



TAMIL NADU POLLUTION CONTROL BOARD

Abstract

TNPCB - Guidelines for transfer of shares among the CETP members, clarification on applicability of G.O relaxation and Environmental Clearance while granting consent for increase in production within the consented trade effluent quantity to the Textile dyeing and Tannery units – Orders Issued – Reg.

B.P. No. 44

Dated: 18.12.2018

Ref: 1. B.P. No. 32 dated 30.07.2018

2. Board Resolution No. 275-1-7, dated 06.12.2018

TNPCB vide B.P. No. 32 dated 30.07.2018 has issued guidelines with respect to CETP membership transfer and disposal of chemical sludge by Textile Bleaching & Dyeing units and Tanneries. In that the following guidelines were issued for CETP Membership Transfer.

1. In case of CETP Member unit:- Name transfer, partition of the unit, can be allowed subject to a condition that the production and effluent share shall be within the permitted capacity in the existing location.
2. If the unit has become sick or any other reason, desire to sell its shares to other units, who are also members in the CETPs, it can be allowed. However in the case of tanneries, the buyer unit shall get Environmental Clearance for its increase in production and increase in effluent quantity since it is considered as expansion activity and attracts the provisions of the EIA Notification, 2006. In case of units attracting the provisions of G.O.Ms No. 213 Environment and Forests (EC-1) Department dated 30.3.1989 and G.O.Ms No. 127 Environment and Forests (EC-3) Department dated 08.05.1998, shall

76, MOUNT SALAI, GUINDY, CHENNAI - 600 032.

Tel : 22353134, 22353135, 22353136, 22353137, 22353138, 22353139, 22353140, 22353141

Fax : 044-22353068

Email : tnpcb@md3.vsnl.net.in Web : www.tnpcb.gov.in



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have to obtain permission from the Government for the increase in production and effluent generation.

The Hon'ble Minister for Environment has called for a review meeting with all the JCEEs (Monitoring) and DEEs on 03.09.2018 at TNPCB Head Office. All the senior officers at Board office were also attended the meeting. In the meeting, the problem faced by the Textile bleaching & Dyeing units and Tanneries with respect to transfer of CETP membership share in view of partition, selling the sick unit, change of location due to moving from lease premises to own premises, relaxation from G.O 213 & 127, necessity of environmental clearance, etc., were discussed in detail. In the meeting it was decided to bring the subject to the Board to take policy decision and issue suitable guidelines to address all the above issues. Accordingly this subject is placed before the Board.

Tamilnadu is a pioneer state in the country in implementing Common Effluent Treatment Plant (CETP) to facilitate the small scale units especially in Textile Dyeing and Tannery sector. Presently, there are 20 CETPs in Textile Sector and 13 CETPs in Tannery sector are in operation. In Textile sector, 18 CETPs in Tiruppur and 1 CETP in Perundari are operating with zero liquid discharge (ZLD) plant. 1 CETP in Ayyampet-Muthyalpet is in the process of implementing ZLD. In Tannery sector 12 CETPs have provided ZLD and one CETP in Madavaram has proposed to mix the treated effluent with treated sewage and taking action in this regard. Apart from the above, 8 Textile CETPs in Karur were under closure for past 7 years since they have not gone for zero liquid discharge plant due to financial constrain.

The concept of CETP came in early 90s. At that time, the units have joined together and registered the CETP Company. All the units have become member in the CETP. Detailed Project Reports were prepared wherein each member unit's production and effluent generation was taken into account. Based on the DPR

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quantity, CETP were designed and implemented. The member units were issued consent for their effluent share quantity mentioned in the DPR.

In mid of 2000s, based on the various Court directions, the Textile Dyeing and Tannery sectors have moved towards Zero Liquid Discharge (ZLD) system which involves huge investment for installation of RO plant and Reject Management System. For which the CETPs have obtained loans from Financial Institutions, grants from the Central Government, interest free loan from Government of Tamil Nadu. The operation and maintenance cost of ZLD is very high when compared with conventional treatment plant. The O&M cost shall be shared by the member units according to their effluent share quantity.

In view of tough competition in the world market, the CETP member units are facing difficulty to meet the O&M cost. Some of the units have become sick and desires to sell their unit, some of them propose to sell part of their effluent share quantity to other existing member unit, some of the units desires to move to a new premises either by lease / own in the vicinity of the CETP, some new entrepreneur desires to purchase the member unit.

The Board vide B.P No. 32 dated 30.07.2018, has allowed such transfer of membership share among the other member units in the CETP. However if the unit attracts the EIA Notification 2006 (in case of Tannery), they should get environmental clearance for its increase in production and increase in effluent quantity. Similarly if unit attracts G.O 213 E&F Dept dated 30.3.1989, G.O 127 E&F Dept dated 08.05.1998, they should obtain permission from the Government for increase in production and effluent generation.

