

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE BENCH AT CHENNAI
APPEAL NO 105 OF 2015**

IN THE MATTER BETWEEN

Dr.Lenin Dhanisetty

...Appellant

Versus

Union Of India & Ors.

.....Respondents

INDEX

S.NO.	PARTICULARS	PAGE NO.
1.	Written Submissions filed by the Appellant	1-7
2.	Annexure-I Compliance Report By Moef, Regional Office	8-33

THROUGH



RITWICK DUTTA SAURABH SHARMA

**STANLY HEBZON SINGH
ADVOCATES
COUNSEL FOR THE APPLICANT
N-71, LOWER GROUND FLOOR,
GREATER KAILASH-I
NEW DELHI-110048
Email: litigation.life@gmail.com
Mobile No.:9312407881**

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE BENCH AT CHENNAI
APPEAL NO 105 OF 2015**

IN THE MATTER BETWEEN

Dr.Lenin Dhanisetty

...Appellant

Versus

Union Of India & Ors.

.....Respondents

**WRITTEN SUBMISSIONS FILED ON BEHALF OF THE APPELLANT DATED
04.11.2020**

Most Respectfully Showeth:

1. That the abovementioned Appeal has been filed by the Appellant against the Environmental Clearance dated 02.07.2015 for expansion by addition of 1 X 800 MW capacity (Stage II) to 2 x800 MW (Stage I) for imported coal based Sri Damodaram Sanjeeviah Thermal Power Station at District Nellore in Andhra Pradesh by Respondent No.3 –APPDCL.
2. That the Appellant wants to make the following submissions in support of his case:

DETAILS OF RADIOACTIVITY AND HEAVY METAL ANALYSIS OF COAL NOT DONE

- (i) That it is the case of the Appellant that the Project Proponent has violated the Terms of Reference condition No.41 by not providing the details of Radioactivity and heavy metal analysis of coal. The Project Proponent in it's reply has submitted that the coal for proposed project will be sourced from Indonesia / Australia and the same coal which is used for existing Stage-1 project is used for the purpose of Radioactivity and Heavy Metals analysis of the coal which will be used in Stage-II project.
- (ii) That it is submitted that the reply of the Project Proponent itself reveals that it is not even confirmed whether the coal for the proposed project will be obtained from Indonesia or Australia. Thus,

the source from which the coal will be obtained itself is unknown. Therefore, the Radioactivity and Heavy metal testing and analysis was not done for the confirmed source of coal which will be utilized for the project.

(iii) Further, the reply of the Project Proponent reveals that the Coal used for Heavy Metal and Radioactivity have been done for the Stage-I project. This itself is a further proof that the Coal which will be used for the stage -II has not been tested for Radioactivity and Heavy metal analysis.

(iv) It is submitted that from the above facts, it is clear that the Project Proponent has not done Radioactivity analysis for the Coal proposed to be used for the project. Therefore, the Project Proponent has not complied with the ToR No.41. The EAC and MoEF&CC have failed to take note of this issue and have blindly accepted the irrelevant report furnished by the Project Proponent.

(v) It is further submitted that by not testing, analyzing and conducting related impact assessment study, the Project Proponent, EAC and MoEF&CC have not also complied with the directions of Hon'ble Tribunal in Krishi Vigyan Arogya Sanstha Vs. Union of India &Ors. [Appeal No. 7 of 2011 (T)] which has specifically directed the MoEF&CC to consider the impact of nuclear radiation for all proposals of Thermal Power Plants, Relevant excerpt from the judgment is as under:-

"However, the Environmental Impact Assessment as well as Expert Appraisal Committee have completely ignored the objections raised by Mr. Paliwal and others regarding nuclear radiation that would be caused by the proposed project. But we are of the opinion that in a project of this nature, as stated by Mr. Paliwal, in the Public Hearing, the effect of nuclear radiation was neither studied nor examined and it was simply brushed aside in the arguments before this Tribunal stating that there was no necessity of examining the project from nuclear radiation point of view as no such plant would cause nuclear radiation which harms the human habitation or the environmental ecology in the surrounding area.

.....

10. Taking all the above into consideration, we are of the considered opinion that this appeal requires to be disposed of with the following directions keeping in view the principles of sustainable development and precautionary principle.

a. The first respondent, Ministry of Environment and Forests is directed to look into the matter as to long term impacts caused by nuclear radiation from the thermal power projects, by instituting a scientific long term study involving Bhabha Atomic Research Agency or any such other recognized scientific institution dealing with nuclear radiation with reference to the coal ash generated by thermal power project (Respondent No. 3) particularly the cumulative effect of a number of thermal power project located in the area on human habitation and environment and ecology. The study shall also take into consideration the health profile of the residents within the area in which the pollutants are expected to spread from the thermal power project.

.....

c. The Ministry of Environment and Forests shall include in the Terms of Reference of all the future projects asking the proponent to furnish details of possible nuclear radioactivity levels of the coal proposed to be used for the thermal power plant.

d. The Ministry of Environment and Forests shall get the national standards prescribed, if not already available, from the Department of Atomic Energy, Govt. of India within a period of one year from the date of receipt of this order, as to permissible levels of nuclear radiation in residential, industrial and ecologically sensitive areas of the country."

- (vi) It is submitted that in the preset case, the above direction of the Hon'ble Tribunal and also the TOR condition no.41 have been violated by the Project Proponent, EAC and MoEF&CC.
- (vii) It is further clear that apart from the failure to consider the impact of radioactivity, the EAC and MoEF&CC have also failed to consider the impact of heavy metals in coal proposed to be used for the project. In this regard, it is submitted that coal commonly contains heavy metals such as Arsenic, Antimony, Mercury, Nickel, Lithium, Manganese, Cadmium, Radium, Selenium, Cobalt, Copper, Thallium, Silver, Strontium, Chromium, Zinc etc. which are very harmful to environment and human health. The Project Proponent has failed to test these heavy metals in the coal and also study the impacts of

them. Equally, the EAC and MoEF&CC have failed to take note of this. In spite of this, the project proponent has been granted environmental clearance.

It is submitted that the Hon'ble Tribunal should direct the Project Proponent to produce the analysis of Radioactivity and heavy metal in coal used for the said Project.

THE CONTENTION OF THE PROJECT PROPONENT THAT THE AAQ IMPACT ASSESSMENT STUDY WAS PROPERLY CONDUCTED IN THE PROJECT AREA AND CUMULATIVE IMPACT ASSESSMENT STUDY WAS CONDUCTED FOR 10 KM RADIUS IN THE PROJECT AREA IS FALSE.

- (viii) That as per the TOR Nos. xxxviii and xi, the Project Proponent was required to present the list of industries within 10 kilometers radius of the project site and also study the cumulative impacts of all these industries.

The Appellant in the Appeal has submitted as follows:

A. That the Project Proponent has provided false information about list of industries within 10 kilometers radius of the project and

B. That the Project Proponent has also falsified baseline and incremental data on Ambient Air Quality (AAQ) in the project area.

- (ix) The Appellant submitted that there are numerous industries within 10 kilometers of the Project area submitted following facts on the deliberate concealment of list of industries within 10 kilometers radius of the project.
- (x) That the Project Proponent has not included its own Stage-I 1600 MW in the list of industries presented in the draft EIA Report.
- (xi) That the Project Proponent has under shown the production capacity of Thermal Powertech Corporation (TPT) limited as 1320 MW, when the actual production capacity is 1980 MW.

- (xii) That the Project Proponent has not included 3960 MW Coastal Andhra Powertech Limited (CAPL) in the list of industries presented in the draft EIA Report and has not considered the emissions of it for studying the impact on ASQ in the project area.
- (xiii) The Project Proponent in its reply has stated that the emissions of the 3960 MW CAPL Thermal Power Plant because it has been *withdrawn*. It is submitted that it is only recently that the M/s CAPL has withdrawn from execution of its project in the above area.
- (xiv) The Project Proponent has however not replied to the point that it has not included its own Stage-I 1600 MW Thermal Power Plant in the list of industries presented in the draft EIA Report. The Project Proponent has also not answered the issue that the Project Proponent has under shown the production capacity of Thermal Powertech Corporation (TPT) limited as 1320 MW, when the actual production capacity is 1980 MW. This itself is an admission of the Project Proponent that in the list of provided in the draft EIA Report of the project, it has deliberately not included its Stage-I 1600 MW project and has also undershown the production capacity of Thermal Power Tech limited as 1320 MW, while the actual production capacity of the same plant is 1980 MW. Thus, it is a clear proof that the Project Proponent has indulged into falsification of information and has deliberately not provided complete list of industries within project area.

