

# Machilipatnam Port Limited



Ref.No.MPL/MOEF/112

Dated: 20<sup>th</sup> July, 2016

To  
The Additional Principal Chief Conservator of Forests (C)  
Ministry of Environment, Forests & Climate Change  
Regional office (South Eastern Zone)  
1st & 2nd floor, HEPC Building  
No.34, Cathedral Garden Road  
Nungambakkam, Chennai-600034

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22/7/16  
K. Pr. uny*

*3/2/2016*

Sub: Half Yearly Compliance Status Reports on conditions of Environmental Clearances for Phase – I Development of Machilipatnam Port for the period of October, 2015 to March, 2016 – Submission

- Ref: 1. CRZ & EC accorded by MoEF vide Letter F. No.10-5/2009-IA.III dated 25-11-2009  
2. CRZ & EC extension of validity by MoEF vide Letter F. No.10-5/2009-IA.III dated 03.02.2015.  
3. CFE accorded by APPCB vide Order No.269/PCB/CFE/RO-VJA/HO/2015-188 dated 10.04.2015

Dear Sir,

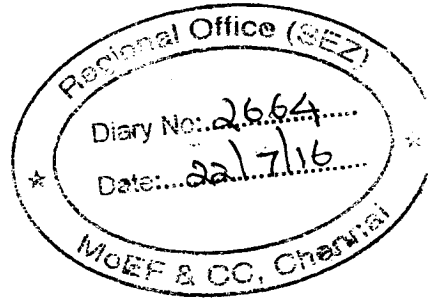
Ministry of Environment & Forests (MoEF) have accorded the CRZ & EC Clearance for Phase-I development of Machilipatnam Port in Krishna District, Andhra Pradesh vide their letter F.No. 10-5/2009-IA.III dated 25.11.2009 and validity of the same has been extended vide MoEF&CC letter dated 03.02.2015. While Consent for Establishment (CFE) was also accorded by the APPCB vide Order No. 269/PCB/CFE/RO-VJA/HO/2015 - 188 dated 10.04.2015, in as much as development of Machilipatnam Port, a PPP project on BOOT basis is yet to commence as land is yet to be leased by GoAP in terms of the Concession Agreement.

As per General Condition No. 14 of the Environmental Clearance accorded by the MoEF cited, please find herewith enclosed condition wise six monthly compliance reports of Machilipatnam Port for Phases-I development. Soft copy of the same is being sent separately.

Thanking you,

Yours faithfully,  
for **MACHILIPATNAM PORT LIMITED**

**AUTHORISED SIGNATORY**



Encl: As above

Copy to: (1). The Member Secretary, APPCB, Hyderabad  
(2). The Environmental Engineer, APPCB, Regional Office, Vijayawada

Encl: As above

**Compliance Report (for the period 01.10.2015 to 31.03.2016) on Conditions of Environmental Clearance (EC) for  
Machilipatnam Port for Phase - I  
MoEF Order No.F.No. 10-5/2009-IA.III dated 25.11.2009 & 03.02.2015**

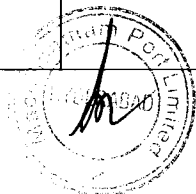
**Status of Project:**

Validity of the CRZ & EC Clearance accorded by MoEF has been extended upto November 24, 2019 vide MoEF&CC letter dated 03.02.2015.

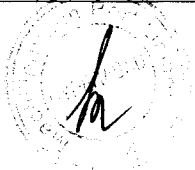
Construction activities of the Phase-I Development of Machilipatnam Port are yet to commence as the required land for the port development is yet to be made available on lease basis by the GoAP in terms of the Concession Agreement entered into between GoAP and MPL. Now, GoAP have been very actively pursuing acquisition/alienation of required land for port development ant to hand it over to M/s. MPL as per terms of the Concession Agreement. M/s. MPL is in readiness to implement the project immediately upon GoAP making available land for port development.