The subject was discussed in the Hon'ble Minister for Environment review meeting held on 03.09.2018.



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Environmental Clearance

Most of the Tanneries in Tamilnadu have come in to existence prior to EIA Notification 1994. The CETPs for tanneries have come into existence prior to EIA Notification, 2006. The CETPs have been established based on the DPR, wherein the total trade effluent quantity was arrived by cumulating the individual Tannery's effluent discharge quantity. When there is a transfer of membership by selling full or part of the effluent share among the members, there is no change in over all quantity effluent received by the CETP. Therefore there will not be any adverse environmental damage by adjusting the effluent share among the member units. Hence the tannery units may not be insisted to get environmental clearance for increase in production & effluent generation due to such share transaction among the existing member units. Similarly when a sick unit who is a member in CETP is purchased by a new proponent, it may be permitted on furnishing membership acceptance letter from CETP Company. Even for change of location by moving from lease premises to own premises within the vicinity of CETP and continue to be a member in the CETP may be permitted without insisting environmental clearance, when the overall capacity of the CETP is unchanged.

G.O Relaxation

In case of Textile Bleaching and Dyeing units & Tanneries who transfer CETP membership share in view of partition, selling the sick unit, change of location by moving from lease premises to own premises (new location falls within 1 KM or 5KM), they may not be insisted to get G.O relaxation. Because, they have already obtained consent for their share quantity in the CETP. Even in case of increase in production and effluent generation due to purchase of share, they may not be insisted to get G.O relaxation, because the ultimate effluent quantity reaching the CETP from all the member units will remain the same as mentioned in the DPR.



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Switch over from Bleaching to Dyeing activity by the CETP member unit

The Dyers Association of Tiruppur vide letter dated 6.9.2018 has made a representation stating that while giving license to the dyeing units, bleaching and dyeing is permitted. Since bleaching is integral part of dyeing, their member units who are now carrying out bleaching only may be permitted to do dyeing without asking for G.O relaxation. CETPs are designed to handle both effluents because there is not much variation in usage of chemicals in CETP operations. Hence, if the bleaching unit desires to go for dyeing activity, within the permitted effluent share quantity, they may be permitted without insisting for G.O relaxation, since there is no change in overall quantity of effluent generation which is conveyed to CETP for treatment.

Increase in production with less liquor ratio

The Board vide Memo No. T2/TNPCB/6758/Textile/2010, dated 12.03.2010 has issued criteria for the RO & RMS by mentioning maximum no. of lots that could be processed in a day and liquor ratio for the textile bleaching and dyeing process for different type of machineries. In the past eight years there are lot of technical advancement in the process machineries which require lesser volume of water for processing. Hence product to liquor ratio gets reduced. In view of that, the units could process more quantity of yarn/cloth within the consented effluent generation quantity. Hence they are insisted to apply for fresh consent for increase in production though there is no increase in the quantity of effluent. If the unit is within 1 KM or 5 KM, they should not be insisted for G.O relaxation, because there is no increase in effluent quantity only product quantity is increased.

The economic feasibility of the CETPs depends on the full capacity utilization of the facility by the member units. The CETP should be operated at the full DPR capacity so as to derive more benefits by the member units and vice-versa. Under utilization of CETP will have impact on repayment of loans to financial institutions,

76, MOUNT SALAI, GUINDY, CHENNAI - 600 032.

Tel : 22353134, 22353135, 22353136, 22353137, 22353138, 22353139, 22353140, 22353141

Fax : 044-22353068

Email : tnpccb@md3.vsnl.net.in Web : www.tnpccb.gov.in



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interest free loans to Government, loss of revenue to the CETP and the member units.

Therefore, considering the long term sustainability of the CETPs, the proposals mentioned above shall be considered by the Board. The following guidelines may be issued by superseding the guidelines issued in B.P No. 32 dated 30.07.2018

Textile bleaching & Dyeing, Tannery CETP member units

1. Name transfer, partition of the unit will be allowed subject to a condition that the production and effluent share shall be within the permitted capacity at the existing location.
2. If the unit has become sick or any other reason, desire to sell its shares to other units, who are also members in the CETPs, it will be allowed. The buyer unit shall get fresh consent of the Board for increase in production and effluent generation by furnishing a letter of acceptance from the CETP. In case their location attracts G.O 213 E&F Dept 30.03.1989 and G.O. 127 E&F Dept dated 08.05.1998, they shall not be insisted for G.O relaxation. Similarly, the buyer (in case of Tannery) shall not be insisted to furnish environmental clearance for the above increase in production and effluent generation.
3. If a sick unit is purchased by a new proponent (not an existing member in CETP), it will be permitted. In such case, he should provide membership acceptance letter from CETP. He should operate the plant only to the permitted CETP share capacity.
4. If a member unit has to change its location for some reasons within in the vicinity of CETP and continue to be a member in the CETP, it will be permitted. They should get consent for the new location. They shall not be insisted for relaxation from G.O 213 E&F Dept and G.O 127 E&F Dept dated

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08.05.1998. In case of Tannery unit, it shall not be insisted to furnish environmental clearance for issue of consent.