It is submitted that directions be issued by the Hon'ble Tribunal to the Project Proponent to get an AAQ Impact Assessment study properly conducted in the project area and also to get a Cumulative Impact Assessment study done for 10 km radius in the project area

THE PROPOSED PROJECT WILL BE CONSTRUCTED WITHIN EXISTING LAND OF STAGE -I IS FALSE

- (xv) The Appellant in the Appeal has submitted that the Project Proponent has acquired excess land than the land for which Environmental Clearance for Stage-I project was granted. The regional office of

6

MoEF&CC in its monitoring report dated 03.12.2014 has highlighted that the Project Proponent has acquired more land than land for which Environmental Clearance was granted. Relevant excerpt from the Monitoring Report of MoEF&CC is as under:-

" PA's have changed the name of the thermal power station as Sri Damodaran Sanjeeviah Thermal Power Station. The land requirement of the project has been increased to 1496 acres instead of 1250 acres as mentioned in the EC dated 17.07.2007"

That it is submitted that the regional office of the MoEF&CC has clearly noted that the Project Proponent has acquired 1496 acres of land instead of 1250 acres of land over which Environmental Clearance has been granted. Hence, the submission of the Project Proponent that the proposed project will be constructed within existing land of Stage -I is false.

PROJECT PROPONENT'S CONTENTION THAT STIPULATED EC CONDITIONS OF STAGE -I HAVE BEEN COMPLIED IS FALSE

- (xvi) That the Project Proponent in its reply has submitted that it has complied with all conditions stipulated in the Environmental Clearance granted for Stage-I 1600 MW project. However, such submissions of the Project Proponent is false. The regional office of MoEF&CC has highlighted the non-compliance a number of Environmental Clearance conditions. The relevant Report of Non-compliance of EC conditions is already annexed as Annexure-C with the Appeal. However, the same is again being annexed herewith for reference as **ANNEXURE-1**.
- (xvii) That it is submitted that the regional office of MoEF&CC in its Monitoring Report dated 03.12.2014 has reported that the Project Proponent has not complied with many number of environmental clearance conditions stipulated for Stage-I 1600 MW project.

7
However, the EAC and MoEF&CC have overlooked all the non-compliance of these conditions and have cleared the project in haste. It is submitted that directions be issued by the Hon'ble Tribunal to the Project Proponent to suspend the EC till the time there is complete EC conditions compliance by it with respect to the present project.

It is therefore prayed that the prayer in Appeal may very kindly be allowed in view of the above mentioned submissions

**RITWICK DUTTA & G.STANLY HEBZON SINGH
ADVOCATES FOR THE APPELLANT**



भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE
Regional Office (South Eastern Zone),
1st & 2nd floor, HEPC Building, No.34, Cathedral Garden Road,
Nungambakkam, Chennai - 600034
Tel.No.044-2822 2325, E-mail: roofccc@gmail.com



F.No.EP/12.1/548/AP
Date: 3.12.2014

To,
Dr (Ms.) Saroj,
Director,
IA Division - Thermal Sector
Indira Paryavaran Bhavan,
Ministry of Environment, Forests & Climate Change,
Jorbagh Road, Aliganj,
New Delhi - 110 003.

Subject: 2x 800 MW Thermal Power Project at Krishnapatnam, Nellore, Andhra Pradesh by M/s Andhra Pradesh Power Development Company Limited - **Compliance certification regarding.**

Ref:

- i. F.No. J-13011/20/2007-IA-II (T) dated 17.7.2007, 3.5.2012 and 10.6.2013
- ii. F.No. 11-28/2008-IA-III dated 29.5.2008 and F.No.11-43/2012-IA.III dated 3.9.2013
- iii. Letter No. APPDCL/Stage-II/SDSTPS/ENV.Clrnce/D.No.1439/14 dated 23.9.2014

Madam,

In response to the letter dated 23.9.2014 of APPDCL, the above said project was monitored on 11.11.2014 and certified compliance report of the above existing project in connection with the proposed expansion of 1 x 800 MW Thermal Power Plant at Krishnapatnam, Nellore, Andhra Pradesh is enclosed for perusal and further appropriate action.

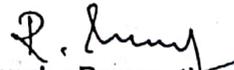
Encl: As above

Yours faithfully,


(Sundar Ramanathan)
Scientist - C

Copy to:

1. Dr. P.B. Rastogi, Director, Monitoring Cell, IA Division, Indira Paryavaran Bhavan, Ministry of Environment, Forests & Climate Change, Jorbagh Road, Aliganj, New Delhi - 110 003.
2. Er.M.V.V.Satyanarayana, Chief Engineer/Construction, Sri Damodaram Sanjeevaiah Thermal Power Station, Nelaturu (V),Muthukur (M), Nellore District Andhra Pradesh - 524344 - for information with reference to the letter No. APPDCL/Stage-II/SDSTPS/ENV.Clrnce/D.No.1439/14 dated 23.9.2014


(Sundar Ramanathan)
Scientist - C

9

Government of India
Ministry of Environment, Forests and Climate Change (MoEF&CC)
Nungambakkam, Chennai – 600034.

MONITORING REPORT

PART I
DATA SHEET

F.No. EP/12.1/548/AP

1		Project Type River valley / Mining / Industry / Thermal / Nuclear / Other Specify	:	Thermal and CRZ
2		Name of the project	:	i. 2x 800 MW Thermal Power Project at Krishnapatnam, Nellore, Andhra Pradesh by M/s Andhra Pradesh Power Development Company Limited ii. Construction of seawater intake facilities and discharge of wastewater facilities into Bay of Bengal by M/s A.P. Power Generation Corporation Limited (APPDCL), Hyderabad
3		Clearance letter(s) / OM No. and dated	:	i. F.No. J-13011/20/2007-IA-II (T) dated 17.7.2007, 3.5.2012 and 10.6.2013 ii. F.No. 11-28/2008-IA-III dated 29.5.2008 and F.No.11-43/2012-IA.III dated 3.9.2013
4		<u>Locations</u>	:	
	a.	Taluk(s) District	:	Nelaturu (V),Muthukur(M) Nellore District
	b.	State (s)	:	Andhra Pradesh
	c.	Latitudes / Longitudes	:	Plant site:- 14°19'30" N/80°07'30" E Seawater intake/outfall facilities:- Intake :14°19.006' N/80°10.976' E Outfall :14°19.372' N/80°09.802' E
5		<u>Address of correspondence</u>	:	
	a.	Address of concerned project Chief Engineer (with Pin Code & telephone / telex / fax numbers	:	Er.M.V.V.Satyanarayana Chief Engineer/Construction Sri Damodaram Sanjeevaiah Thermal Power Station, Nelaturu (V),Muthukur (M) Nellore District Andhra Pradesh -524344 Telephone No:0861-2314800 Mobile No:09490449513 Fax No:0861-2314900
	b.	Address of Executive Project Engineer/ Manager (with Pin Code/fax numbers)	:	-Do-
6		<u>Salient features:</u>	:	
	a.	Salient features of the project	:	Covered in the EIA/EMP report

	b.	of the environmental management plans	: Submitted to MoEF & CC during project appraisal.
7		Project area details	: Plant site:- 1250 acres (As per EC) 1486 acres (As per the project authorities)
8		Break up of project affected population with enumeration of those losing houses / dwelling units only, agricultural land only, both dwelling units and agricultural land and landless labourers / artisans	
	a	SC, ST/Adivasis	: Plant facilities:- One Hamlet by name "Nakkalamitta" falling in the Power plant area was proposed for R&R with 88 families (as per EC). But at the time of actually effecting the R&R facilities by the R&R administrator from the District Administration/Govt of AP at R&R colony in Muthukur 109 eligible families are rehabilitated. The following support facilities and packages are provided by the project proponent. R & R Package Features 1) Financial Support: a) Paid wages for 625 days b) Subsistence Allowance for 240 days c) Income Generation Scheme d) Transportation Charges e) Compensation for houses lost in old village. f) Separate package for houses construction on their own 2) Infrastructure Facilities Provided: a) Construction of Houses with Compound Wall and Toilets. b) Potable Water Supply c) Electrification d) Drainage Canals e) Roads f) Community Centre g) School h) Temple i) Library etc., CRZ facilities:- Originally no R&R is envisaged for sea water intake and outfall facilities. But during the evolving phase of the project, the residents of nearby Fishermen hamlet "Nelaturu Palem" with 460 dwellings requested the District administration to arrange for R&R of their hamlet in view of the 3 thermal power projects being established in the vicinity. At present, the District administration initiated and is arranging for R&R on cost sharing by the three power plants in the vicinity of the project site.
	b	Others	
9		Financial Details:	