M/s. MPL proposes to submit periodical Compliance Report of conditions stipulated in the CRZ & EC accorded by the MoEF&CC once the project work commence. However, upto date status of compliance of the conditions stipulated in the EC accorded by the MoEF&CC are as under:

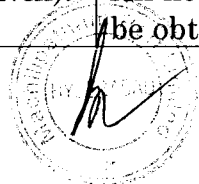
S. No.	Stipulation	Compliance Status
<b>6. Specific Conditions:</b>		
(i).	Package unit shall be installed near the building where sewage will be treated.	Noted. Sewage Treatment Plant (STP) shall be provided for cluster of buildings. Only in respect of isolated buildings, it is proposed to adopt septic tank and soak pit.
(ii).	The project proponent shall undertake a Comprehensive Environment Impact Assessment study, based on a minimum of 3 season data and after the study should modify the EMP, if required, and inform the Ministry accordingly.	As per MoEF Office Memorandum No. 15-3/2009-IA-IIIA dated 03.11.2009, in the state of Andhra Pradesh, Uppada and Chinnagollapalem are the two places on the coast for which Comprehensive Environmental Impact Assessment is to be prepared based on the 3 seasons data. The above mentioned places are over 200kms north of Machilipatnam.  Accordingly, Machilipatnam Port does not attract this specific condition viz, preparation of Comprehensive Environmental



		Impact Assessment based on 3 seasons data. Therefore, MoEF&C has been requested vide our letter no. MPL/MoEF/EC/104 dated. 2 <sup>nd</sup> July, 2010 to waive this condition (Appendix-A).
(iii).	No construction work other than those permitted in Coastal Regulation Zone Notification shall be carried out in Coastal Regulation Zone area.	No construction work other than those permitted in Coastal Regulation Zone (CRZ) Notification has been carried out on Coastal Regulation Zone area.
(iv).	Oil spills if any shall be properly collected and disposed as per the Rules.	Oil spills, if any, during construction and operation of the port shall be managed as per Rules.
(v).	The approach channel shall be properly demarcated with lighted buoys for safe navigation and adequate traffic control guidelines shall be framed. The fishermen shall be suitably educated and informed about the traffic guidelines.	Upon completion of dredging, the approach channel shall be demarcated with lighted buoys for safe navigation. Adequate traffic control guidelines will be framed and furnished to Fisheries Department, GoAP and fishing boat operators' association such that fishermen are informed about traffic guidelines.
(vi).	The project proponent shall set up a separate environmental management cell for effective implementation of the stipulated environmental safeguards under the supervision of a Senior Executive.	Upon commencement of construction activity, Environmental Management Cell will be set-up for the implementation of the stipulated environmental safeguards under the supervision of a senior executive effective.
(vii).	No destruction of mangrove is permitted. The project proponent shall take up mangrove plantation/green belt in the project area, wherever possible. Adequate budget shall be provided in the Environment Management Plan for such mangrove development.	Mangroves do not exist in the area earmarked. Mangroves existing near southern boundary of the port area shall be protected. Mangrove plantation/greenbelt development will be taken as per EMP. Adequate budget will be provided in EMP for greenbelt development.
(viii).	The funds earmarked for environment management plan shall be included in the budget and this shall not be diverted for any other purposes.	Funds earmarked for Environmental Management Plan will be included in the budget and this amount will not be diverted for any other purpose.
(ix).	There shall be no withdrawal of groundwater in Coastal Regulation Zone area, for this project. In case any ground	Groundwater will not be drawn from the Coastal Regulation Zone. However, in case of groundwater outside the CRZ Area is required



