

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

Indira Paryavaran Bhawan,
Jor Bagh Road,
New Delhi - 110 003.

Dated: 19th June, 2015

To
The Chief Engineer,
M/s Mumbai Port Trust,
Port House, Shoorji Vallabhdas Marg,
Ballard Estate, Mumbai

Subject: Construction of fifth Oil Berth at Jawahr Dweep, Mumbai by M/s Mumbai Port Trust – Terms of Reference (ToR) - Reg.

Sir,

This has reference to your letter No. CE.HF.481C/FB/BI/1399 dated 25.02.2015 forwarding along with application seeking for Terms of Reference for the aforesaid project.

2. The proposal was considered by the Expert Appraisal Committee (EAC) in its 147th meeting held on 23rd – 24th April, 2015 and the proponent has informed that:

- i. With expanding capacity of the BPCL and HPCL refineries, Crude Oil demand is increasing and Oil companies insist that the facility to handle Suez Max/VLCC tankers of 1,50,000 Tonne to 2,00,000 Tonne parcel load for Crude import should be created to achieve economy in freight charges. Hence, Mumbai Port Trust (MbPT) has decided for construction of fifth Oil berth at Jawahar Dweep in Mumbai Harbour area located downstream of existing J4 berth at a distance of approximately 600m south west. The location of proposed fifth berth (JD5) is selected to have good separation between the tankers during berthing and de-berthing. A distance of 300m is maintained after berthing.
- ii. The dredging for connection to the new berth is proposed to a depth up to -19m CD. The channel leading to JD5 is a common channel of MbPT and JNPT. The second phase of dredging of the common channel i.e. up to -16m CD has been considered while designing the berth.
- iii. The proposed JD5 berth will consist of a central service platform of size 50m x 25m, 4 Nos. of berthing dolphins of size 20m x 16m and 6 Nos. of mooring dolphin of size 15.65m x 15.6m. The deck can accommodate 7 Nos. Marine Loading Arms for handling crude oil, Products, dirty ballast / bunkering.
- iv. This is designed to accommodate crude pipelines and with the service road of 4.3m wide. The length of trestle is approximately 4 km and overall width is 14.9m.
- v. Presently, one submarine pipeline of 42 for handling crude import from JD to MbPT Manifold at Pir Pau exists. Additional 42 dia pipeline is proposed to be laid.


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3. The project was examined by the EAC in its 147th meeting held on 23rd – 24th April, 2015 and recommended the project for the TOR with the following specific TOR with general conditions for preparation of the Environment Impact Assessment (EIA) Report and Environment Management Plan (EMP) in respect of the **Construction of fifth Oil Berth at Jawahr Dweep, Mumbai by M/s Mumbai Port Trust:**

- (i) Reasons for selecting the site with details of alternate sites examined/rejected/selected on merit with comparative statement and reason/basis for selection. The examination should justify site suitability in terms of environmental angle, resources sustainability associated with selected site as compared to rejected sites. The analysis should include parameters considered along with weight age criteria for short-listing selected site.
- (ii) Details of the land use break-up for the proposed project. Details of land use around 10 km radius of the project site. Examine and submit detail of land use around 10 km radius of the project site and map of the project area and 10 km area from boundary of the proposed/existing project area, delineating project areas notified under the wild life (Protection) Act, 1972/critically polluted areas as identified by the CPCB from time to time/notified eco-sensitive areas/interstate boundaries and international boundaries. Analysis should be made based on latest satellite imagery for land use with raw images.
- (iii) Submit a copy of layout superimposed on the HTL/LTL map demarcated by an authorized agency on 1:4000 scale along with the recommendation of the SCZMA.
- (iv) Details of the layout plan including details of channel, breakwaters, dredging, disposal and reclamation.
- (v) Details of handling of each cargo, storage, transport along with spillage control, dust preventive measures.
- (vi) Submit the details of fishing activity and likely impacts on the fishing activity due to the project.
- (vii) Details of oil spill contingency plan.
- (viii) Details of bathymetry study.
- (ix) Details of ship tranquillity study.
- (x) Examine the details of water requirement, impact on competitive user, treatment details, use of treated waste water. Prepare a water balance chart.
- (xi) Examine details of Solid waste generation treatment and its disposal.
- (xii) Examine baseline environmental quality along with projected incremental load due to the proposed project/activities.
- (xiii) The air quality monitoring should be carried out according to the notification issued on 16th November, 2009.