	a	Project cost as originally planned and subsequent revised estimates and the years of price reference	Rs. 8432.14 Crores (As per the EC dated 17.7.2007) Rs. 10,500.00 Crores (Revised cost for plant & CRZ facilities as per the project authorities) Rs. 12,200.00 Crores (Latest for plant & CRZ facilities as per the project authorities)
	b	Allocations made for environmental management plans, with item wise and year wise breakup	Rs. 132 Crores (As per the EC dated 17.7.2007)
	c	Benefit cost ratio / internal rate of return and the years of assessment	Details not made available
	d	Whether (c) includes the cost of environmental management as shown in (b) above	Details not made available
	e	Total expenditure on the Project so far	Rs. 10,302 Crores (As per the project authorities for plant & CRZ facilities)
	f	Actual expenditure incurred on the environmental management plans so far	Plant facilities:- <u>Capital Cost:-</u> Rs. 500.66 Crores (As per the project authorities) <u>Recurring Cost:-</u> Rs. 0.66 Crores (As per the project authorities) CRZ facilities:- <u>Capital Cost:-</u> Rs. 9.85 Crores (As per the project authorities) <u>Recurring Cost:-</u> Nil (As per the project authorities)
10		Forest land requirement:	Nil
	a	The status of approval for a diversion of forest land for non-forestry use	NA
	b	The status of compensatory afforestation, if any	NA
	c	The status of clear felling	NA
	d	Comments on the viability and sustainability of compensatory afforestation programme in the light of actual field experience so far	NA
11		The status of clear felling in non-forest area (such as submergence area of reservoir, approach road), if any, with quantitative information	NA
12		Status of construction:	
	a	Date of commencement	Plant facilities:- 30-07-2009 (Actual commencement of Civil work) CRZ facilities:- 01.04.2013 (Actual commencement of Civil work)

12

	b	Date of completion (actual and / or planned)	:	Plant facilities:- Unit # 1 by 30.11.2014(planned) Unit # 2 by 31.03.2015(planned) CRZ facilities:- Planned to complete in all respects by 31.03.2015
13		Reasons for the delay if the project is yet to start.	:	Details not made available.
14		Date of site visit:	:	
	a	The dates on which the project was monitored by the Regional Office on previous occasions, if any	:	29.3.2011
	b	Date of site visit for this monitoring report	:	11.11.2014
15		Details of correspondence with project authorities for obtaining action plans, information and status of compliance to safeguards	:	
		Date Letter from R.O.		Date Reply from Project proponent
		As per EC dated 17.7.2007		
		12.9.2007 Present status of work, DPR, EIA/EMP, Risk analysis report, Questionnaire, Paper advertisement and No Objection Certificate obtained from the SPCB were requested from the project proponent.		11.4.2011 six monthly compliance report submitted.
		4.5.2011 Non compliances observed during the site visit held on 29.3.2011 were informed to the project proponent for taking corrective action.		28.6.2011 ATR to the non-compliances were submitted.
				10.8.2011 six monthly compliance report submitted. 21.3.2012 six monthly compliance report submitted. 01.8.2012 six monthly compliance report submitted. 04.1.2013 six monthly compliance report submitted. 11.7.2013 six monthly compliance report submitted. 23.1.2014 six monthly compliance report submitted. 15.7.2014 six monthly compliance report submitted. 23.9.2014 Compliance certification requested 18.11.2014 CTE/CTO, datasheet, paper advertisement sub.
		As per EC dated 29.5.2008		
		2.3.2009 Present status of work, DPR, EIA/EMP, Risk analysis report, Questionnaire, Paper advertisement and No Objection Certificate obtained from the SPCB were requested from the project proponent.		Nil

PRESENT STATUS OF THE PROJECT

Plant facilities:-

MoEF&CC vide F.No. J-13011/20/2007-IA-II (T) dated 17.7.2007, 3.5.2012 and 10.6.2013 accorded environmental clearance for setting up of 2x 800 MW Thermal Power Project at Krishnapatnam, Nellore, Andhra Pradesh. Subsequently, Ministry vide letter dated 3.5.2012 permitted the change of ash pond location to the new site which is about 1.7km distance from the plant site. Thereafter, Ministry vide letter dated 10.6.2013 extended the validity period of the environmental clearance till 16.7.2017. Out of the 2x800 MW, presently the unit I (1x800 MW) is on trial operations at partial load and its planned for commissioning on 30.11.2014. The unit II is expected to be commissioned by 31.3.2015. The plant and ash pond photographs are at Annex I.

CRZ facilities:-

MoEF&CC vide F.No.11-12/2008 -IA-III dated 29.5.2008 accorded environmental clearance for construction of seawater intake facilities and discharge of wastewater facilities into Bay of Bengal. Subsequently, Ministry vide letter no.11-43/2012-IA.III dated 3.9.2013 amended the EC dated 29.5.2008 for change in configuration of intake and outfall facilities. The CRZ facilities are expected to be completed by proponent by 31.3.2015.

The aforesaid facilities were monitored on 11.11.2014 along with the officers namely Shri M.V.V.Satyanarayana, Chief Engineer, Shri Y Koteswara Rao, Superintending Engineer and Shri V. Bhakthavatsala Reddy, Executive Engineer.

Detailed point wise compliance status is given below in Part II and Part III.


(Sundar Ramanathan)
Scientist 'C'

14

PART II**COMPLIANCE STATUS IN BRIEF**

Subject: 2x 800 MW Thermal Power Project at Krishnapatnam, Nellore, Andhra Pradesh by M/s Andhra Pradesh Power Development Company Limited

Reference: F.No. J-13011/20/2007-IA-II (T) dated 17.7.2007, 3.5.2012 and 10.6.2013

S. No.	Conditions	Compliance status
i.	No activities in CRZ area shall be taken up without prior approval	Complied
ii.	Supercritical technology to be adopted.	Complied
iii.	Sulphur & ash content in the coal shall not exceed 0.62% and 28.3%.	Agreed upon
iv.	Space provision be made for installation of FGD	Complied
v.	Bi-flue stack of 275 m height be provided	Complied
vi.	High efficiency ESP with efficiency of 99.9% be provided	Refer part III
vii.	Low No _x burners be provided.	Complied
viii.	Desalination plant be installed	Complied
ix.	CCCS with natural draft cooling towers be provided.	Complied
x.	No effluent be discharged and 'Zero' discharge shall be adopted.	Agreed upon
xi.	Condenser water blow down be discharged into the sea	Agreed upon
xii.	Rain water harvesting system be adopted	Not complied
xiii.	Fly ash utilization and disposal of ash in HCSD system	Agreed upon
xiv.	Monitoring of ground water quality and heavy metals	Not complied
xv.	Monitoring of noise levels and PPE for personnel	Not complied
xvi.	Green belt development shall not be less than 170 ha area	Not complied
xvii.	Monitoring of ambient air quality	Being complied
xviii.	Control measures for fugitive emissions	Agreed upon
xix.	Rehabilitation and compensation for the affected people	Complied
xx.	Paper Advertisement shall be given about EC	Complied
xxi.	Separate environment management cell be set up	Complied
xxii.	Submission of half-yearly compliance report	Partly complied
xxiii.	Regional office of MoEF&CC to monitor compliance status	Agreed upon
xxiv.	Funds earmarked for EMP shall be kept in a separate account	Complied
xxv.	Full cooperation to the Scientist / Officers from the Ministry	Agreed
xxvi.	Uploading of half-yearly compliance report	Not complied
xxvii.	Display of pollutants levels on the website and main gate of the TPP	Not complied
xxviii.	Green belt development	Not complied
4.	Ministry may revoke the clearance	Agreed upon
5.	EC accorded is valid for a period of 5 years	Agreed upon
6.	Any deviation or alternation in the project, fresh reference be made	Refer part III
7.	The above stipulations would be enforced	Refer part III

