

## **MINUTES OF THE 27<sup>TH</sup> MEETING OF THE RE-CONSTITUTED EXPERT APPRAISAL COMMITTEE (EAC) ON ENVIRONMENTAL IMPACT ASSESSMENT (EIA) OF THERMAL POWER PROJECTS HELD ON 1<sup>ST</sup> JULY, 2022**

The 27<sup>th</sup> Meeting of the re-constituted EAC (Thermal Power) organized by the Ministry of Environment, Forest & Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi was held on 1<sup>st</sup> July, 2022 through video conference under the Chairmanship of Shri Gururaj P. Kundargi. The list of members participated in the meeting is at **Annexure**.

### **Agenda Item No.27.1:**

#### **Confirmation of the Minutes of the 26<sup>th</sup> EAC meeting**

The Minutes of the 26<sup>th</sup> EAC (Thermal Power Project) meeting held on 15<sup>th</sup> June, 2022 were confirmed.

### **Agenda Item No. 27.2**

**Setting up of 55 MW dual fuel based Power Project at South Andaman District, Andaman & Nicobar Islands by M/s NTPC Vidyut Vyapar Nigam Limited – Environment Clearance – reg.**

**[Proposal No. IA/AN/THE/113957/2019; F. No. J-13012/14/2018]**

**27.2.1** The Member Secretary informed the EAC that:

- i. The proposal is for grant of environmental clearance to the project for setting up of 55 MW dual fuel based Power Project in an area of 2 acres at South Andaman District, Andaman & Nicobar Islands by M/s NTPC Vidyut Vyapar Nigam Limited.
- ii. The MoEF&CC vide letter No. J-13012/14/2018-IA.I (T) dated 02<sup>nd</sup> August, 2019 accorded Terms of Reference for conducting EIA Study for the proposed power plant. Subsequently, MoEF&CC granted amendment in Terms of Reference dated 22<sup>nd</sup> October, 2019.
- iii. The sub-committee comprising of EAC committee members of Thermal projects visited the site on 02<sup>nd</sup> November, 2019 and their observations and recommendations were presented in the 35<sup>th</sup> Meeting of the EAC held on 14<sup>th</sup> November, 2019.
- iv. The proposal for grant of prior Environmental Clearance was earlier considered by the Expert Appraisal Committee in its 5<sup>th</sup> meeting held on 30<sup>th</sup> December, 2020. After detailed deliberations the EAC recommended the proposal for grant of Environmental Clearance in its 7<sup>th</sup> meeting held on 15<sup>th</sup> February, 2021.
- v. **CRZ considerations:** The proposed project site is located within Island Coastal Regulation Zone-III (ICRZ-III). A&N Coastal Zone Management Authority (A&NCZMA) in its meeting held on 10<sup>th</sup> April, 2019 considered the project proposal and recommended to National Coastal Zone Management Authority (NCZMA) for CRZ clearance with exemption for locating the power plant in ICRZ-III as a special case.

- vi. A&NCZMA forwarded its recommendations and Minutes of Meeting (MOM) to NCZMA, New Delhi vide letter dated 26<sup>th</sup> April, 2019. Subsequently, Ministry of Shipping, Government of India vide its Gazette Notification dated 02<sup>nd</sup> March, 2020 has notified the land area within 50 Yards of High-Water Mark as the landward port limit of Hope Town at Port Blair within the Port Limit, which covers the project site.
- vii. The Ministry of Environment, Forest & Climate Change vide S.O. 2095(E) dated 5<sup>th</sup> May, 2022 and S.O. 2090 dated 5<sup>th</sup> May, 2022 has issued an amendment to IPZ notification 2011 & ICRZ notification 2019 and included establishment of Gas based power plant within the island coastal regulation zone area as a permissible activity.
- viii. Accordingly, the proposal was again considered by the sectoral EAC (Thermal Power projects) in terms of MoEF&CC Office Memorandum no. IA3-12/1/2022-IA.III dated 26.04.2022 delineating the procedure for Clearance of Permissible Activities as per CRZ Notification, 2011 and IPZ Notification, 2011, in its present meeting. The PP during presentation before the committee informed that the Marine Environment Impact Assessment Study done by National Institute of Ocean Technology (NIOT), Chennai, has reported as under:
- There is no Schedule-I Marine species recorded near the project site within a kilometer and most of the marine ecosystem are geographically isolated.
  - There will be no significant effect on Schedule-I species due to the proposed gas based power plant activity.
  - The major effluent of the power plant will be brine water (+15 to +18 ppt of ambient water) and heated water (+5 °C of ambient water).
  - According to model studies, the brine water will be diluted and the temperature of the water will be dissipated and return to ambient level within 60 m distance.
  - It will not affect marine life except the plankton of the ambient environment during intake. Therefore, specific marine conservation plans are not needed for the proposed project.
  - However, funds from Corporate Environment Responsibility (CER) will be provided to NGOs or research organizations to study the Scheduled species and propose conservation plans for Schedule-I Species in Study area.

