

F.No.10-4/2015-IA.III
Government of India
Ministry of Environment, Forest & Climate Change
(IA.III Section)

Indira ParyavaranBhawan,
Aliganj, JorBagh Road,
New Delhi - 3

Dated: 25th May, 2016

To

**The Chief Engineer,
M/s Mumbai Port Trust. Port House
Shoorji Vallabhdas Marg, Ballard Estate,
Mumbai - 1**

E-mail: ce@mbptmail.com ; Fax: 089-2565023;

Sub: Construction of fifth Oil Berth at Jawahr Dweep, Mumbai by M/s Mumbai Port Trust- Environmental and CRZ Clearance reg.

Ref.: Your online proposal no. IA/MH/MIS/26552/2015 dated 13.02.2016.

Sir,

This has reference to your online proposal no. IA/MH/MIS/26552/2015 dated 13.02.2016 alongwith project documents including Form I, Terms of References, Pre-feasibility Report, EIA/EMP Report regarding above mentioned project.

2.0 The Ministry of Environment, Forest and Climate Change has examined the application. It is noted that the proposal is for construction of fifth Oil Berth at Jawahr Dweep, Mumbai. Considering the limited life of the existing fourth oil berth and no other berths can cater to large vessels, it is proposed to construct the 5th oil berth catering to the fully laden Suez Max Vessels and Light Drafted VLCC with sharing of cost of construction by Oil PSUs. The proposed berth will accommodate vessel upto LOA of 349 m and draft upto 17.6 m. The proposed location of 5th berth is down stream of existing 4th berth at a distance of approximately 600 m south west of 4th Berth along the main Channel. Components of proposed development includes the following:

- i. Offshore berth with six (06) mooring dolphins of size 15.6 m x 15.6 m.
- ii. Four berthing dolphins of size 20m x 16 m.
- iii. Central service platform size 50 m x 25 m
- iv. Approach trestle : length of trestle is approximately 2.4 km and overall width is 14.9 m (of cross beam; road width is 4.3 m).
- v. Operation buildings over the offshore berth.
- vi. Dredging of 4 to 5.0 million m³.
- vii. Laying of additional submarine pipeline of 42" diameter next to the existing submarine pipeline for handling crude import from JD to MbPT Manifold at Pir Pau.

Cost of project is Rs. 811 Crores. It is reported that no biosphere reserves, national parks, wildlife sanctuaries and protected areas are located within 15 km distance. Some mangroves areas are located within 15 km radius of the project location.

3.0 Capital dredging quantity is about 5 million m³. About 0.30 million cum maintenance dredging every year is envisaged. Dredge spoil disposal will be done at offshore dumping ground DS3 (geographical coordinates 18°55'00" ± 30" N and 72°42'00" ± 30" E as recommended by CWPRS. The total area of construction for offshore structure is 16810 m².

4.0 The pipeline trestle will be located beyond 50 m from the mangrove. The existing bund acts as a barrier to the mangroves and there shall be no effect owing to the construction activity on the other side of the bund. Water requirement from Municipal Corporation of Greater Mumbai (MCGM) will be 200 m³/day during the construction stage and 150 m³/day during operation stage of the fifth oil berth. Solid waste generated from oil berth will be collected and disposed off. Adequate drainage system will be provided at the site. Suitable measures will also be taken to prevent the washing away of construction materials. Spent/waste oil will be sent to the authorized recycler/re-processors.

5.0 Maharashtra Coastal Zone Management Authority vide letter no. CRZ-2015/CR-298/TC 4 dated 5th February, 2016 has recommended the proposal to MoEFCC for CRZ clearance.

6.0 Public hearing was held on 30th January, 2016.

7.0 All the projects related to Ports and Harbour i.e. ≥5 million TPA of cargo handling capacity (excluding fishing harbours) are listed at 7(e) of schedule of EIA Notification, 2006 covered under category 'A' and appraised at central level.

8.0 The proposal was considered by the Expert Appraisal Committee (Infrastructure-2) in its meetings held during 23rd – 24th April, 2015, 23rd February, 2016 and 28th – 29th March, 2016 respectively. Project Proponent and the EIA Consultant namely M/s L&T Infra Engineering, have presented EIA / EMP report as per the TOR. EAC has found the EIA / EMP Report and additional information to be adequate and in full consonance with the presented TORs. The Committee recommended the proposal for environmental and CRZ clearance.