PART II**COMPLIANCE STATUS IN BRIEF**

Subject: Construction of seawater intake facilities and discharge of wastewater facilities into Bay of Bengal by M/s A.P. Power Generation Corporation Limited (APPDCL), Hyderabad

Reference: F.No. 11-28/2008-IA-III dated 29.5.2008 and
F.No.11-43/2012-IA.III dated 3.9.2013

S. No.	Conditions	Compliance status
As per the EC letter No. 11-28/2008-IA-III dated 29.5.2008		
A. Specific Conditions		
i.	NOC from APPCB be obtained	Complied
ii.	No damage to the mangroves & coastal ecosystems.	No mangroves
iii.	Implementation of all the measures as per letter dated 6-5-2008	Complied
iv.	Effluent disposal shall meet the APPCB standards	Agreed upon
v.	No hindrance to the movement of the local communities	Complied
vi.	Continuous marine quality monitoring programme be taken up.	Not complied
vii.	No displacement of people, houses or fishing activity	Complied
viii.	No adverse impact on the drainage of the area	Complied
ix.	Labour camp be kept outside the Coastal Regulation Zone area.	Complied
x.	Emergency display boards at critical be provided	Not complied
xi.	No disturbance to the movement of fishing vessels	Complied
xii.	No interference to the fishermen due to jetty construction	No jetty
xiii.	Relocation of the fishermen community with all facilities.	Complied
xiv.	Marine ecology monitoring be done regularly during jetty construction	No jetty
xv.	Regular monitoring of air quality be done in the settlement areas	Not complied
xvi.	Sewage treatment in the port area	No port area
xvii.	Regular updation of the Disaster Management plan	Not complied
xviii.	No withdrawal of ground water in CRZ area	Partly complied
xix.	Project commissioned after requisite water & electricity supply	Complied
xx.	Specific arrangements for rain water harvesting be made	Not complied
xxi.	Facilities constructed be in conformity with the CRZ notification.	Complied
xxii.	Land reclamation be carried out to the extent essential	No land reclamation
xxiii.	Green buffer zone be provided all around the project area	Not complied
xxiv.	No product other than those shall be stored in the CRZ area.	Complied
B. General Conditions:		
i.	Facilities constructed be in conformity with the existing rules and regulations	Complied
ii.	Appropriate community and welfare measures be taken up	Complied
iii.	Appropriate fire-fighting system be installed	Complied
iv.	Separate Environment Management Cell be set up	Complied
v.	Funds earmarked for EMP shall be kept in a separate account	Complied
vi.	Full cooperation to the Scientist / Officers from the Ministry	Agreed
vii.	Any deviation or alternation in the project, fresh reference be made	Agreed upon

16

S. No.	Conditions	Compliance status
viii.	Ministry may revoke the clearance	Agreed upon
ix.	Ministry may stipulate any other additional conditions	Agreed upon
x.	Copy of the clearance to be marked to Panchayat	Reportedly complied
xi.	SPCB shall display clearance letter at designated places	Reportedly complied
xii.	Paper Advertisement shall be given about EC	Complied
xiii.	Date of financial closure be informed to the concerned authorities	Refer part III
xiv.	Forest clearance be obtained	No forest land
xv.	Movement of vehicles in the ITZ be restricted	Complied
xvi.	Any appeal against this Environmental Clearance lies with NGT	Agreed upon
As per the EC amendment letter no.11-43/2012-IA.III dated 3.9.2013		
6.	Special conditions:-	
i.	Conditions stipulated by APCZMA be strictly complied	Being complied
ii.	Screens and trash bars be provided	Complied
iii.	Monitoring of the receiving body at the discharge point be done.	Agreed upon
iv.	No construction works in the CRZ area other than those permitted	Complied
v.	No mangroves or other ecological important areas be destroyed	Complied
vi.	Provision of adequate funds in the EMP of the project.	Complied
vii.	No disturbance to the fishing/fisherman communities	Complied
viii.	Conditions as stipulated in the earlier clearance shall remain unchanged	Refer part III
7.	General Conditions:-	
i.	Facilities constructed be in conformity with the existing rules and regulations	Complied
ii.	Any deviation or alternation in the project, fresh reference be made	Agreed upon
iii.	Ministry may revoke the clearance	Agreed upon
iv.	Ministry may stipulate any other additional conditions	Agreed upon
v.	Full cooperation to the Scientist / Officers from the Ministry	Agreed
8.	The above stipulations would be enforced	Refer part III
9.	Any other clearances required shall be obtained	Complied
10.	Paper advertisement about EC shall be given	Complied
11.	Any appeal against this Environmental Clearance lies with NGT	Agreed upon
12.	Copy of the clearance to be marked to Panchayat	Reportedly complied
13.	Uploading of six monthly compliance report on the website	Not complied
14.	Submission of six monthly compliance report	Not complied
15.	Submission and uploading of Environmental Statement	Not complied

PART III**DETAILED COMPLIANCE STATUS**

Subject: 2x 800 MW Thermal Power Project at Krishnapatnam, Nellore, Andhra Pradesh by M/s Andhra Pradesh Power Development Company Limited

Reference: F.No. J-13011/20/2007-IA-II (T) dated 17.7.2007, 3.5.2012 and 10.6.2013

S. No.	Conditions	Compliance status
i.	No activities in CRZ area shall be taken up without obtaining requisite prior clearance under the provisions of the CRZ notifications, 1991.	CRZ clearance for construction of sea water intake facilities & discharge of return water facilities were obtained by the Project Authorities (PAs) from MoEF & CC vide letter No:11-12/2008-IA-III dated 29.5.2008. Thereafter, Ministry vide letter no.11-43/2012-IA.III dated 3.9.2013 amended the EC dated 29.5.2008 for change in configuration of intake and outfall facilities.
ii.	Supercritical technology to be adopted.	Super Critical technology is adopted by the PAs.
iii.	The Indian washed coal and imported coal shall be blended in the ratio of 70% and 30% the blended coal to be used as fuel shall have sulphur content not exceeding 0.62% and ash content not exceeding 28.3%.	Equipment is designed for use of 70% Indian washed Coal & 30% imported Coal to meet the requirement (with sulphur content not exceeding 0.62%, the ash content not exceeding 28.3%). It was informed by the PAs that the Unit I (1x800 MW) is running on trial operations at partial load, the exact design ratio of blending the coal could not be maintained so far. The average ash content observed during this report period is 31.5% for Indian coal and 8.23% for imported coal. The average sulphur content observed during this period is 0.296% for Indian coal and 0.465% for Imported Coal.
iv.	Space provision shall be made for installation of FGD of requisite efficiency of removal of SO ₂ , if required at later stage.	Space has been earmarked by the PAs for installation of FGD if required at later stage.
v.	A bi-flue stack of 275 m height with exit velocity of not less than 29.2 m/s shall be provided with continuous online monitoring system.	A bi-flue stack of 275 m height is provided with continuous online monitoring system. Unit #1 is under trial operation and operating at partial load, commissioning of balance few number of fields of the ESP's is in progress. The CSEMS (Continuous Stack Emission Monitoring System) for unit # 1 is commissioned and the average readings submitted by the PAs during the trial

