the reactor by using cranes.
2.	Adequate instrumentation for measurement and control of temperature and pressure along with safety interlocks in case of increase of temperature or pressure to cut off heating of the reactor should be provided. Automatic control systems such as Programmed Logic Control (PLC) shall be adopted. It should be ensured that the reactor is under positive pressure all the time.	The industry has not installed provided PLC.
3.	In order to control fugitive emissions from the reactor during operation, proper sealing should be ensured.	The industry has not provided proper sealing to the pyrolysis reactor door, During inspection, observed that the fumes were emitting from the reactor.
4.	The industry shall submit a Bank Guarantee of Rs. 1.0 Lakh with a validity of one year period towards compliance of above directions in three months period.	The industry has not submitted BG of Rs. 1.0 Lakh to the Board

14. WHEREAS, the Central Pollution Control Board vide letter dated 04.12.2019 issued directions Under Section 5 of E(P) Act, 1986 to the Chairman, TSPCB to close all such pyrolysis units which are not complying as on date with Consent conditions and SOPs of MoEF&CC, GoI.

15. WHEREAS, subsequently CPCB held a Video Conference with all the State CPCBs in the Country on 19.12.2019 and during the Video Conference all the State PCBs were instructed to take action against non complying Pyrolysis units as directed by CPCB in their earlier letter dated: 04.12.2019 with reference to the Hon'ble NGT Orders in OA No.400 of 2019.

16. WHEREAS, the Board observed that you are not complying with the following SOP conditions:

- i. The feed to the pyrolysis reactor should be devoid of steel. After removal of steel wire the tyre can be put either in the form of crumbs or chips (which can be made simply by cutting without going for the shredding process). Further the feeding arrangement of the rubber crumb to the reactor should be mechanised.
- ii. Adequate instrumentation for measurement and control of temperature and pressure along with safety interlocks in case of increase of temperature or pressure to cut off heating of the reactor should be provided. Automatic control systems such as Programmed Logic Control (PLC) shall be adopted. It should be ensured that the reactor is under positive pressure all the time.
- iii. In order to control fugitive emissions from the reactor during operation, proper sealing should be ensured.
- iv. The industry shall submit a Bank Guarantee of Rs. 1.0 Lakh with a validity of one year period towards compliance of above directions in three months period.

17. In view of the above and after careful consideration of the material facts of the case, the Board is of the firm opinion that the industry is not complying with the SOP conditions issued by MoEF&CC and consent conditions in spite of several opportunities. In view of likelihood of further grave injury to the environment, public health if the industry continues to operate, the Board decided to dispense with opportunity of hearing and issue closure orders to the industry. Under the Powers vested with the T.S. Pollution Control Board under section 33 (A) of the Water (Prevention and Control of Pollution) Amendment Act, 1988 and under section 31(A) of the Air (Prevention and Control of Pollution) Amendment Act, 1987 for the reasons stated above, **the Board hereby issues closure orders to your industry** in the interest of protecting public health and environment. You are also hereby directed to stop all industrial activities with immediate effect from the date of this order.

18. You are directed to take note that if you continue to operate your industry even after receipt of these orders, you will be liable for prosecution in the court of Metropolitan Magistrate or Judicial Magistrate of the first class under section 41(2) of Water (Prevention

and Control of Pollution) and Amendment Act, 1988 and under section 37 (1) of Air (Prevention and Control of Pollution) Amendment Act, 1987 the punishment for which includes imprisonment for a term which shall not be less than one year six months which may be extended to six years and with fine.

19. You are further directed to take note that the TSSPDCL, has been ordered to disconnect Power Supply to your industry with immediate effect. Should you resort to run your industry by means of diesel generator or any mechanical device, you will be attracting prosecution under section 41(2) of Water (Prevention and Control of Pollution) Amendment Act, 1988 and under section 37 (1) of Air (Prevention and Control of Pollution) Amendment Act, 1987.

**Sd/-
MEMBER SECRETARY**

**To
M/s. Jade Bio Fuel, Sy.no.95,
Mothigaonpur(V), Balanagar (M),
Mahaboobnagar District**

Copy to :

1. The District Collector, Mahaboobnagar District for favour of information.
2. The Superintending Engineer (Operations), T.S. Southern Power Distribution Company Ltd., Mettugadda, Mahaboobnagar
3. The JCEE, ZO-Hyderabad for information and necessary action.
4. The EE, RO-Hyderabad for information and necessary action. The RO is requested to report the compliance within 48 hours.
5. Concerned file.

//T.C.F.B.O//


**Senior Environmental Engineer (FAC)
(UH -V)**

Received

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13/1/2020

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Order No. GEN- Pyrolysis/TSPCB/U-V/TF/2019- 2142 **Date:09.01.2020**

Sub : M/s. Jade Bio Fuel, Sy.no.95, Mothigaonpur(V), Balanagar (M), Mahaboobnagar District - Water (Prevention and Control of Pollution) Amendment Act, 1988 and Air (Prevention and Control of Pollution) Amendment Act, 1987 - **Disconnection of Power Supply - Orders Issued** - Reg.

Ref : Order No. GEN. Pyrolysis/TSPCB/U-V/TF/2019 dated 09.01.2020.

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The Telangana State Pollution Control Board reference cited above issued Closure Orders to M/s. Jade Bio Fuel, Sy.no.95, Mothigaonpur(V), Balanagar (M), Mahaboobnagar District for Non-compliance of SOP conditions issued by MoEF&CC, GoI, under section 33(A) of Water (Prevention and Control of Pollution) Amendment Act, 1988 and under section 31 (A) of Air (Prevention and control of Pollution) Amendment Act, 1987 and under Hazardous and Other Waste (Management and Transboundary Movement) Rules, 2016. A copy of the closure order is herewith enclosed.

In view of the above, under the powers vested under Section 33 (A) of the Water (Prevention and Control of Pollution) Amendment Act, 1988 and under Section 31 (A) of the Air (Prevention and Control of Pollution) Amendment Act, 1987, the Telangana State Southern Power Distribution Company Ltd., is hereby directed to disconnect the power supply to M/s. Jade Bio Fuel, Sy.no.95, Mothigaonpur(V), Balanagar (M), Mahaboobnagar District.

You are requested to carry out the orders of the Board and report compliance within 48 hours.

Sd/-
MEMBER SECRETARY

To
The Superintending Engineer (Operations),
T.S. Southern Power Distribution Company Ltd.,
Mettugadda, Mahaboobnagar

Copy to :

1. The District Collector, Mahaboobnagar District for favour of information.
2. The JCEE, ZO-Hyderabad for information and necessary action.
3. The EE, RO-Hyderabad for information and he is directed to ensure that power supply is disconnected to the above industry and report compliance.
4. Concerned File.

//T.C.F.B.O//

Senior Environmental Engineer (FAC)
(UH -V)

Receiving
RAM
13/1/2020
9848722765

