

MINUTES OF THE 48th MEETING OF THE RE-CONSTITUTED EXPERT APPRAISAL COMMITTEE (EAC) ON ENVIRONMENTAL IMPACT ASSESSMENT (EIA) OF THERMAL POWER & COAL MINING PROJECTS

The 48th Meeting of the reconstituted EAC (Thermal Power) was held on 18th December, 2015 in the Ministry of Environment, Forest & Climate Change at Teesta Meeting Hall, Vayu Wing, First Floor, Indira Paryavaran Bhawan, Jorbagh Road, New Delhi-110003. The following members were present:

1. Shri Anil Kumar - Chairman
2. Prof. C.R. Babu - Member
3. Shri T.K.Dhar - Member
4. Shri N.K. Verma - Member
5. Shri A.K. Bansal - Member
6. Shri G.S. Dang - Member
7. Dr. S.D. Attri - Member (Representative of IMD)
8. Shri B.B. Barman - Member Secretary

Shri J.L Mehta, Dr. Ratnavel, Representatives of CPCB, CEA and WII could not be present. List of other participants is at **Annexure-I**.

Item No.1: CONFIRMATION OF THE MINUTES OF THE 46rd EAC (LAST) MEETING.

No comments/observations were received and therefore, the Minutes of the 46th EAC (Thermal Power) meeting held on 26th -27th November, 2015 as circulated were confirmed. However, few paragraphs were found to be having duplication of serial numbers, which was to be rectified.

Item No. 2: CONSIDERATION OF PROJECTS

2.1 5x800 MW Super Critical Coal Based Thermal Power Project at Damaracherla, District Nalgonda, Telangana by M/s. Telangana State Power Generation Corporation Ltd.(TSGENCO)- reg. reconsideration for ToR

(2.1.1) The proposal was earlier discussed in the 45th Meeting of the EAC (Thermal) held during 29th -30th October, 2015 the minutes of which are as under:

Quote “The PP along with their environmental Consultant, Bhagavathi Ana Labs Pvt. Limited, Hyderabad made a presentation. The Committee noted that, a tributary/channel of River Krishna is passing across the proposed site. The Committee had detailed discussions with the PP regarding shifting of the proposed site/revising the layout so that the said channel is not affected. The Committee opined that a site visit by a Sub-Committee is required to ascertain the ground situation before taking a decision. The PP also requested the Committee for the site visit.

In view of above, the proposal was **deferred** and shall be considered after submission of the site visit report by the Sub-Committee.

A copy of the representation received by the Committee from ERC, New Delhi on the proposed project was provided to the PP and a detailed reply was sought on the issues raised.” **Unquote**”

- (2.1.2) The committee perused the report of the sub-committee which had visited the site on 05.12.2015 in connection with the matters relating to a tributary/channel of River Krishna passing through the proposed site etc.
- (2.1.3) The committee noted that the presentation of the PP did not appear to deal with the concerns that have been raised by ERC vide their representation dated 28.10.2015, a copy of which was made available to the PP in the October, 2015 meeting. The presentation was lacking in clarity and only verbal submissions were being offered by the PP on the concerns that have been raised.
- (2.1.4) The committee therefore advised the PP to address the various concerns adequately and comprehensively mentioned in the representation along with an action plan for the various recommendations of the sub-committee during the site visit, a copy of the report of the sub-committee was provided to the PP during the meeting.

On receipt of the proper response from the PP, the matter may be placed before EAC for reconsideration.

2.2 Proposed 2,000 MW Combined Cycle Power Plant at Guhagar in Ratnagiri Distt. of Maharashtra by M/s Synergy Li Power Resources India Pvt. Ltd. – reg. reconsideration for TOR

- (2.2.1) The proposal was earlier discussed in the 34th Meeting of the EAC (Thermal) held during 25th -26th March, 2014 the minutes of which are as under:

***Quote** “At the outset, the Committee noted that the alternate sites proposed have land acquisition issues, are falling within the HFL of the River etc. Hence, the committee opined that minimum two proper alternate sites may be proposed by the PP on a topo sheet other than those currently proposed. The requirement of CRZ clearance for the proposed site (s) also needs to be confirmed by the PP through an organization/institute of repute.*

The PP submitted that the three sites that have been proposed have been technically valid sites for the project. The site near Dabhol meets the entire requirement for setting up the project. As expressed during the meeting, the site has been extensively studied for other power projects and in fact is adjoining an existing operating power project (Ratnagiri Gas and Power erstwhile Enron Power) and also another proposed but now withdrawn coal based power project (proposed by Mahagenco: Dhopave power project) for which TOR had been issued earlier. The Dhopave coal based power project has been withdrawn since the issuance of the TOR due to various reasons.

The other two sites proposed had been technically valid. Due to the passage of time based on the moratorium, we have been informed that there could be possible legal difficulties in acquiring suitable land at Navhare village. The land would also be much more expensive than the preferred site and would require R and R for some of the nearby village infrastructure that would add to the cost and delay of the project.

The other site near Nimgaon village is about 1.5 kms from the river and at a height of over 50 meters above the high flood line. Although the Maharashtra state Pollution Control Board have an unclear regulation for siting industries that are for thermal power project as are classified under Red category (generally meant for coal based

power plans and may or may not be applicable for gas based power plants) we have been advised that although the State can relook at the site for their regulatory requirement in giving an exception especially since the project shall not cause any river pollution and since it is gas based. But we have been strongly advised to pursue the preferred site near Dabhol and the State has also given a letter of support for that site near Dabhol.

Developing newer options for land especially under the cloud of the proposed Land Acquisition Bill would be quite frustrating and economically unviable especially when good options have already been presented. It is also proposed that if the recommended site is found unsuitable, then a new site shall be looked for and presented for a review.