### **27.2.3** The EAC during deliberations noted the following:

The proposal is for grant of environmental clearance to the project for setting up of 55 MW dual fuel based Power Project in an area of 2 acres at South Andaman District, Andaman & Nicobar Islands by M/s NTPC Vidyut Vyapar Nigam Limited.

The proposal was earlier considered by the EAC in its 5<sup>th</sup> and 7<sup>th</sup> meetings held on 30<sup>th</sup> December, 2020 and 15<sup>th</sup> February, 2021. The Committee recommended the proposal for grant of Environmental Clearance for establishing 55 MW Dual Fuel Based Power Project at in Hope Town, Ferrargunj Tehsil in South Andaman District of Andaman & Nicobar Islands by M/s NTPC Vidyut Vyapar Nigam Limited with certain specific environmental safeguard conditions.

The terms of references (ToR) for the project was granted by the Ministry on 2<sup>nd</sup> August, 2019 followed by amendments in ToR on 22<sup>nd</sup> October, 2019 and 29<sup>th</sup> January, 2020. Public Hearing was

conducted on 29<sup>th</sup> September 2020 at Panchayat Hall (Hopetown), in Ferrargunj Tehsil in South Andaman District, Andaman & Nicobar Islands.

The project/activities are covered under category B of item 1(d) 'Thermal Power Plants' of the Schedule to the Environment Impact Assessment Notification, 2006, and requires appraisal at State level. However, due to applicability of general condition project appraised at Central level as category A.

During examination in the Ministry, it was also observed that the adequacy of the marine environment studies and the proposed mitigation measures related to project may be examined by the concerned Sector EAC (Thermal) during the appraisal process. Accordingly, the EAC deliberated upon the observations / recommendations of Marine Environment Impact Assessment Study done by National Institute of Ocean Technology (NIOT), Chennai.

The EAC observed that EIA/EMP report is in compliance of the ToR issued for the project, reflecting the present environmental concerns and the projected scenario for all the environmental components including CRZ considerations. Issues raised during the public hearing have been duly addressed by the project proponent.

**27.2.4** The EAC after detailed deliberations on the information submitted and as presented during the meeting **recommended** for grant of Environmental and CRZ Clearance to the project for setting up of 55 MW dual fuel based Power Project in an area of 2 acres at South Andaman District, Andaman & Nicobar Islands submitted by M/s NTPC Vidyut Vyapar Nigam Limited subject to compliance of following specific environmental safeguard conditions, in addition to the standard EC conditions stipulated for the thermal power plants:

- (i) The entire discharge quantity of Floating Storage Re-Gasification Unit (FSRU) shall be used for dilution of brine to control salinity & ambient temperature of discharge & it shall be ensured that salinity/quality of discharge water before disposal into sea should be equivalent to sea water.
- (ii) The condenser water blow down from Thermal Power Plant to be discharged at sea water temperature.
- (iii) Wildlife Management Plan for Schedule -I species shall be implemented after due approval of CWL, Andaman & Nicobar Islands forest department.
- (iv) Oil and grease recovered from the treatment plant should be disposed only through authorized recyclers.
- (v) The Project Proponent shall submit the time- bound action plan to the concerned regional office of the Ministry within 6 months from the date of issuance of Environmental Clearance for undertaking the CER activities, committed during public consultation by the project proponent and as discussed by the EAC, in terms of the provisions of the MoEF&CC Office Memorandum No.22-65/2017-IA.III dated 30 September, 2020. The action plan shall be implemented within three years of commencement of the project.
- (vi) A detailed ecological monitoring and survey covering forestry, fisheries, wildlife and its habitat shall be done once in two years to assess the impacts of project on the local environment and ecology. Monitoring report shall be uploaded on the Parivesh Portal and a copy of the same be submitted to the regional office of MoEF&CC.
- (vii) Conditions stipulated by the SCZMA shall be satisfactorily implemented.
- (viii) All construction shall be strictly in accordance with the provisions of CRZ Notification, 2011 and as amended from time to time.

- (ix) Disposal of solid/liquid from Desalination plant, if installed, shall comply with the prescribed standards and if need be, environmental safeguard measures by providing balancing/neutralizing tank may be set up and operated regularly & efficiently.
- (x) Sea water quality shall be continuously monitored for salinity, turbidity and temperature at selective sites across the impacted zone including estuarine waters through reputed Government institutes such as NIOT, Annamalai University for continuous preservation of mangroves and their ecology. The monitoring data shall be uploaded on the company's website and also submitted to Regional Office of the Ministry every six months.
- (xi) To minimize entrapment of even small marine flora and fauna, state of the art low aperture intake screens with high effectiveness for impingement and entrainment and fishnet around intake shall be installed.
- (xii) Fish catch along the impacted zone of sea should be monitored periodically by the Department of Fisheries, UT administration of A&N islands. The project proponent shall accordingly take up the matter with the Fishery Dept., UT administration of A&N islands from time to time.
- (xiii) Marginalized section of society particularly traditional fishermen communities shall be identified based on 2011 population census data and socio-economic study of the various strata of families such as those carrying out subsistence fishing, commercial fishing etc. shall be carried out and impact on their livelihoods shall be assessed separately. Accordingly, sustainable welfare scheme/measures shall be undertaken and status of implementation shall be submitted to the Regional Office of the Ministry within six months.
- (xiv) A state-of-the-art environmental laboratory at the project site shall be established such that the laboratory has facilities for long term monitoring of sea water quality and sediment in the impacted zone over and above and ambient air, soil quality analysis of the area. The proponent shall undertake mitigative measures if there are any negative impacts.
- (xv) An Environmental Cell comprising of at least one expert in environmental science/ engineering, ecology, occupational health and social science, shall be created preferably at the project site itself and shall be headed by an officer of appropriate superiority and qualification. It shall be ensured that the Head of the Cell shall directly report to the Head of the Plant who would be accountable for implementation of environmental regulations and social impact improvement/mitigation measures.
- (xvi) Permanent labour camp, machinery and material storage shall not be set up in the CRZ area.
- (xvii) Excavated material during the construction shall not be dumped in in the CRZ area.
- (xviii) The site shall be restored to its near original condition after completion of construction of work.
- (xix) Mitigation measures suggested by the NIOT in their Marine Environment Impact Assessment Study shall be implemented in letter and spirit.
- (xx) All necessary clearance from the concerned Authority, as may be applicable should be obtained prior to commencement of project or activity.

### **Agenda Item No. 27.3**

**Issue regarding Splitting & Combining of EC - 43 MW Captive Thermal Power Plant in an area of 20 acres at Village Versamedi, Tehsil Anjar, District Kutch, Gujarat - Transfer of environmental clearance from M/s Welspun Corp Ltd to M/s Welspun Captive Power Generation Ltd - reg.**

**[Proposal No. IA/GJ/THE/215738/2021; F. No. J-13011/17/2007-IA.II (T)]**

**27.3.1** The proposal is for transfer of environmental clearance dated 25<sup>th</sup> January, 2012 from M/s Welspun Corp Ltd. to M/s Welspun Captive Power Generation Ltd.

