

No.11-17/2008-IA-III
Government of India
Ministry of Environment and Forests
(IA-III Division)

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003

Dated the 16th June, 2008

Sub: Construction of captive jetty at Dehrand/Shahapur in Dharamtar creek by M/s Tata Power Company Limited – regarding.

Reference is invited to the letter No.MCZMA2007/CR-9/TC-II, dated 21.2.2008 from Member Secretary, Maharashtra Coastal Zone Management Authority and letters No.Pro/05/2008, dated 12.3.2008, dated 15.4.2008, No.MPC/ENV/56/2008, dated 27.5.2008 from M/s Tata Power Company Limited regarding the subject mentioned above.

2. The project involves construction of a captive coal berth and cooling water intake and outfall structures for the proposed power plant near Dehrand/Shahapur, Maharashtra. It was informed that the proposed coal berth is being commissioned to cater to the needs of a proposed thermal power plant and is a captive facility to unload low sulphur and low calorific value coal. The plant location is within 72°57'30" & 73°00'00" latitude and 18°42'30" & 18°45'0" longitude. The inner channel will be 13 kms, outer channel of 32 kms. The berth would be to handle 2400 DWT with an overall length and beam of 80 m X 16m. There will be total of four berths with a length of 376 mts and width of 24 mts on piles. The intake channel will be of 90 m width and 5 to 9.5 m depth with a side slope of 1:3. The outfall channel will be 140 mts with a opening of 2 mts. Dredging will be done at a 5 m depth. It was indicated that the outfall will be in the creek which is shallow and would dry up during summer, while, the intake is from the Amba River. During the presentation it was indicated that the ash pond is located close to the CRZ area. No forestland is involved for the project. The proposed plant is free from mangroves and is classified as Coastal Regulation Zone-III by Maharashtra Coastal Zone Management Authority. The High Tide Line has been demarcated by the Space Application Centre, Ahmedabad.

3. The proposal was considered by Expert Appraisal Committee at its meeting held on 26th, 27th & 28th March, 2008 and 23rd and 24th April, 2008 and has recommended. Maharashtra State Coastal Zone Management Authority recommended the above proposal in its meeting held on 22.10.2007. A joint meeting between Maharashtra Energy Generation Limited and Tata Power Company Limited has been held on 22.4.2008.

4. Keeping in view the above facts, the proposal has been examined in the Ministry of Environment & Forests and environmental clearance from Environment Impact A Notification, 2006 and Coastal Regulation Zone Notification, 1991 as amended from time to time is hereby accorded to this project subject to effective implementation of the following conditions:-

(A) Specific Conditions:

- (i) Onsite and offsite emergency plan shall be prepared and submitted to the Ministry within 6 months from the date of issue of the letter.
- (ii) Capital dredging shall be carried out and the dredged material shall be used for leveling and filling of the project area.
- (iii) No dredging shall be carried out in the approach channel.
- (iv) Maintenance dredging alongside the berths and cooling channel intake shall be carried out in consultation with Maharashtra Maritime Board and the dredged material shall be disposed of at the site approved by Maharashtra Maritime Board.

