

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI.**

Original Application No.122 of 2021

R. Ravimaran,
S/o. Ramachandran,
No.42, Beach Road, Thazhankuppam,
Ennore, Chennai-600 057.

...Applicant

Vs

Union of India,
Rep by its Secretary,
The Ministry of Environment,
Forest and Climate Change,
Jorbagh, New Delhi.

... Respondents

INDEX

S.No	DESCRIPTION	Page No.
1.	REPORT FILED ON BEHALF OF THE 6 TH RESPONDENT – TAMIL NADU POLLUTION CONTROL BOARD.	1 – 8

Filed by
Thiru. S. Sai Sathya Jith,
Advocate, Chennai.

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI.**

Original Application No.122 of 2021

R. Ravimaran,
S/o. Ramachandran,
No.42, Beach Road, Thazhankuppam,
Ennore, Chennai-600 057.

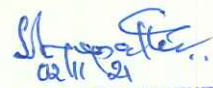
...Applicant

Vs

1. Union of India,
Rep by its Secretary,
The Ministry of Environment,
Forest and Climate Change,
Jorbagh, New Delhi.
2. The Tamil Nadu Coastal Zone
Management Authority,
Rep by its Director,
Department of Environment,
No.1, Jeenis Road, Panagal Building,
Ground Floor, Saidapet, Chennai-600 015.
3. The Public Works Department,
State of Tamil Nadu,
Rep. by its Secretary,
Fort St. George,
Chennai.
4. Tamil Nadu Generation and Distribution
Corporation (TANGEDCO),
Rep by its Chairman cum Managing Director,
10th Floor, NPKRR Maaligai, 144 Anna Salai,
Chennai – 600 002.
5. North Chennai Thermal Power Station
Rep by its Chief Engineer,
Athipattu, Chennai, Thiruvallur (District)-600 120.
6. The Tamil Nadu Pollution Control Board,
Rep by its Member Secretary,
No.76, Mount Salai,
Chennai-600 032.

... Respondents

*Sign with
date pl*


JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD,
No.76, MOUNT SALAI, CHENNAI-600 032.

REPORT FILED ON BEHALF OF THE 6TH RESPONDENT
TAMIL NADU POLLUTION CONTROL BOARD.

I, S. Ragupathi, S/o. R. Sanganan, Hindu, aged about 57 years, having office at No.76, Mount Salai, Guindy, Chennai-600 032, do hereby solemnly affirm and sincerely state as follows:-

1. I am the Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board and I am filing this Report on behalf of the 6th Respondents Board and as such I am well acquainted with the facts of the case as per records.

2. It is respectfully submitted that the Hon'ble National Green Tribunal(SZ), Chennai in its order dated.07.06.2021 in O.A.No.122 of 2021 directed as follows:

"Para 15 : the members of the committee as well as the official respondents immediately through e-mail, so as to enable them to comply with the direction and for filing their independent response to the allegations made in the application and also for filing their independent report as directed by this Tribunal"

3. It is respectfully submitted that, in compliance of the above Hon'ble NGT order, the area was inspected by officials of the JCEE(M), TNPCB, Chennai on 14.07.2021. During inspection, the following were observed:

- i) Water is being used for pumping out the ash slurry, generated by burning of coal in Stage I and Stage II of North Chennai Thermal Power Plants, into the ash pond, which is filtered and put into reuse. Everyday about 48,000 Tons of wet ash slurry is

being pumped into ash pond which contributes 3,300 Tons of Fly ash.