9.0 As per the recommendations of EAC, the Ministry of Environment, Forest & Climate Change hereby accords Environmental and CRZ Clearance for the above-mentioned project "Construction of fifth Oil Berth at Jawahr Dweep, Mumbai by M/s Mumbai Port Trust", under the provisions of the Environment Impact Assessment Notification, 2006 & Coastal Regulation Zone (CRZ) Notification, 2011 and amendments thereto and Circulars issued thereon and subject to the compliance of the following specific conditions, in addition to the general conditions mentioned below:

A. SPECIFIC CONDITIONS:

- (i) 'Consent for Establish' shall be obtained from State Pollution Control Board under the Air (Prevention and Control of Pollution) Act, 1981 and the Water (Prevention and Control of Pollution) Act, 1974.
- (ii) Construction activity shall be carried out strictly according to the provisions of CRZ Notification, 2011. No construction work other than those permitted in Coastal Regulation Zone Notification shall be carried out in Coastal Regulation Zone area.

- (iii) *All the recommendations and conditions specified by Maharashtra Coastal Zone Management Authority (MCZMA) vide letter no. CRZ-2015/CR-298/TC 4 dated 5th February, 2016 shall be complied with.*
- (iv) The Project proponent shall ensure that there shall be no damage to the existing mangroves patches near site and also ensure the free flow of water to avoid damage to the mangroves.
- (v) As proposed, mangroves conservation plan shall be implemented.
- (vi) The Project proponent shall ensure that no creeks or rivers are blocked due to any activities at the project site.
- (vii) Shoreline should not be disturbed due to dumping. Periodical study on shore line changes shall be conducted and mitigation carried out, if necessary. The details shall be submitted along with the six monthly monitoring report.
- (viii) The quality of treated effluents, solid wastes, emissions and noise levels and the like, from the project area must conform to the standards laid down by the competent authorities including the Central or State Pollution Control Board and under the Environment (Protection) Act, 1986.
- (ix) The commitments made during the Public Hearing and recorded in the Minutes shall be complied with letter and spirit. A hard copy of the action taken shall be submitted to the Ministry.
- (x) All the conditions stipulated in the earlier Clearance including the recommendations of Environment Management Plan, Disaster management Plan shall be strictly complied with.
- (xi) Emergency Response Plan shall be based on the guidelines prepared by OISD, DGMS and Govt. of India. Mock drill shall be conducted once in a month.
- (xii) Dredge material shall be dumped at approved location.
- (xiii) The marine ecology management plan being drawn up with regards to the management of impacts of natural disasters, oil spills and other wastes, dredging and dumping on marine ecology including all micro, macro and mega biotic components, shall be scrupulously implemented. It shall be ensured that the marine ecology in the area of influence is not adversely impacted.
- (xiv) Ship /vessels calling at the jetty shall not be permitted to dump wastes/bilge water during the berthing period.
- (xv) Vessels visiting the facility shall meet emission standards as per MARPOL.
- (xvi) Oil Industry Safety Directorate guidelines regarding safety against fire, spillage, pollution control etc. shall be followed. Company should ensure no oil spillage occur during loading / unloading of petroleum products. Oil spill contingency plan shall be prepared and will be implemented.

- (xvii) All the liquid cargo shall be evacuated through pipeline.
- (xviii) Greenbelt shall be developed in 2 ha of land. At least 10 meter wide thick green belt shall be developed on all sides along the periphery of the project area, in downward direction, and along road sides etc.
- (xix) MbPT shall ensure that no reclamation at Jawahar Deep for tank farms is carried out.
- (xx) Company shall have own Environment Management Cell having qualified persons with proper background.
- (xxi) Company shall prepare operating manual in respect of all activities. It shall cover all safety & environment related issues and system. Measures to be taken for protection. One set of environmental manual shall be made available at the project site. Awareness shall be created at each level of the management. All the schedules and results of environmental monitoring shall be available at the project site office.
- (xxii) Corporate Social Responsibility:
 - a. The Company shall have a well laid down Environment Policy approved by the Board of Directors.
 - b. The Environment Policy shall prescribe for standard operating process/procedures to bring into focus any infringements/ deviation/violation of the environmental or forest norms/ conditions.
 - c. The hierarchical system or Administrative Order of the company to deal with environmental issues and for ensuring compliance with the environmental clearance conditions shall be furnished.
 - d. To have proper checks and balances, the company shall have a well laid down system of reporting of non-compliances/ violations of environmental norms to the Board of Directors of the company and/or shareholders or stakeholders at large.