- (xiv) Examine separately the details for construction and operation phases both for Environmental Management Plan and Environmental Monitoring Plan with cost and parameters.
- (xv) Submit details of a comprehensive Risk Assessment and Disaster Management Plan including emergency evacuation during natural and man-made disasters
- (xvi) Any further clarification on carrying out the above studies including anticipated impacts due to the project and mitigative measure, project proponent can refer to the model ToR available on Ministry website "<http://moef.nic.in/Manual/Port and harbour>".
- (xvii) The EAC observed that request of PP for granting exemption from Public Hearing cannot be considered since the PP so far has not placed on the justification/ valid ground on records in this regard. Thus, EAC recommends conduct of Public Hearing (PH).

General Guidelines

- (i) The EIA document shall be printed on both sides, as far as possible.
- (ii) All documents should be properly indexed, page numbered.
- (iii) Period/date of data collection should be clearly indicated.
- (iv) Authenticated English translation of all material provided in Regional languages.
- (v) The letter/application for EC should quote the MoEF&CC File No. and also attach a copy of the letter prescribing the TOR.
- (vi) The copy of the letter received from the Ministry on the TOR prescribed for the project should be attached as an annexure to the final EIA-EMP Report.
- (vii) The final EIA-EMP report submitted to the Ministry must incorporate the issues in TOR and that raised in Public Hearing. The index of the final EIA-EMP report, must indicate the specific chapter and page no. of the EIA-EMP Report where the specific TOR prescribed by Ministry and the issue raised in the P.H. have been incorporated. Questionnaire related to the project (posted on MoEF&CC website) with all sections duly filled in shall also be submitted at the time of applying for EC.
- (viii) Grant of TOR does not mean grant of EC.
- (ix) Grant of TOR/EC to the present project does not mean grant of approvals in other regulations such as the Forest (Conservation) Act 1980 or the Wildlife (Protection) Act, 1972.
- (x) Grant of EC is also subject to Circulars issued under the EIA Notification 2006, which are available on the MoEF&CC website: www.envfor.nic.in.
- (xi) The status of accreditation of the EIA consultant with NABET/QCI shall be specifically mentioned. The consultant shall certify that his accreditation is for the sector for which this EIA is prepared.

- (xii) On the front page of EIA/EMP reports, the name of the consultant/consultancy firm along with their complete details including their accreditation, if any shall be indicated. The consultant while submitting the EIA/EMP report shall give an undertaking to the effect that the prescribed TORs (TOR proposed by the project proponent and additional TOR given by the MoEF) have been complied with and the data submitted is factually correct (Refer MoEF office memorandum dated 4th August, 2009).
- (xiii) While submitting the EIA/EMP reports, the name of the experts associated with/involved in the preparation of these reports and the laboratories through which the samples have been got analysed should be stated in the report. It shall clearly be indicated whether these laboratories are approved under the Environment (Protection) Act, 1986 and the rules made there under (Please refer MoEF office memorandum dated 4th August, 2009). The project leader of the EIA study shall also be mentioned.
- (xiv) All the TOR points as presented before the Expert Appraisal Committee (EAC) shall be covered.
4. A detailed draft EIA/EMP report should be prepared in terms of the above additional ToRs and should be submitted to the State Pollution Control Board for conduct of Public Hearing. Public Hearing to be conducted for the project in accordance with the provisions of Environmental Impact Assessment Notification, 2006 and the issues raised by the public should be addressed in the Environmental Management Plan. The Public Hearing should be conducted based on the ToR letter issued by the Ministry and not on the basis of Minutes of the Meeting available on the web-site.
5. You are required to submit the detailed final EIA/EMP prepared as per ToRs including issues raised during Public Hearing to the Ministry for considering the proposal for environmental clearance within 3 years as per the MoEF&CC O.M. No.J-11013/41/2006-IA-II(I) (P) dated 08.10.2014.
6. The consultants involved in the preparation of EIA/EMP report after accreditation with Quality Council of India/National Accreditation Board of Education and Training (QCI/NABET) would need to include a certificate in this regard in the EIA/EMP reports prepared by them and data provided by other Organization(s)/Laboratories including their status of approvals etc. vide notification of the MoEF dated 19.07.2013.
7. The prescribed ToRs would be valid for a period of three years for submission of the EIA/EMP Reports.



(Dr. Ranjini Warriar)
Director

Copy to:

The Member Secretary, Maharashtra Pollution Control Board, Kalpataru Points, 3rd & 4th floor, Opp. Cine Planet, Sion Circle, Sion (E), Mumbai - 400 022.