*After detailed deliberations, the committee recommended that a sub-group of EAC shall visit the proposed site and submit report to chart out decision on further course of action. The proposal was accordingly **deferred.**” Unquote*

(2.2.2) The committee noted that the site-visit by a sub-group of EAC could not take place yet and also the Ministry has de-listed the proposal from their pendency list. Subsequently, based on the request of PP for ToR, the proposal was again referred to the EAC for its considerations/recommendations. PP informed that the proposed site(s) doesn't fall under the Western Ghats prohibited areas. The proposal is being appraised by the committee subject to confirmation of the same. The PP also submitted that the preferred site does not fall under CRZ. However, CRZ clearance shall be obtained for the intake and outfall points as it would attract the provisions.

(2.2.3) *After detailed deliberations and considering that the proposed site is in Ratnagiri, the presence of and impact on alphonso mango trees, mangroves, impact on the creek etc., the Committee re-iterated its earlier recommendation for a Site-Visit by a sub-group of EAC for further consideration. The same shall be undertaken before the next EAC (Thermal Power) meeting. The Sub-committee shall also find out if the site falls under Western Ghat restricted zone.*

2.3 Permanent Renewal of Environment Clearance for Disposal of Fly Ash (1.65 MTPA) generated from 883 MW Captive Thermal Power Plant of M/s Bhushan Steel Ltd. and M/s Bhushan Energy Ltd. into mine void of Jagannath OPC of MCL in Talcher, Distt. Angul, Orissa.

(2.3.1) Permission for continuation of disposal of fly ash generated from 410 MW TPP (110 MW of M/s Bhushan Steel Ltd. and 300 MW of M/s Bhushan Energy Ltd.) into mine void of Jagannath OPC of M/s MCL in Talcher, Distt. Angul, Orissa was accorded by the Ministry on 05.09.2013 for a period of one year, subject to various studies on the impacts of ash disposal in mine voids as recommended by the EAC. The PP and NEERI presented the studies conducted to the EAC in its 30th Meeting held during 29th-30th January, 2015. Accordingly, based on the recommendation of EAC, the Ministry vide letter dated 08.04.2015 has accorded permission for continuation of disposal of fly ash on temporary basis till 14.02.2016 subject to compliance of interim Orders and final Judgment of Hon'ble NGT. Additional studies to be conducted by the PP/NEERI were also prescribed.

(2.3.2) The PP vide online application dated 07.09.2015 has submitted the final report "Impact Assessment Studies of Fly Ash Disposal into mine void Quarry No. 04 of

Jagannath OCP of M/s. Mahanadi Coalfields Limited, Talcher” prepared by NEERI, Nagpur to the Ministry. The same was presented to the Committee by the PP and NEERI in this meeting. The PP also submitted that Hon’ble NGT vide its order dated 20.08.2015 has inter-alia “.....clarified that fly ash is allowed to be used in construction activity such as in road laying, embankments or used as land fill to reclaim low lying areas including backfilling in abandoned mines or pitheads or for any such other use as permitted strictly in accordance with the provisions of Notifications quoted herein above”.

(2.3.3) *After detailed deliberations, the Committee recommended permission for disposal of Fly Ash generated from 883 MW Captive Thermal Power Plant of M/s Bhushan Steel Ltd. and M/s Bhushan Energy Ltd. into mine void of Jagannath OPC for a period of one year subject to the following:*

- (i) *Regular monitoring and review of the continuing study by NEERI to ensure an objective analysis of impact which will form the basis for grant of further permission.*
- (ii) *Incorporation of Radioactive tracer studies for heavy metals in the study.*
- (iii) *Submission of interim report of the study with firm findings of impacts on land and water after a period of 5-6 months from issue of the permission letter, failing which this permission will be automatically null and void forthwith.*

2.4 2x300 MW Yamuna Nagar Thermal Power Project, Stage-II, Phase I, Yamuna Nagar by M/s Haryana Power Generation Corporation Ltd.- reg. amendment of EC for installation of solar power plant.

*The proposal was **deferred** as the PP was not present.*

Item No. 3: ANY OTHER ITEM WITH THE PERMISSION OF THE CHAIR.

There being no agenda item left, the meeting ended with a vote of thanks to the Chair. The next meeting of the EAC (Thermal Power) is scheduled for **28th – 29th January, 2016.**

List of Participants

2.1 M/s. Telangana State Power Generation Corporation Ltd. (TSGENCO)

1. Sh. C. Radhakrishna, Director/Projects
2. Sh. A. Ajay, CE/Civil
3. Sh. Ch. Purushothama Raju, CE/Irrigation Deptt.
4. Sh. G. Srinivasa Rao, Supdt. Engr.
5. Sh. V. Arudhra, Supdt. Engr.
6. Sh. D. Ganga Ramulu, AEE/Civil
7. Sh. S. Satyanarayana, DFO, Nalgonda
8. Sh. E. Shyam Sundar, Bhagavathi Ana Labs Pvt. Ltd.
9. Sh. G. Mallikarjuna Murthy, Sr. Engr., Bhagavathi Ana Labs Pvt. Ltd.

2.2 M/s. Synergy Li Power Resources India Pvt. Ltd.

1. Sh. Ajay Mehta, Managing Director
2. Sh. S. Chandrasekaran, Director
3. Sh. Omkar Somdatta, Advisor

2.3 M/s. Bhushan Steel Ltd.

1. Sh. R. Sengupta, Director-Technical
2. Sh. Sanjeev Kapoor, Vice President
2. Dr. CBS Sengar
3. Dr. R.M. Sharma
4. Sh. Neeraj Kumar
5. Dr. P.R. Pyoi
6. Dr. L.N. Sangolkar