- (v) The R&R shall be carried out as per the State Government norms.
- (vi) All issues raised during the public hearing shall be addressed comprehensively.
- (vii) Mangrove afforestation and green belt development shall be undertaken. A joint Committee headed by the Secretary, Environment Department, Government of Maharashtra shall monitor the mangrove afforestation and green belt development. Necessary budget for the afforestation measures shall be provided by the unit.
- (viii) The project proponent shall undertake necessary social upliftment measures such as providing basic infrastructure facilities such as schools, hospitals, roads, drinking water, electricity, boat repairing yards etc., for the villages in and around the project area.
- (ix) The project proponent shall monitor the seawater during dredging operation and construction.
- (x) The project shall be implemented in such a manner that there is no damage whatsoever to the mangroves/other sensitive coastal ecosystems. If any damage to mangroves is anticipated/envisaged as a result of project activities then the clearance now being accorded shall stand cancelled and the proponents may seek fresh approval from the Ministry.
- (xi) No Objection Certificate from the Maharashtra State Pollution Control Board shall be obtained before initiating the project.
- (xii) The project proponent shall implement all the measures that have been suggested by them in the clarification letter dated 27.5.2008 provided to the Ministry.
- (xiii) The effluent to be disposed of shall meet the standards prescribed by Maharashtra Pollution Control Board.
- (xiv) The pipelines both intake and outlet shall not cause any hindrance to the movement of the local communities including the fishermen.
- (xv) A continuous and comprehensive post-project marine quality monitoring programme shall be taken up. This shall include monitoring of water quality, sediment quality and biological characteristics covered in the EIA studies.
- (xvi) It shall be ensured that due to the project, there is no adverse impact on the drainage of the area and recharge of groundwater. No groundwater shall be tapped in the project area falling in Coastal Regulation Zone.
- (xvii) The camps of labour shall be kept outside the Coastal Regulation Zone area. Proper arrangements for cooking fuel shall be made for the labour during construction phase so as to ensure that mangroves are not cut/destroyed for this purpose.
- (xviii) There shall be display boards at critical locations along the pipeline viz., road/rail/river crossings giving emergency instructions. This will ensure prompt information regarding location of accident during any emergency. Emergency Information board shall contain emergency instructions in addition to contact details.
- (xix) Proper lighting shall be provided in the navigation channel.
- (xx) The project activities shall not disturb the movement of fishing vessels or fishermen.
- (xxi) It shall be ensured that during construction and post construction of the proposed jetty the movement fishermen vessels of the local communities are not interfered with.
- (xxii) Relocation of the fishermen community will be done strictly in accordance with the norms prescribed by State Government. The relocated fishermen community will be provided with all facilities including healthcare, education, sanitation and livelihood.
- (xxiii) Marine ecology monitoring shall be done regularly during construction of the jetty including the dredging operation.

- (xxiv) Regular monitoring of air quality shall be done in the settlement areas around the project site and appropriate safeguard measures shall be taken to ensure that the population is not subjected to higher levels of air pollution.
- (xxv) Sewage arising in the port area shall be disposed off after adequate treatment to conform to the standards stipulated by Maharashtra Pollution Control Board and shall be utilized/re-cycled for gardening, plantation and irrigation.
- (xxvi) Project proponent shall regularly update the Disaster Management Plan from time to time.
- (xxvii) The proponent shall ensure that as a result of the proposed constructions, ingress of saline water into ground water does not take place. Piezometers shall be installed for regular monitoring for this purpose at appropriate locations on the project site.
- (xxviii) The project shall not be commissioned till the requisite water supply and electricity to the project are provided by the concerned competent Authority.
- (xxix) Specific arrangements for rain water harvesting shall be made in the project design and the rain water so harvested shall be optimally utilised. Details in this regard shall be furnished to this Ministry's Regional Office at Bhopal within 3 months.
- (xxx) The facilities to be constructed in the CRZ area as part of this project shall be strictly in conformity with the provisions of the CRZ Notification, 1991 as amended subsequently.
- (xxxi) Land reclamation shall be carried out only to the extent that it is essential for this project.
- (xxxii) Green buffer zone shall be provided all around the project area in consultation with local forest department and the report submitted to this Ministry's Regional Office at Bhopal.
- (xxxiii) No product other than those permissible in the Coastal Regulation Zone Notification, 1991 shall be stored in the Coastal Regulation Zone area.

B. GENERAL CONDITIONS:

- (i) Construction of the proposed structures shall be undertaken meticulously confirming to the existing Central/local rules and regulations. All the construction designs/drawings relating to the proposed construction activities must have approvals of the concerned State Government Department/Agencies.
- (ii) The project authorities shall take appropriate community development and welfare measures for the villagers in the vicinity of the project site, including drinking water facilities. A separate fund shall be allocated for this purpose.
- (iii) To meet any emergency situation, appropriate fire-fighting system shall be installed. Appropriate arrangements for uninterrupted power supply to the environment protection equipment and continuous water supply for the fire fighting system shall be made.
- (iv) A separate Environment Management Cell with suitably qualified staff to carry out various environment related functions shall be set up under the charge of a Senior Executive who will report directly to the Chief Executive of the Company.
- (v) The funds earmarked for environment protection measures shall be maintained in a separate account and there shall be no diversion of these funds for any other purpose. A year-wise expenditure on environmental safeguards shall be reported to this Ministry's Regional Office at Bhopal.
- (vi) Full support shall be extended to the officers of this Ministry's Regional Office at Bhopal and the officers of the Central and State Pollution Control Board by the project proponents during their inspection for monitoring purposes, by furnishing full details and action plans including the action taken reports in respect of mitigative measures and other environmental protection activities.