	water is proposed to be withdrawn from outside the CRZ area, specific prior permission from the concerned State / Central Groundwater Board shall be obtained in this regard.	to be drawn necessary permission from concerned authorities shall be obtained as may be required.
(x).	The Hazardous waste generated shall be properly collected and handled as per the provisions of Hazardous Waste (Management, Handling and Transboundary Movement) Rules, 2008.	Hazardous waste like used oils / grease and batteries will be collected in special containers and handled as per the provisions of Hazardous Waste (Management, Handling and Transboundary Movement) Rules, 2008.
(xi).	The waste water generated from the activity shall be collected, treated and reused properly.	There are no processing facilities which generate waste water in the port.
(xii).	Sewage Treatment facility should be provided in accordance with the CRZ Notification.	For residential, clusters STP will be provided for sewage treatment in accordance with the CRZ Notification.
(xiii).	No solid waste will be disposed of in the Coastal Regulation Zone area. The solid waste shall be properly collected, segregated and disposed of as per the provision of Solid Waste(Management and Handling) Rules, 2000.	The solid wastes like food, plastics, organic material and metals will be properly collected, segregated and disposed off as per the provisions of Solid Waste Rules(Management and Handling) Rules, 2000).
(xiv).	Installation and operation of DG set if any shall comply with the guidelines of CPCB.	Diesel Generating Sets would be used as back up only, for safety during breakdowns, duly complying with the guidelines of CPCB.
(xv).	There shall be no reclamation / dredging of areas.	This condition is not applicable to a Port Project. Hence we had requested MoEF&CC to waive this condition vide our letter no. MPL/MoEF/EC/96 dated 17 <sup>th</sup> June, 2010 ( <b>Appendix-B</b> ).
(xvi).	Air quality including the Volatile Organic Compounds (VOC) shall be monitored regularly as per the guidelines of CPCB and reported.	As VOC is not applicable and we have requested MoEF&CC to waive the VOC parameter in air quality vide our letter no. MPL/MoEF/EC/96 dated. 17 <sup>th</sup> June, 2010 ( <b>Appendix-C</b> ) Once developmental activity commences, Air quality excluding VOC will be monitored regularly, as per the guidelines of CPCB and reported.
(xvii).	The project proponent shall undertake green belt development.	Once developmental activity commences, Green belt development shall be taken up as per EMP.
(xviii).	All necessary clearances from the concerned agencies shall be obtained before initiating the project.	All necessary, Clearances from the concerned agencies will be obtained before initiating the project.



(xix).	Project proponent shall install necessary oil spill mitigation measures in the shipyard. The details of the facilities provided shall be informed to this Ministry within 3 months from the date of receipt of this letter.	Oil Spill Contingency Response Plan will be prepared and implemented.
(xx).	No hazardous chemicals shall be stored in the Coastal Regulation Zone area.	No hazardous chemicals shall be stored in the Coastal Regulation Zone area.
(xxi).	The project shall not be commissioned till the requisite water supply and electricity to the project are provided by the PWD / Electricity Department.	Water supply and power will be arranged at the Port boundary by GoAP as part of the Concession Agreement. GoAP have already initiated action. Required water will be provided by GoAP from Tarakaturu storage tank and required power will be provided by APTRANSCO, GoAP.
(xxii).	Specific arrangements for rainwater harvesting shall be made in the project design and the rain water so harvested shall be optimally utilized.	Arrangements for rain water harvesting will be made in the design and rain water so harvested shall be utilized to the extent feasible.
(xxiii).	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 and its amendment. The facilities such as office building and residential buildings which do not require water front and foreshore facilities shall not be constructed within the Coastal Regulation Zone area.	Facilities to be constructed in the CRZ area as part of the project will be strictly in conformity with the provisions of the CRZ Notification, 1991 and its amendment.
<b>7. General Conditions:</b>		
(i)	Adequate provision for infrastructure facilities including water supply, fuel and sanitation must be ensured for construction workers during the construction phase of the project to avoid any damage to the environment.	Adequate provision of housing, water supply, fuel and sanitation will be ensured for construction workers.
(ii).	Appropriate measures must be taken while undertaking digging activities to avoid any likely degradation of water quality.	Adequate measures will be undertaken during digging activities to avoid degradation of water quality.