- ii) The ash pond is located about 5kms from the Thermal Plant sprawling at an area of about 245 Hectares.
- iii) The total quantity of ash deposited was 65 Lakh Cubic metre, out of which 22 Lakh Cubic metre has been already removed and transported. Hence left out with 43 Lakh cu.m of ash at present.
- iv) Both the Stage-1 & 2 Thermal Power Plants have been designed for 40% Wet bottom and hence generation of ash slurry is inevitable. Only the Stage-3 Thermal Power Plant is designed for a dry bottom and hence ash will be disposed to the ash pond as a contingency plan in case of emergency only.
- v) The pipelines of Stage-1 were commissioned during 1994-95 and hence more than 25 years old. They have become rustic, corroded and brittle with numerous cracks. There are total 8 Nos. of series of pipelines of which 5 Nos. carry ash slurry and 3 Nos. being used for recycling the filtered water.
- vi) Out of the above 5 Nos of pipelines, Line 1 & 5 were replaced and got completed during August 2020. These pipes are old used pipelines brought from Ennore Thermal Power Station (ETPS). They are Cast Basalt-lined having an outer diameter of 406 mm and Inner diameter of 356mm. Replacement of Line 2 & 3 is in progress with new Cast Basalt pipes, but for Line 4, the unit is yet to procure new pipes. The TANGEDCO has committed a timeline for replacement of all the 5 Nos. of pipelines by December 2021, to comply with the orders of the Hon'ble Tribunal in Applications No.8 of 2016, 152 of 2016 & 198 of 2016.
- vii) Both the series of ash pipelines of Stage-1 & 2 comprising 13 Nos.(8+5) starts near the Stage-2 Entrance Gate outside,

cross the adjoining Buckingham Canal and Backwaters by supporting bridges.

viii) The pipelines cross across Buckingham Canal, Backwaters and the Ash Pond. Although leakage of fly ash from pipelines were not noticed at the time of inspection, accumulation of fly ash deposits still persists in Backwaters and Buckingham Canal, due to the leakage of ash slurry from the ageing pipes. As a result, Buckingham canal and backwaters have become a cesspool of ash. The ash pond is found deposited with huge quantum of ash to an average depth of about 4 metre. Excavation and transportation of ash from the ash pond is noticed and requires removal on large scale. The earthen bund is about 7 metre height surrounding the ash pond of which a portion of bund has been raised another 3 metre height to augment the storage of ash. Raising of bund for the entire circumference is incomplete. The pond is devoid of Geomembrane lining. There are no mechanisms for spraying / trickling of water to control spreading of ash in the air causing air pollution.

ix) Laying of ash pipelines for Stage-3 (3 lines reported as one for Fly ash slurry, one for Bottom ash slurry and third one for recovery of water from Ash pond) was in progress and the pipelines will be laid parallel to the existing pipelines of Stage-1 & 2. It crosses the Buckingham Canal and the adjoining Backwaters by RCC supporting Bridges. Piling work for the supporting Bridges and laying of pipelines were stopped temporarily and it was reported that the unit has stopped the piling work and pipeline laying due to the case filed before the Tribunal.


JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD,
No.75, MOUNT SALAI, CHENNAI-600 032.



**Partially completed ash slurry pipelines for the M/s.NCTPS
Stage-III**

4. It is respectfully submitted that Combined Environmental Clearance for expansion of 1 x 800MW North Chennai Thermal Power Plant (Stage-3) and CRZ clearance for the following foreshore facilities at villages of Ennore & Puzhuvdivakkam in Ponneri Taluk of Thiruvallur District has been granted by the MoEF & CC dated 20.01.2016 with certain conditions. The validity of EC is up to 7 years from the date of issue i.e 19.01.2023.

- a) Coal conveyor having length of 3.5 km and elevation of 6 m for coal transportation from Ennore Port to NCTPS Stage - III TPP.
- b) Supporting trestles (Steel frames) for coal conveyor at about 6 m/8 m from ground level.
- c) Sea water intake from fore bay of NCTPS stage –II intake & outlet pipe to pre cooling channel of NCTPS for discharge with intake pipe length of 3 km and outlet pipe length of 1.5 km
- d) GRP(Glass reinforced Plastic) pipes on the ground level for cooling water inlet and coolant water outlet.

5. It is respectfully submitted that vide para 6 of EC issued, it is mentioned that the fly ash and bottom ash would be collected and stored in the silos and supplied to cement/brick industries for manufacturing cement and bricks. 100% dry fly ash collection will be done by providing pressurized dry fly ash collection system.

6. It is submitted that on scrutiny of the Environmental clearance and CRZ Clearance, it is noticed that there is no specific mentioning about the laying of pipelines in CRZ area for conveying the bottom ash to the ash dyke or bring back the ash pond water from the ash dyke to the plant for reuse except the mentioning of "Ash pond water will be collected, treated and reused for slurry making".