12

S. No.	Conditions	Compliance status
		operation is as follows. Opacity (280.196mg/Nm ³), SO _x (165.214ppm), NO _x (168.441ppm), CO(3.442ppm), O ₂ (21.126%), CO ₂ (6.322%), Total Mercury (NIL), Specious Mercury (NIL).
vi.	High efficiency Electrostatic Precipitator(ESP) with efficiency not less than 99.9% shall be installed to ensure that particulate emission does not exceed 100 mg /Nm ³ .	High efficiency Electrostatic Precipitator (ESP) with efficiency not less than 99.9% are installed to ensure that particulate emission does not exceed 100 mg /Nm ³ . Unit #1 is in trial operation and operating at partial load, Commissioning of balance few number of fields of the ESP's is in progress. The CSEMS (Continuous Stack Emission Monitoring System) for unit # 1 is commissioned. The average reading of particulate matter emission submitted by the PAs during the trial operation is 280mg/Nm ³ .
vii.	Low No _x burners shall be provided.	Boiler is designed with low NO _x burner system
viii.	Desalination plant shall be installed for meeting the sweet water requirement of the project.	Desalination plant of 6 MLD capacity has been established and commissioned
ix.	Closed Cycle Cooling system with natural draft cooling towers shall be provided.	Closed Cycle Cooling system with natural draft cooling towers has been provided.
x.	Treated effluents conforming to the prescribed standards shall be re-circulated and reused within the plant. No effluents shall be discharged outside the plant boundary except during monsoon season.	ETP of 1800 KLD capacity with guard pond is commissioned but is under trial operation. The effluents from Boiler blow down, floor washings, waste oil pits/sumps, sludge pits etc. will be treated as per SPCB standards. Treated effluents will be reused within the plant. Excess treated effluent will be let out through the blow down pipe of seawater out fall system.
xi.	The condenser water blow down to be discharged into the sea shall be at ambient temperature from the cold water side.	PAs agreed to discharge the Condenser water blow down in to the sea at ambient temperature from the cold water side.
xii.	Rain water harvesting should be adopted. Central Ground Water Authority / Board shall be consulted for finalization of appropriate rain water harvesting technology with in a period of three months from the date of clearance.	PAs informed that rain water harvesting is not feasible in the project near to the coast line as opined by the scientists of NIO. However CGWA is addressed to guide in this matter and reply is awaited
xiii.	Fly ash shall be collected in silos in dry form and bottom ash in hydro bins and its 100% utilization shall be ensured from the day of the commissioning of the	PAs informed that fly ash will be collected in silos in dry system and ensured for 100% utilization. Unutilized fly / Bottom ash will be disposed through HCS

S. No.	Conditions	Compliance status
	plant. In emergency, the unutilized fly ash / bottom ash shall be disposed off at the proposed ash disposal site through HCSD system.	system only. The particulars of fly ash generation/utilization submitted by the PAs during the trial operations are as below. Total quantity of Ash generated=88323.9MT. Fly ash utilized for various purposes is 65918.65 MT (93.29% utilization out of total fly ash of 70659.13 MT) and the unutilized fly ash along with bottom ash (Wet Ash) is disposed off into the Ash pond.
xiv.	Regular monitoring of ground water quality including heavy metals be undertaken around ash dyke and the project area to ascertain the change, if any, in the water quality due to leaching of contaminates from ash disposal.	PAs informed that no groundwater monitoring including heavy metal is undertaken around the ash dyke and the project area.
xv.	Noise levels shall be limited to 75 DBA. For people working in the high noise area, protective devices such as earplugs etc., shall be provided.	Noise level was not monitored by the PAs during the construction activities & trial operations of Unit I and no records have been maintained. Further, no protective device has been provided to the people working in the high noise area during the site visit.
xvi.	A green belt of 100m width shall be developed all around the plant boundary and ash dyke covering an least 170 ha.	Out of the 170 ha green belt area, PAs have undertaken green belt development only in 72.84 ha. Plantation work and its survival rate in the 72.84 ha area is not good. Further, the green belt of adequate width and density is not provided all around the plant boundary and ash dyke as per the EC condition.
xvii.	Regular monitoring of the air quality shall be carried out in and around the power plant and records shall be maintained. The location of monitoring stations and frequency of monitoring shall be decided in consultation with SPCB. Six monthly reports shall be submitted to this Ministry.	4 Nos of online AAQMS in consultation with the APPCB has been installed. One AAQMS at south boundary of the main project and one AAQMS at North boundary of the main project are under operation. One AAQMS at Project hostel/Colony area is Commissioning stage and one AAQMS at Ashpond will be commissioned shortly. Six monthly reports are not being submitted to the MoEF&CC, RO regularly.
xviii.	For controlling fugitive dust, regular sprinkling of water in the coal handing area and other vulnerable areas of the plant shall be ensured.	PAs agreed to provide dust suppression systems, water sprinkling systems, dust extraction systems to control fugitive dust in vulnerable areas.
xix.	The project affected people shall be suitably rehabilitated and compensation paid in accordance with the R&R policy of the State Government.	Rehabilitation details is given in point no.8 of Part - I.

S. No.	Conditions	Compliance status
xx.	The Project proponent should advertise in at least two local newspapers widely circulated in the region around the project, one of which should be in the vernacular language of the locality concerned, informing that the project has been accorded environmental clearance and copies of clearance letters are available with the State pollution Control Board / Committee and may also be seen in the website of the Ministry of Environment and Forests in the http://envfor.nic.in .	Advertisement was given in 2 local newspapers in English (Indian Express) & Telugu(Vartha) languages on 22.08.2007 and 21.08.2007 respectively.
xxi.	A separate environment monitoring cell with suitable qualified staff should be set up for implementation of the stipulated environmental safeguards.	Environment monitoring cell with qualified and experienced staff like Executive Engineer, Assistant Executive Engineer, Assistant Engineer & Senior Chemist has been set up.
xxii.	Half yearly report on the status of implementation of the conditions and environments including environmental safeguards should be submitted to this Ministry, the Regional Office, CPCB and SPCB.	Six monthly compliance reports in hard and soft copies along with the monitored data are not being regularly submitted to the MoEF&CC, RO.
xxiii.	Regional Office the Ministry of Environment & Forests located at Bangalore will monitor the implementation of the stipulated conditions. A complete set of documents including Environmental Impact Assessment report, Environment Management plan and the additional information / clarifications submitted subsequently should be forwarded to the Regional Office for their use during monitoring.	Agreed.
xxiv.	Separate funds should be allocated for implementation of environmental protection measures along with item-wise breakup. These cost should be included as part of the project cost. The funds earmarked for the environment protection measures shall not be diverted for other purposes and year wise expenditure should be reported to the Ministry.	Fund provision as shown in point no.9 of Part – I has been made.
xxv.	Full cooperation should be extended to the Scientist / Officers from the Ministry and its Regional office at Bangalore / the CPCB / the during monitoring of the project.	It was submitted that the condition is "Noted" and assured to abide by the condition.
xxvi.	The project proponent shall upload the	Project proponent is not uploading the

21

S. No.	Conditions	Compliance status
	status of compliance of the conditions stipulated in the environmental clearance issued vide this Ministry's letter of even no. Dated 17.07.2007 in its website and updated periodically and also simultaneously send the same by e-mail to the Regional Office of the Ministry of Environment and Forests.	status of compliance of EC conditions in their company website.
xxvii.	Criteria pollutants levels including No _x , RSPM (PM ₁₀ & PM _{2.5}), So _x (from stack & Ambient air) shall be regularly monitored and results displayed in your website and also at the main gate of the power plant.	Monitored criteria pollutants levels from stack and ambient air has not been displayed in the company website and main gate of the power plant.
xxviii.	A three tier thick green belts on either side of the Colony and ash pond shall be developed to prevent fugitive emissions and status of implementation shall be reported to the Regional Office of the Ministry regularly.	Out of the 170 ha green belt area, PAs have undertaken green belt development only in 72.84 ha. Plantation work and its survival rate in the 72.84 ha area is not good. Further, the green belt of adequate width and density is not provided all around the plant boundary and ash dyke as per the EC condition.
4.	The Ministry reserves the right to revoke the clearance if conditions stipulated are not implemented to the satisfaction of the Ministry.	It was submitted that the condition is "Noted" and assured to abide by the condition.
5.	The Environment clearance accorded shall be valid for a period of 5 years to the start of production operations by the power plant.	Ministry vide letter dated 10.6.2013 extended the validity period of the environmental clearance till 16.7.2017.
6.	In case of any deviation or alternation in the project proposed from those submitted to Ministry for clearance, a fresh reference should be made to the Ministry to assess the adequacy of the condition(s) imposed and to incorporate additional environmental protection measures required, if any.	PAs have changed the name of the thermal power station as Sri Damodaram Sanjeevaiah Thermal Power Station. The land requirement of the project has been increased to 1496 acres instead of 1250 acres as mentioned in the EC dated 17.7.2007.
7.	The above stipulations would be enforced among others under the water (prevention and control of pollution) Act,1974, the Air (prevention and Control of Pollution) Act,1981, the Environmental and (protection) Act,1986 and rules there under, Hazardous wastes (Management and Handling) Rules, 1989 and its amendments, the public Liability Insurance Act,1991 and its amendments.	"Consent & Authorization" obtained from the State PCB vide letter no. APPCB/VJA/NLR/159/HO/CFO/2014-494 dated 8.5.2014 with a validity up to 31.3.2015. Public Liability Insurance has not been obtained.