- (vii) In case of deviation or alteration in the project including the implementing agency, a fresh reference shall be made to this Ministry for modification in the clearance conditions or imposition of new one for ensuring environmental protection. The project proponents shall be responsible for implementing the suggested safeguard measures.
- (viii) This Ministry reserves the right to revoke this clearance, if any of the conditions stipulated are not complied with to the satisfaction of this Ministry.
- (ix) This Ministry or any other competent authority may stipulate any other additional conditions subsequently, if deemed necessary, for environmental protection, which shall be complied with.
- (x) Budgetary break up for Environmental Management Plan for the project to be mentioned.
- (xi) A copy of the clearance letter shall be marked to the concerned Panchayat/local NGO, if any, from whom any suggestion/representation has been received while processing the proposal.
- (xii) State Pollution Control Board/Committee shall display a copy of the clearance letter at the District Industries Center and Collector's Office/ Tehsildar's Office for 30 days.
- (xiii) The project proponent shall advertise at least in two local newspapers widely circulated in the region around the project, one of which shall be in the vernacular language of the locality concerned informing that the project has been accorded environmental clearance and copies of clearance letters are available with the Maharashtra State Pollution Control Board and may also be seen at website of the Ministry of Environment & Forests at <http://www.envfor.nic.in>.
- (xiv) The project proponents shall inform Regional Office Bhopal as well as the Ministry, the date of financial closure and final approval of the project by the concerned authorities and the date of start of work.
- (xv) The project proponent will obtain the Forest clearance for the land passing through the Reserved Forest area before commencement of the project activities in forest area.
- (xvi) So as to maintain ecological features and avoid damage to the ecosystem, movement of vehicles in the Inter Tidal Zone shall be restricted to the minimum.
- (xvii) Any appeal against this environmental clearance shall lie with the National Environment Appellate Authority, if preferred, within a period of 30 days as prescribed under Section 11 of the National Environment Appellate Act, 1997.

5. The above mentioned stipulations will be enforced among others under the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (protection) Act, 1986, the Hazardous Chemicals (Manufacture, Storage and Import) Rules, 1989, the Coastal Regulation Zone Notification, 1991 and its subsequent amendments and the Public Liability Insurance Act, 1991 and the Rules made thereunder from time to time. The project proponents shall also ensure that the proposal complies with the provisions of the approved Coastal Zone Management Plan of Maharashtra State and the Supreme Court's order dated 18th April, 1996 in the Writ Petition No.664 of 1993 to the extent the same are applicable to this proposal.


(Dr. A. Senthil Vel)
Additional Director

To

Secretary,
Department of Environment,
Government of Maharashtra, Mantralaya,
New Administrative Building, Mumbai – 400032.

Copy for information to:-

1. The Chief Town Planner, Town and Country Planning Department, Government of Maharashtra, Mumbai.
2. The Chief Conservator of Forests, The Chief Conservator of Forests, Ministry of Environment & Forests, Government of India, Regional Office (WZ), Kendriya Paryavaran Bhawan, Link Road No.3, Ravi Shankar Nagar, Bhopal - 462016.
3. Member Secretary, Maharashtra State Coastal Zone Management Authority, & Deputy Secretary, Mantralaya, New Administrative Building, 15th Floor, Madam Cama Marg, Mumbai - 400032.
4. The Chairman, Central Pollution Control Board, Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, Delhi - 32.
5. The Chairman, Maharashtra State Pollution Control Board, Kalpataru Point, 3rd and 4th Floor, Sion Matunga Scheme Road No.8, Opposite Cine Planet Cinema, Near Sion Circle, Sion (East), Mumbai - 400022.
6. Group President, M/s Reliance Power, Maharashtra Energy Generation Limited, Santacruz (E), Mumbai-400055.
7. DIG (SO), Regional Office Cell, Ministry of Environment and Forests, New Delhi.
8. Guard File.
9. Monitoring Cell.
10. Director (EI), Ministry of Environment & Forests, New Delhi.


(Dr. A. Senthil Vel)
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