The proposal was deliberated in the Ministry and it was decided to take opinion the EAC (Thermal Power Sector) on the requirement of fresh EIA/EMP study given the fact that time has lapsed and situation on the ground may have changed.

Earlier, Environmental Clearance was granted vide letter No. F. No J-13011/17/2007-IA.II (T) dated 14<sup>th</sup> August 2007 to M/s Welspun Gujarat Stahl Rohern Ltd. for establishing 123 MW CPP. Further the said EC was split between following two units:

- i. 43 MW CPP in the name of M/s Welspun Corp Ltd, EC vide letter no. J-13011/17/2007-IA.II (T) dated 25<sup>th</sup> January 2012.
- ii. 80 MW CPP in the name of M/s Welspun Captive power generation Limited, EC vide letter no. J-13011/17/2007-IA.II (T) dated 25<sup>th</sup> January 2012.

Now the project proponent as part of the restructuring the EC dated 25<sup>th</sup> January, 2012 to 1 X 43 MW unit owned by WCL to be transferred to WCPGL to improve operational efficiency including sourcing and managing raw material, manpower management, maintenance scheduling among others.

The proposal was earlier considered by the EAC in its meeting held on 14.03.2022, wherein the EAC deferred the proposal for want of additional information. Now the project Proponent has submitted point wise reply as under:-

<b>Sr. No.</b>	<b>ADS Point</b>	<b>Reply</b>
1.	<p>Certified compliance report of EC conditions from Regional Office of MoEF&amp;CC for both existing 1 x 43 MW and 1 X 80 MW focusing on:</p> <p>a) Issues raised and commitments made by PP during public hearing, their implementation status and budget allocated to those activities.</p> <p>b) EMP implementation status along with its budget and ash utilization during last past 5 years.</p>	<p>The project proponent has submitted the copy of latest Certified Compliance report issued by Integrated Regional Office, Gandhinagar vide dated 30.05.2022.</p> <p>The project proponent has submitted the details of implementation status and budget allocated to activities raised during public hearing.</p> <p>EMP implementation status along with its budget and ash utilization during last past 5 years has been submitted.</p> <p>Details of Ash generation and utilization submitted</p>
2	Copy of valid CTO and CTE from State Pollution Control Board for both the plants under operation.	The PP has submitted the copy of Valid CCA.
3	Detailed explanation for merging of two EC shall be submitted.	<p>Welspun Group is restructuring all its Assets in Five Broad Verticals.</p> <ol style="list-style-type: none"> <li>1. Steel Manufacturing – Welspun Corp Limited</li> <li>2. Textile Manufacturing – Welspun India</li> </ol>

Limited

3. Infrastructure Development – Welspun Enterprise Limited
4. Warehousing and New Business – Welspun One Limited
5. Power Generating Assets – Welspun Captive Power Generation Limited

All Power Generating Assets are planned to be brought under Welspun Captive Power Generation Limited (WCPGL) and as part of the restructuring 1 X 43 MW owned by WCL to be transferred to WCPGL.

The Electricity Rule – 2005 Mandates that Captive Power Plant can supply Power to its Share Holders (Legal Entity) in proportion to their Share Holding.

As 1 X 43 MW only owned by WCL – It was possible as per Electricity Rule – 2005 that the Power Generated by the Plant can be used by WCL Only. There was significant volatility in the Operation of WCL on account of Market Conditions and thereby 1 X 43 MW Power Plant was required to be operated at sub-optimal Levels. Operations of WCL- 1 X 43 Power Plant were becoming inefficient due to volatility in WCL Market on account of various external factor like Covid 19, Disruption in Global Supply chain etc.

While WCPGL is a SPV formed as Group Captive Generator – Electricity Rule 2005 allow that Power Generated from Group Captive Power Plant can be consumed by all its shareholder.

Effectively Power Generated by WCPGL can be consumed by WCL and other Welspun Group Companies. This will give a flexibility to load the 1 x 43 MW unit up to optimal levels.