22

PART III**DETAILED COMPLIANCE STATUS**

Subject: Construction of seawater intake facilities and discharge of wastewater facilities into Bay of Bengal by M/s A.P. Power Generation Corporation Limited (APPDCL), Hyderabad

Reference: F.No. 11-28/2008-IA-III dated 29.5.2008 and
F.No.11-43/2012-IA.III dated 3.9.2013

S. No.	Conditions	Compliance status
As per the EC letter No. 11-28/2008-IA-III dated 29.5.2008		
A. Specific Conditions		
i.	No objection certificate from the Andhra Pradesh State Pollution Control Board shall be obtained before initiating the project.	Consent for Establishment was obtained from APPCB vide letter no.159/PCB/CFE/RO-NLR/HO/2007 dated 1.10.2007 and vide letter dated 19.11.2012 CFE was extended with a validity up to 31.3.2015.
ii.	The project shall be implemented in such a manner that there is no damage whatsoever to the mangroves/other sensitive coastal ecosystems. If any damage to mangroves is anticipated/envisaged as a result of project activities then the clearance shall stand cancelled and the proponents shall seek fresh approval from the Ministry.	No mangroves/other sensitive coastal ecosystem is present in the area.
iii.	The project proponent shall implement all the measures that have been proposed by them in the clarification letter dated 6-5-2008 provided to the Ministry.	APPDCL vide letter dated 06.05.2008 addressed to the Ministry confirmed that the fly ash generated at 2X800 MW Thermal power station at Krishnapatnam shall not be dumped in the Sea and shall be utilized or dumped in the Ash pond designated.
iv.	The effluent to be disposed of shall meet the standards prescribed by Andhra Pradesh Pollution Control Board	PAs agreed that the blow down water standards disposed in the sea will be within the standards prescribed by Andhra Pradesh Pollution Control Board
v.	The pipelines both intake and outlet shall not cause any hindrance to the movement of the local communities including the fishermen.	No hindrance is caused to the movement of local communities including fishermen.
vi.	A continuous and comprehensive post-project marine quality monitoring programme shall be taken up. This shall include monitoring of water quality, sediment quality and biological characteristics covered in the EIA studies.	No post-project marine quality monitoring is carried out by the PAs.
vii.	It shall be ensured that there is no	PAs informed that there is no

23

S. No.	Conditions	Compliance status
	displacement of people, houses or fishing activity as a result of the project	displacement of people, houses or fishing activity due to the project.
viii.	It shall be ensured that due to the project, there is no adverse impact on the drainage of the area and recharge of groundwater. No groundwater shall be tapped in the project area falling in Coastal Regulation Zone.	It is observed that there is no adverse impact on drainage of the area and recharge of ground water due to the project activity. No ground water is tapped.
ix.	The camps of labour shall be kept outside the Coastal Regulation Zone area. Proper arrangements for cooking fuel shall be made for the labour during construction phase so as to ensure that mangroves are not cut/destroyed for this purpose.	The Civil construction work is completed. The labor camp was kept outside CRZ area. No mangroves existed in the area.
x.	There shall be display boards at critical locations along the pipeline viz., road/rail/river crossings giving emergency instructions. This will ensure prompt information regarding location of accident during any emergency. Emergency information board shall contain emergency instructions in addition to contact details. Proper lighting shall be provided all along the road.	There is no display boards kept at critical locations containing emergency related information as per the EC condition.
xi.	The project activities shall not disturb the movement of fishing vessels or fishermen.	The project activities did not disturb the movement of fishing vessels or fishermen.
xii.	It shall be ensured that during construction and post construction of the proposed jetty the movement fishermen vessels of the local communities are not interfered with.	No jetty construction is under taken and therefore no interference encountered. In place of Jetty system Open channel with groyens was approved vide F.No. 11-43/2012-IA-III, 03-09-2013 by the MoEF&CC.
xiii.	Relocation of the fishermen community shall be done strictly in accordance with the norms prescribed by the State Government. The relocated fishermen community shall be provided with all facilities including health care, education, sanitation and livelihood.	No relocation of fishermen community is necessitated during the construction phase.
xiv.	Marine ecology monitoring shall be done regularly during construction of the jetty including the dredging operation.	No jetty is constructed.
xv.	Regular monitoring of air quality shall be done in the settlement areas around the project site and appropriate safeguard measures shall be taken to ensure that the population is not subjected to higher levels of air	Monitoring of air quality, at the CRZ facilities area has not been carried out.

24

S. No.	Conditions	Compliance status
	pollution.	
xvi.	Sewage arising in the port area shall be disposed of after adequate treatment to conform to the standards stipulated by Andhra Pradesh Pollution Control Board and shall be utilized/re-cycled for gardening, plantation and irrigation.	No port facilities are envisaged by the PAs.
xvii.	Project proponent shall regularly update the Disaster Management plan from time to time.	Disaster management Plan has not been prepared by the PAs.
xviii.	There shall be no withdrawal of ground water in CRZ area, for this project. The proponent shall ensure that as a result of the proposed constructions, ingress of saline water into ground water does not take place. Piezometers shall be installed for regular monitoring for this purpose at appropriate locations on the project site.	There is no drawl of ground water. Piezometers at appropriate locations have not been installed by the PAs.
xix.	The project shall not be commissioned till the requisite water supply and electricity to the project are provided by the concerned competent authority.	The project is nearing completion and the required water supply and electricity is arranged by the contractor.
xx.	Specific arrangements for rain water harvesting shall be made in the project design and the rain water so harvested shall be optimally utilized. Details in this regard shall be furnished to this Ministry's Regional Office at Bangalore within 3 months.	Rain water harvesting is not feasible in the projects near to the coast line as opined by the scientists of NIO. However CGWA is addressed to guide in this matter and reply is awaited
xxi.	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 as amended subsequently.	Facilities constructed in CRZ area are in conformity with CRZ notification.
xxii.	Land reclamation shall be carried out only to the extent that it is essential for this project.	No Land reclamation is made.
xxiii.	Green buffer zone shall be provided all around the project area in consultation with local forest department and the report submitted to this Ministry's Regional Office at Bangalore.	Green buffer zones has not been provided by the PAs
xxiv.	No product other than those permissible in the Coastal Regional Zone Notification, 1991 shall be stored in the Coastal Regulation Zone area.	No product is stored in CRZ area.
B. General Conditions:		
i.	Construction of the proposed structures shall be undertaken meticulously confirming to the existing	PAs informed that the structures undertaken are conforming to central/local rules & regulations.

25

S. No.	Conditions	Compliance status
	Central/local rules and regulations. All the construction designs/drawings relating to the proposed construction activities must have approvals of the concerned State Government Department/Agencies.	
ii.	The project authorities shall take appropriate community development and welfare measures for the villagers in the vicinity of the project site, including drinking water facilities. A separate fund shall be allocated for this purpose.	During the construction phase community development and welfare measures for the villagers in the vicinity of the project site, including drinking water facilities are undertaken by the contractor. The activities will be continued under the CSR activities of the main project for which a separate fund is allocated for this purpose. Further, it was informed that APPDCL has incurred an expenditure of Rs.6.08 crores under the CSR activities.
iii.	To meet any emergency situation, appropriate fire-fighting system shall be installed. Appropriate arrangements for uninterrupted power supply to the environment protection equipment and continuous water supply for the firefighting system shall be made.	Fire fighting system is provided.
iv.	A separate Environment Management Cell with suitably qualified staff to carry out various environment related functions shall be set up under the charge of a Senior Executive who will report directly to the Chief Executive of the Company.	A separate environment management cell with qualified staff has already been set up to report to the chief executive of the company
v.	The funds earmarked for environment protection measures shall be maintained in a separate account and there shall be no diversion of these funds for any other purpose. A year-wise expenditure on environmental safeguards shall be reported to this Ministry's Regular Office at Bangalore.	Fund provision as shown in point no.9 of Part - I has been made.
vi.	Full support shall be extended to the officers of this Ministry's Regional Office at Bangalore and the officers of the Central and State Pollution Control Board by the project proponents during their inspection for monitoring purposes, by furnishing full details and action plans including the action taken reports in respect of mitigative measures and other environmental protection activities.	It was submitted that the condition is "Noted" and assured to abide by the condition.