(iii).	<p>Borrow sites for each quarry sites for road construction material and dump sites must be identified keeping in view the following:</p> <p>(a) No excavation or dumping on private property is carried out without written consent of the owner.</p> <p>(b) No excavation or dumping shall be allowed on wetlands, forest areas or other ecologically valuable or sensitive locations.</p> <p>(c) Excavation work shall be done in close consultation with the Soil Conservation and Watershed Development Agencies working in the area, and</p> <p>(d) Construction spoils including bituminous material and other hazardous materials must not be allowed to contaminate water courses and the dump sites for such materials must be secured so that they shall not leach into the ground water.</p>	<p>No excavation or dumping on private property will be carried out without the consent of the owner.</p> <p>No excavation or dumping will be carried out on wet lands, forest areas or other ecologically valuable or sensitive locations.</p> <p>Noted and shall be complied with.</p> <p>Noted and shall be complied with.</p>
(iv)	<p>The construction material shall be obtained only from approved quarries. In case new quarries are to be opened, specific approvals from the competent authority shall be obtained in this regard</p>	<p>Construction material will be obtained only from approved quarries.</p>
(v).	<p>Adequate precautions shall be taken during transportation of the construction material so that it does not affect the environment adversely.</p>	<p>Transportation of construction material shall be carried out with adequate precautions and in a way not adversely affecting the environment.</p>
(vi).	<p>Full support shall be extended to the officers of this Ministry / Regional Office at Bangalore 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.</p>	<p>Full support shall be extended to the statutory inspection officials of the MOEF / Regional Office by furnishing details of action plan including action taken reports in respect of mitigation measures and others environmental protection activities.</p>



(vii).	Ministry of Environment & Forests 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.	Noted. Conditions, if any, stipulated or modified by statutory authorities in the interest of environment shall be strictly complied with.
(viii).	The Ministry reserves the right to revoke this clearance if any of the conditions stipulated are not complied with, to the satisfaction of the Ministry.	Noted for Compliance.
(ix).	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 and Forests.	Noted for Compliance.
(x).	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.	Noted and will be complied with.
(xi).	Andhra Pradesh Pollution Control Board shall display a copy of the clearance letter at the Regional Office, District Industries Center and Collector's Office/Tehsildar's office for 30 days	Noted. However action by APPCB
8.	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.	The stipulations under the Water, Air and the Environmental Protection Act, the Public Liability Act and EIA Notification, 1994 including the amendments and rules made thereafter would be complied with.
9.	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	Statutory clearances as may be required shall be obtained.



	from the respective competent authorities.	
10.	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 Clearance and copies of clearance letters are available with the Andhra Pradesh Pollution Control Board and may also be seen on the website of the Ministry of Environment and Forests at <a href="http://www.envfor.nic.in">http://www.envfor.nic.in</a> . The advertisement should be made within 10 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 Bangalore.	Advertisements were published in widely circulated local Newspapers namely Sakshi in the dated 20 <sup>th</sup> June, 2010 and Eenadu in the issues dated 20 <sup>th</sup> June, 2010 and in the issued copies thereof submitted. Copies of above paper advertisement were submitted vide our letter No.MPL/MoEF/112 dated 19 <sup>th</sup> July, 2010
11.	Environmental 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.	Noted.
12.	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.	Noted.
13.	A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zilla Parisad / 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.	Noted for compliance. Copy of clearance letter issued for Phase-I development have been submitted to the concerned Panchayats during December, 2009.
14.	The proponent shall upload the status of compliance of the stipulated EC conditions, including results of monitored	Noted for Compliance.

	<p>data on their website and shall update the same periodically. It shall be simultaneously sent to the Regional Office of MoEF&amp;CC, the respective Zonal Office of CPCB and the SPCB. The criteria pollutant levels namely SPM, RSPM, SO<sub>2</sub>, NO<sub>x</sub> (ambient levels as well as stack emissions) or critical sectoral parameters, indicated for the project shall be monitored and displayed at a convenient location near the main gate of the company in the public domain.</p>	
15.	<p>The project proponent shall also submit six-monthly reports on the status of compliance of the stipulated EC conditions including results of monitored data (both in hard copies as well as by e-mail) to the respective Regional Office of MoEF&amp;CC, the respective Zonal Office of CPCB and the SPCB.</p>	<p>Noted. Six monthly compliance Reports shall be submitted once the construction works commences as envisaged, upon GoAP making available, the required land for port development in terms of the Concession Agreement.</p>
16.	<p>The environmental statement for each financial year ending 31<sup>st</sup> 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 MoEF by e-mail.</p>	<p>Noted and will be complied with once construction works of the Phase-I development of Machilipatnam Port commences as envisaged, up on GoAP making available required land for port development in terms of the Concession Agreement.</p>