B. GENERAL CONDITIONS:

- (i) Appropriate measures must be taken while undertaking digging activities to avoid any likely degradation of water quality.
- (ii) Full support shall be extended to the officers of this Ministry/ Regional Office at Nagpur by the project proponent during inspection of the project for monitoring purposes by furnishing full details and action plan including action taken reports in respect of mitigation measures and other environmental protection activities.
- (iii) A six-Monthly monitoring report shall need to be submitted by the project proponents to the Regional Office of this Ministry at Nagpur regarding the implementation of the stipulated conditions.
- (iv) Ministry of Environment, Forest and Climate Change or any other competent authority may stipulate any additional conditions or modify the existing ones, if necessary in the interest of environment and the same shall be complied with.

- (v) The Ministry reserves the right to revoke this clearance if any of the conditions stipulated are not complied with the satisfaction of the Ministry.
- (vi) In the event of a change in project profile or change in the implementation agency, a fresh reference shall be made to the Ministry of Environment, Forest and Climate Change.
- (vii) The project proponents shall inform the Regional Office 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 land development work.
- (viii) A copy of the clearance letter shall be marked to concerned Panchayat/local NGO, if any, from whom any suggestion/ representation has been made received while processing the proposal..
- (ix) A copy of the environmental clearance letter shall also be displayed on the website of the concerned State Pollution Control Board. The EC letter shall also be displayed at the Regional Office, District Industries centre and Collector's Office/ Tehsildar's office for 30 days.

10.0 These stipulations would be enforced among others under the provisions of Water (Prevention and Control of Pollution) Act 1974, the Air (Prevention and Control of Pollution) Act 1981, the Environment (Protection) Act, 1986, the Public Liability (Insurance) Act, 1991 and EIA Notification 1994, including the amendments and rules made thereafter.

11.0 All other statutory clearances such as the approvals for storage of diesel from Chief Controller of Explosives, Fire Department, Civil Aviation Department, Forest Conservation Act, 1980 and Wildlife (Protection) Act, 1972 etc. shall be obtained, as applicable by project proponents from the respective competent authorities.

12.0 The project proponent shall advertise in at least two local Newspapers widely circulated in the region, one of which shall be in the vernacular language informing that the project has been accorded Environmental and CRZ Clearance and copies of clearance letters are available with the State Pollution Control Board and may also be seen on the website of the Ministry of Environment, Forest and Climate Change at <http://www.envfor.nic.in>. The advertisement should be made within Seven days from the date of receipt of the Clearance letter and a copy of the same should be forwarded to the Regional office of this Ministry at Nagpur.

13.0 This Clearance is subject to final order of the Hon'ble Supreme Court of India in the matter of Goa Foundation Vs Union of India in Writ Petition (Civil) No.460 of 2004 as may be applicable to this project.

14.0 Status of compliance to the various stipulated environmental conditions and environmental safeguards will be uploaded by the project proponent in its website.

15.0 Any appeal against this Clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.

16.0 A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, ZillaParisad/Municipal Corporation, Urban Local Body and the Local NGO, if any, from whom

suggestions/representations, if any, were received while processing the proposal. The clearance letter shall also be put on the website of the company by the proponent.

17.0 The proponent shall upload the status of compliance of the stipulated EC conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the Regional Office of MoEFCC, the respective Zonal Office of CPCB and the SPCB.

18.0 The environmental statement for each financial year ending 31st March in Form-V as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of EC conditions and shall also be sent to the respective Regional Offices of MoEFCC by e-mail.



(A N Singh)
Scientist D

Copy to:-

1. The Principal Secretary, Environment Department, Government of Maharashtra, 15th Floor, New Administrative Building, Mantralaya, Mumbai - 400 032
2. The Additional Principal Chief Conservator of Forests (Central), Kendriya Paryavaran Bhavan, Link Road No.3, Bhopal-462016.
3. The Chairman, Central Pollution Control Board Parivesh Bhavan, CBD-cum-Office Complex, East Arjun Nagar, New Delhi - 110 032.
4. The Chairman, Maharashtra Pollution Control Board, Kalpataru Point, 3rd and 4th floor, Opp. Cine Planet, Sion Circle, Mumbai-400 022.
5. Monitoring Cell, Ministry of Environment Forest and Climate Change, Indira Paryavaran Bhavan, Jorbagh Road, New Delhi.
6. Guard File/ Record File/ Notice Board.



(A N Singh)
Scientist D