26

S. No.	Conditions	Compliance status
vii.	In case of deviation or alteration in the project including the implementing agency, a fresh reference shall be made to this Ministry's for modification in the clearance conditions or imposition of new one for ensuring environmental protection. The project proponent shall be responsible for implementing the suggested safeguard measures.	It was submitted that the condition is "Noted" and assured to abide by the condition.
viii.	This Ministry reserves the right to revoke this clearance, if any of the conditions stipulated are not complied with to the satisfaction of this Ministry.	It was submitted that the condition is "Noted" and assured to abide by the condition.
ix.	This ministry or any other competent authority may stipulate any other additional conditions subsequently, if deemed necessary, for environmental protection, which shall be complied with.	It was submitted that the condition is "Noted" and assured to abide by the condition.
x.	A copy of the clearance letter shall be marked to the concerned Panchayat/local NGO, if any, from whom any suggestion/representation has been received while processing the proposal.	Reportedly complied.
xi.	State pollution control Board/Committee shall display a copy of the clearance letter at the District Industries Center and Collector's Office/Tahsildar's Office for 30 days.	Reportedly complied.
xii.	The project proponent shall advertise at least in two local newspapers widely circulated in the region around the project, one of which shall be in the vernacular language of the locality concerned informing that the project has been accorded environmental clearance and copies of clearance letters are available with Andhra Pradesh State Pollution Control Board and may also be seen at website of the Ministry of Environment & Forests at http://www/envfor.nic.in	Advertised was given in 2 local newspapers in English (Deccan chronicle) & Telugu (Sakshi) on 28.06.2008.
xiii.	The project proponents shall inform Regional Office Bangalore 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 work.	PA's informed that the financial closure and final approval of the project is inclusive in the budget provision of main power plant

S. No.	Conditions	Compliance status
xiv.	The project proponent will obtain the Forest clearance for the land passing through the Reserved Forest area before commencement of the project activities in forest area.	PAs informed that there is no reserved forest area in the project site.
xv.	So as to maintain ecological features an avoid damage to the ecosystem, movement of vehicles in the Inter Tidal Zone shall be restricted to the minimum.	PAs informed that there is no movement of vehicles in the inter tidal zone.
xvi.	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
As per the EC amendment letter no.11-43/2012-IA.III dated 3.9.2013		
6.	Special conditions:-	
i.	All conditions stipulated by Andhra Pradesh Coastal Zone Management Authority shall be strictly complied with.	Being complied. Details are at Annex II.
ii.	Screens and trash bars shall be provided to avoid entry of fishes and fish larve in to the system. Shall provide separate budgetary provision for maintenance of system proposed for prevention of entry of marine line into the intake system.	Screens & trash tracks are installed well before the entry point of water into the system. Proposed budget for fish barrier system is 46 Crores.
iii.	Periodical monitoring of the receiving body at the discharge point shall be done and report be submitted along with the six monthly monitoring reports.	PAs informed that the out fall works are to be completed in full shape. The report on periodic samples collected at outfall will be reported by the Environment Monitoring Cell on completion of all facilities.
iv.	No construction works other that those permitted in Coastal Regulation Zone Notification shall be carried out in Coastal regulation Zone area.	No construction work other than permitted is taken up in CRZ area.
v.	No mangroves or other ecological important areas shall be destroyed.	No mangroves or ecologically important areas are existing in the project area.
vi.	the project proponent shall provide adequate funds in the Environmental Management Plan of the project.	Fund provision as shown in point no.9 of Part – I has been made.
vii.	It shall be ensured that the fishing/fisherman communities not be disturbed during operation of the project.	PAs informed that there will be no disturbance to the fishermen/fishing activities during the operation of the project.
viii.	All other conditions as stipulated in the earlier clearance shall remain unchanged and shall be strictly adhered by the proponent.	PAs informed that conditions like providing Jetty system which is modified later are to be removed as they no longer applicable. Removal of such non-applicable condition

S. No.	Conditions	Compliance status
		is to be sought from MOEF separately at a later date.
7.	General Conditions:-	
i.	The Construction of the structure should be undertaken as per the plans approved by the concerned local authorities/local administration, meticulously confirming to the existing local and Central rules and regulations including the provisions of Coastal Regulation Zone Notification 2011 and the approved Coastal Zone Management plan of Andhra Pradesh.	Construction carried out as per approved plans.
ii.	In the event of any change in the project profile a fresh reference shall be made to the Ministry of Environment and Forests.	It was submitted that the condition is "Noted" and assured to abide by the condition.
iii.	This Ministry reserves the right to revoke this clearance, if any, of the conditions stipulated are not complied with to the satisfaction of this Ministry.	It was submitted that the condition is "Noted" and assured to abide by the condition.
iv.	This Ministry or any other competent authority may stipulate any additional conditions subsequently, if deemed necessary, for environmental protection, which shall be complied with.	It was submitted that the condition is "Noted" and assured to abide by the condition.
v.	Full support should be extended to the officers of this Ministry's Regional Office at Bangalore and the offices of the Central and State Pollution Control Board by the Project proponent full during their inspection for monitoring purpose, by furnishing full details and action plans including the action plans including the action taken reports in respect of mitigative measures and other environmental protection activities.	It was submitted that the condition is "Noted" and assured to abide by the condition.
8.	These stipulations would be enforced among other under the provisions of water (Prevention and Control of Pollution) Act, 1974 the Environment (Protection) Act, 1986, the Public Liability (Insurance) Act, 1991 and Municipal Solid Wastes (Management and Handling) Rules, 2000 including the amendments and rules made thereafter.	"Consent & Authorization" obtained from the State PCB vide letter no. APPCB/VJA/NLR/159/HO/CFO/2014-494 dated 8.5.2014 with a validity up to 31.3.2015. Public Liability Insurance has not been obtained.
9.	All other statutory clearances such as the approvals for storage of diesel from Chief Controller of Explosives, Fire	PAs informed that all other statutory clearances have been obtained.

29

S. No.	Conditions	Compliance status
	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.	
10.	The project proponent should advertise in at least two local Newspapers widely circulated in the region, one of which shall be in the vernacular language.	Advertisement was given in 2 local newspapers widely circulated in the region in Telugu (Eenadu) & Telugu (Sakshi) languages on 26.09.2013. Paper advertisement about EC is not done in English language.
11.	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.	It was submitted that the condition is "Noted" and assured to abide by the condition.
12.	A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zilla Parishad/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.	Reportedly complied.
13.	The proponent shall upload the status of compliance of the stipulated clearance 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 MoEF, the respective Zonal Office of CPCB and the SPCB. The criteria pollutant levels namely; SPM, RSPM, So ₂ , NO _x (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.	PAs are not uploading the status of compliance of the EC conditions, monitored data in their company website. Monitored criteria pollutants levels from stack and ambient air has not been displayed in the company website and main gate of the power plant.
14.	The project proponent shall also submit six monthly reports on the status of compliance of the stipulated clearance conditions including results of monitored data (both in hard copies as well as by e-mail) to the respective Regional Office of MoEF, the respective Zonal Office of CPCB and the SPCB.	PAs have not submitted the single six monthly compliance report so far to the MoEF & CC RO.

S. No.	Conditions	Compliance status
15.	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 MoEF by e-mail.	PAs have not submitted the Environmental Statement to the MoEF&CC RO and also not uploaded on their website.