After merger of two ECs, all the Power Generating Assets will come under Single Company which will help in improving Operational Efficiency including Sourcing and Managing Raw Material, Manpower Management, Maintenance Scheduling among others.

Based on the Consumption Planning of the entire Welspun Group, Load Management becomes more efficient by way of optimal loading on both the

		Generating Assets.
4	A study shall be conducted to assess the pollution load of individual running plant and after combining them.	A detailed study of pollution load of individual running plant and after merger of two ECs has been submitted.

**27.3.2** The EAC during deliberations noted the following:

The proposal is for transfer of environmental clearance dated 25<sup>th</sup> January, 2012 from M/s Welspun Corp Ltd to M/s Welspun Captive Power Generation Ltd.

Para 11 of EIA Notification states that:

*“A prior environmental clearance granted for a specific project or activity to an applicant may be transferred during its validity to another legal person entitled to undertake the project or activity on application by the transferor, or by the transferee with a written “no objection” by the transferor, to, and by the regulatory authority concerned, on the same terms and conditions under which the prior environmental clearance was initially granted, and for the same validity period. No reference to the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned is necessary in such cases”.*

The project proponent has submitted the copy of latest Certified Compliance report issued by Integrated Regional Office, Gandhinagar vide dated 30.05.2022. The EAC observed that out of 30 conditions, there are 6 conditions still partly complied. The EAC has directed the project proponent to submit the affidavit in this regard to comply all the conditions.

The EAC found the additional information submitted by the project proponent is satisfactory.

**27.3.4** The EAC after detailed deliberation observed that this is a case of transfer of EC dated 25<sup>th</sup> January, 2012 from M/s Welspun Corp Ltd. to M/s Welspun Captive Power Generation Ltd. and as per the EIA Notification, 2006 and its amendments therein, appraisal from EAC perspective is not necessary. So far as environmental impacts due to proposed merging is concerned the EAC noted that there would be no significant change in the environmental scenario till the PP maintain the project profile as mentioned in the EC and ensure compliance of EC conditions in letter and spirit. It was also noted that the detailed EIA was done that at the time of grant of EC dated 14<sup>th</sup> August 2007 for 123 MW capacity with suitable environmental safeguards measures. Though the RO has reported certain partly compliances of ECs conditions regarding dust controlling measures, fly ash handling and transportation of coal. An undertaking has been submitted by the PP on 4<sup>th</sup> July, 2022 indicating timelines for ensuring compliance on the issues.

The EAC recommended the Ministry to take action as per the extant rule and procedure for transfer of EC cases.

**The meeting ended with vote of thanks to the Chair.**

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**ATTENDANCE**

<b>S. No</b>	<b>Name</b>	<b>Role</b>	<b>Attendance</b>
1.	Shri Gururaj P. Kundargi	Chairman	P
2.	Shri Suramya Vora	Member	P
3.	Dr Narmada Prasad Shukla	Member	P
4.	Dr. Santosh Kumar Hampannavar	Member	P
5.	Dr. Umesh Jagannathrao Kahalekar	Member	P
6.	Shri Yogendra Pal Singh	Member Secretary	P

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# APPROVAL OF THE CHAIRMAN

Fwd: Draft MOM of the 27th EAC (Thermal) meeting held on 01.07.2022, for perusal and comments-reg Inbox x



Yogendra Pal Singh via nic.in  
to me ▾

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Cc: "Saurabh Upadhyay" <[saurabh.upadhyay85@gov.in](mailto:saurabh.upadhyay85@gov.in)>, "Sourabh Kumar" <[sourabh\\_9@govcontractor.in](mailto:sourabh_9@govcontractor.in)>  
Sent: Monday, July 11, 2022 7:05:44 PM  
Subject: Draft MOM of the 27th EAC (Thermal) meeting held on 01.07.2022, for perusal and comments-reg

Dear Sir,

Please find attached the draft MOM of the EAC (Thermal) meeting held on 01.07.2022, for perusal and comments, if any.

With Regards,

Yogendra Pal Singh  
Scientist 'F'