5. While permitting the transfer of effluent share quantity to other member units, shifting of the member unit to a new location, the CETP should ensure the conveying pipeline and pumping capacities are adequate to take the additional load.
6. If a Textile CETP member unit who is carrying out bleaching activity desires to go for dyeing activity, it will be permitted with a condition that they should maintain effluent generation within the permitted share quantity and furnish no objection letter from the CETP Company. These units will not be insisted to get G.O relaxation since there is no increase in effluent quantity.
7. It is to be ensured by the CETP Company and all the member units that at any point of time, the overall quantity of effluent received by the CETP shall not exceed the original DPR quantity for which the consent to operate has been issued by TNPCB. In the case of CETP's overall treatment capacity has to be increased, they should obtain prior environmental clearance under the EIA Notification, 2006.
8. The above provisions are facilitated by the Board only for the long term sustainability of the CETP. Therefore at no point of time, the member units shall be permitted to withdraw the membership from the CETP and go for individual ETP and stake claim for the above norms.

All Textile Dyeing Units (including CETP member units & IETP units)

9. The units applying for fresh consent for increase in production in view of installing modern machineries which consumes less water (less liquor ratio) and without increase in effluent generation shall not be insisted for G.O relaxation.



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The above proposal was placed before the Board in the meeting held on 06.12.2018, and the Board vide Resolution No. 275-1-7 resolved to approve the proposal for issuing guidelines for transfer of shares among the CETP members, clarification on applicability of G.O relaxation and Environmental Clearance while granting consent for increase in production within the consented trade effluent quantity to the Textile dyeing and Tannery units with following guidelines by superseding the guidelines issued in B.P No.32 dated 30.7.2018 subject to the conditions in the Agenda.

In view of the above, the following guidelines are issued by superseding the guidelines issued in B.P No.32 dated 30.7.2018, which comes into force with immediate effect.

Textile bleaching & Dyeing, Tannery CETP member units

1. Name transfer, partition of the unit will be allowed subject to a condition that the production and effluent share shall be within the permitted capacity at the existing location.
2. If the unit has become sick or any other reason, desire to sell its shares to other units, who are also members in the CETPs, it will be allowed. The buyer unit shall get fresh consent of the Board for increase in production and effluent generation by furnishing a letter of acceptance from the CETP. In case their location attracts G.O 213 E&F Dept 30.03.1989 and G.O. 127 E&F Dept dated 08.05.1998, they shall not be insisted for G.O relaxation. Similarly, the buyer (in case of Tannery) shall not be insisted to furnish environmental clearance for the above increase in production and effluent generation.
3. If a sick unit is purchased by a new proponent (not an existing member in CETP), it will be permitted. In such case, he should provide membership acceptance letter from CETP. He should operate the plant only to the permitted CETP share capacity.



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4. If a member unit has to change its location for some reasons within in the vicinity of CETP and continue to be a member in the CETP, it will be permitted. They should get consent for the new location. They shall not be insisted for relaxation from G.O 213 E&F Dept and G.O 127 E&F Dept dated 08.05.1998. In case of Tannery unit, it shall not be insisted to furnish environmental clearance for issue of consent.
5. While permitting the transfer of effluent share quantity to other member units, shifting of the member unit to a new location, the CETP should ensure the conveying pipeline and pumping capacities are adequate to take the additional load.
6. If a Textile CETP member unit who is carrying out bleaching activity desires to go for dyeing activity, it will be permitted with a condition that they should maintain effluent generation within the permitted share quantity and furnish no objection letter from the CETP Company. These units will not be insisted to get G.O relaxation since there is no increase in effluent quantity.
7. It is to be ensured by the CETP Company and all the member units that at any point of time, the overall quantity of effluent received by the CETP shall not exceed the original DPR quantity for which the consent to operate has been issued by TNPCB. In the case of CETP's overall treatment capacity has to be increased, they should obtain prior environmental clearance under the EIA Notification, 2006.
8. The above provisions are facilitated by the Board only for the long term sustainability of the CETP. Therefore at no point of time, the member units shall be permitted to withdraw the membership from the CETP and go for individual ETP and stake claim for the above norms.

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All Textile Dyeing Units (including CETP member units & IETP units)

9. The units applying for fresh consent for increase in production in view of installing modern machineries which consumes less water (less liquor ratio) and without increase in effluent generation shall not be insisted for G.O relaxation.

Sd/- D.Sekar
Member Secretary

To


All JCEEs (Monitoring), TNPCB
All DEEs, TNPCB

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For Member Secretary

SSD
16/12/18