Comments and End note:-

1. **Chronology of events:** Project proponent has requested the Regional Office of the MoEF&CC for the certified compliance report vide letter dated 23.9.2014. The site inspection was done on 11.11.2014. The information sought during the site visit was submitted by the project proponent vide letter dated 18.11.2014.
2. **Status of implementation of stipulated conditions:-** It is inferred from above that the project proponent is not complying the following stipulated conditions of the Environmental Clearance:-

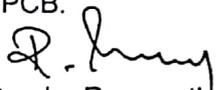
A. W.r. to the letter. No. J-13011/20/2007-IA-II (T) dated 17.7.07, 3.5.12 and 10.6.13:-

- i. Rain water harvesting system has not been adopted (Condition no.xii)
- ii. No groundwater monitoring including heavy metal is undertaken around the ash dyke and the project area (Condition no.xiv)
- iii. Noise level was not monitored by the PAs during the construction activities & trial operations of Unit I and no records have been maintained. Further, no protective device has been provided to the people working in the high noise area during the site visit (Condition no.xv)
- iv. Out of the 170 ha green belt area, green belt development has been undertaken only in 72.84 ha. Plantation work and its survival rate in the 72.84 ha area is not satisfactory. Further, the green belt of adequate width and density is not provided all around the plant boundary and ash dyke as per the EC condition (Condition no.xxii & xxviii)
- v. Six monthly compliance reports in hard and soft copies along with the monitored data are not being regularly submitted to the MoEF&CC, RO (Condition no.xxvi)
- vi. Monitored criteria pollutants levels from stack and ambient air has not been displayed in the company website and main gate of the power plant (Condition no.xxvii)
- vii. Name change of EC from M/s Andhra Pradesh Power Development Company Limited to M/s Sri Damodaram Sanjeevaiah Thermal Power Station has not been obtained. Further, the land requirement of the project has been increased to 1496 acres instead of 1250 acres as mentioned in the EC dated 17.7.2007. (Paragraph no.6)
- viii. Public Liability Insurance has not been obtained (Paragraph no.7)

31

B. W.r. to the letter. No. 11-28/2008-IA-III dated 29.5.08 and letter no. 11-43/2012-IA.III dated 3.9.13:-

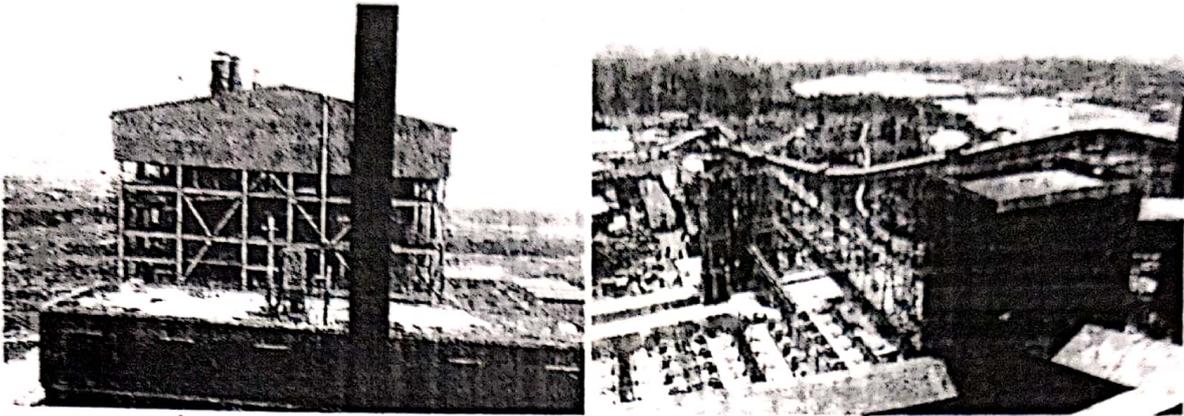
- i. No post-project marine quality environmental monitoring is carried out (specific condition no. vi)
 - ii. There is no display boards kept at critical locations containing emergency related information as per the EC condition (specific condition no. x)
 - iii. Monitoring of air quality at the CRZ facilities area has not been carried out (specific condition no. xv)
 - iv. Piezometers at appropriate locations have not been installed (specific condition no. xviii)
 - v. Green buffer zones has not been provided as stipulated in the EC condition (specific condition no. xviii)
 - vi. Public Liability Insurance has not been obtained (paragraph no.8)
 - vii. Not uploading the status of compliance of the EC conditions, monitored data in their company website. Monitored criteria pollutants levels from stack and ambient air has not been displayed in the company website and main gate of the power plant (paragraph no.13)
 - viii. Not submitted the single six monthly compliance report so far to the MoEF&CC RO (paragraph no.14)
 - ix. Not submitted the Environmental Statement to the MoEF&CC RO and also not uploaded on their company website (paragraph no.15)
- 3. Housekeeping:** It requires improvement
- 4. Review w.r.to MoEF O.M. dated 30.5.2012:** The above mentioned project was prepared after site visit for the proposed expansion and implementation of stipulation was reviewed as on 11.11.2014.
- 5. Court cases:** Project proponent informed that there is no court case pertaining to environment against them.
- 6. With regard to issuance of show cause/closure notices:-** Project proponent has informed that no show cause/closure notices were issued by the SPCB.


(Sundar Ramanathan)
Scientist 'C'

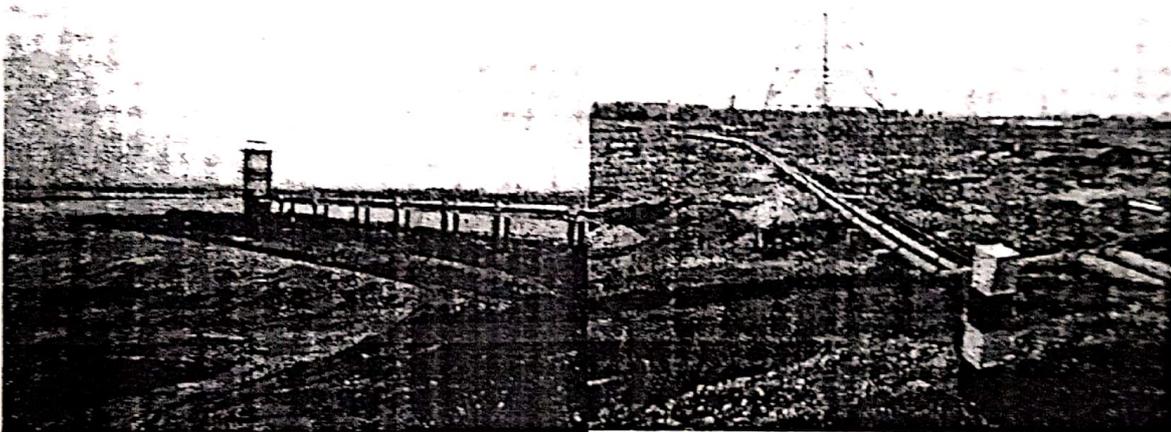
32

Annex - I

(i) Plant site photographs:-



(ii) Ash pond photographs:-



(iii) Green belt photographs



33

Annex- II**Andhra Pradesh State Coastal Zone management Authority
Recommendations and conditions vide Minutes of meeting dated 31-01-
2012 on APPDCL 's modified proposal of Sea Water intake and Outfall
facilities.**

Sl.NO.	Condition	Compliance
1	Proponent shall explore the possibilities for common intake channel system for their unit and neighboring units to minimize the dredging/cutting of the beach front.	Explored possibility with M/s CAPL later given up as M/s CAPL's Project is delayed and works are abandoned.
2	The capital dredge material shall not be dumped into sea and shall not be utilized for refilling/reclamation of the site. The dredged material shall exclusively be utilized for nourishing the shoreline and preferably the beach front on the north of northern groyne.	The dredged material is utilized for nourishing the shoreline on the North side of North groyne.
3	The beach front shall be restored to the normal condition by adopting suitable engineering and vegetative measures.	Beach front is not disturbed.
4	The computed littoral drift value of 0.15 million cum per year from south to north needs to be verified as it appears to be very low.	Computed littoral drift value is only 0.8 million cum per year from south to North as per the latest study of IITM, Chennai .
5	Shoreline monitoring shall be carried out regularly by a reputed organization having requisite experience to maintain natural balance.	At present the shoreline monitoring is being done through M/s WAPCOS& IITM, Chennai.
6	The geographical position of the present HTL, LTL and slope of the beaches shall be maintained i.e. any erosion that may occur need to be prevented.	The geographical position of present HTL, LTL & Slope of the beach is not disturbed etc.,
7	The monitoring of the impacts on environment is required to be carried by the academic institutions.	Monitoring is being done through M/s WAPCOS & IITM, Chennai.
8	All other conditions shall remain same as stipulated in the earlier clearance and shall be effectively implemented.	Noted.