7. It is respectfully submitted that the TANGEDCO must strictly fulfil and comply with the conditions imposed in the Environmental Clearance and CRZ Clearance without violations and deviations for Stage-3 TPP, unlike the environmental damage already caused by the operation of Stage-1 & 2 Thermal Plants due to ash deposit in the water bodies and the air-borne fly ash in the nearby villages causing nuisance and air pollution.

8. It is further submitted that the leakage of ash pipelines provided for NCTPP Stage 1 and accumulation of fly ash in Buckingham Canal and Backwaters has become an everyday phenomena and these facts have been already dealt by the Hon'ble Tribunal (SZ) in Applications No.8 of 2016, 152 of 2016 & 198 of 2016. In this regard, the Hon'ble Tribunal (SZ) constituted an Expert Committee comprising Central

Pollution Control Board (CPCB), IIT, Madras, TamilNadu Pollution Control Board (TNPCB) in its order dated 25.05.2019 to ascertain the status of fly ash / bottom ash disposal, damage caused to the environment, environmental compensation if so what is the nature of damage caused and remedial measures to be taken and also assess the environmental compensation for the damage caused to the environment. Also, Hon'ble Green Tribunal (SZ) passed orders dated December 21, 2017 to deposit the required funds to PWD/WRD for removing the accumulated fly ash from Buckingham Canal & Backwaters and also ordered TANGEDCO to replace the ash slurry pipes as early.

In pursuance to the orders dated December 21, 2017 in Applications No.8 of 2016, 152 of 2016 & 198 of 2016 by the Hon'ble National Green Tribunal (SZ), TANGEDCO deposited a sum of Rs.28.50 Crores to PWD/ WRD for the work of Dredging the Backwaters (Kosathalaiyar River) deposited with fly ash between NCTPS Main gate up to KPL (Kamarajar Port Limited) Main gate for a length of 2400 metres. In addition, they had also deposited Rs.66.23 Lakhs for removal of fly ash deposited in the adjoining Buckingham Canal between NCTPS Main gate up to KPL Main gate for a length of 2400 metres. Though the works have been reported to be completed in all aspects by December 2020, accumulation of fly ash still persist in the completed stretch of Buckingham Canal.

Further, the TANGEDCO has remitted an amount of Rs 16.461 Crores as Environmental Compensation for the period from


02/11/21
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD,

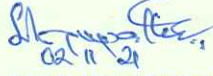
01.11.2004 to 12.11.2019 as assessed by the TNPC Board based on the findings of the violations noticed by the Joint committee constituted by the Hon'ble NGT in the above said cases.

Under the above circumstances, it is humbly prayed that this Hon'ble National Green Tribunal (Southern Zone) may be pleased to pass such order as it may deem fit and proper in this facts and circumstance of the case and thus render justice.


02.11.21
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD,
No.76, MOUNT SALAI, CHENNAI-600 032,
BEFORE ME

VERIFICATION

I, S. Ragupathi, S/o. Thiru. Sanganan , working as Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai, do hereby verify that the contents of above report are true to the best of my knowledge through records.


02.11.21
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD,
No.76, MOUNT SALAI, CHENNAI-600 032.

**BEFORE THE HON'BLE NATIONAL
GREEN TRIBUNAL SOUTHERN
ZONE, CHENNAI.**

**Original Application No.122 of
2021(SZ)**

R. Ravimaran,
S/o. Ramachandran,
No.42, Beach Road,
Thazhankuppam,
Ennore, Chennai-600 057.

...Applicant

Vs

Union of India,
Rep by its Secretary,
The Ministry of Environment,
Forest and Climate Change,
Jorbagh, New Delhi.

... Respondents

**REPORT FILED ON BEHALF OF
THE 6TH RESPONDENT – TAMIL
NADU POLLUTION CONTROL
BOARD.**

**Advocate for Respondent : 6th
Thiru.S. Sai Sathya Jith,
Advocate, Chennai.**

Date:03.11.2021.

Date of hearing on:22.11.2021