

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI
ORIGINAL APPLICATION NO.180 of 2023 (SZ)**

IN THE MATTER OF

Tribunal on its own motion SUOMOTU
based on the Visual media titled
Chennai Rains MakkalaiVathaikkum Oil
Companies- Shocking Story - Michaung
Ground Report covered by on VIKATAN TV
Chennai dt.06.12.2023.

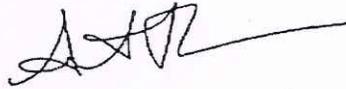
Vs.

The District Collector Chennai District
And Ors.

...Respondents

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Filed by
Thiru.Sai Sathya Jith
Advocate, Chennai.

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SOUTHERN ZONE- CHENNAI
ORIGINAL APPLICATION NO.180 of 2023(SZ)**

IN THE MATTER OF

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with

The District Collector Chennai District

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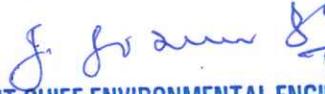
**REPORT FILED ON BEHALF OF THE RESPONDENT -
TAMIL NADU POLLUTION CONTROL BOARD**

I, J. Josephine Sahayarani, D/o. Jesu Rajan, Christian, aged about 57 years, having my office at 76, Mount Salai, Guindy, Chennai-600032, do hereby solemnly affirm and sincerely state as follows:-

1. I am the Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board (TNPCB), Chennai -600 032, and I am authorized to file this Report duly approved by the Chairperson as on behalf of the Respondent Tamil Nadu Pollution Control Board (TNPCB). I am well acquainted with the facts of the case from the records.
2. It is respectfully submitted that as per the Order dated 9.12.2023 passed by the Hon'ble Tribunal in O.A No: 180 of 2023(SZ), a detailed report was filed before this Hon'ble Tribunal on 11.12.2023.
3. It is respectfully submitted that as per the order dated 14.12.2023 passed by the Hon'ble Tribunal in O.A.No.180 of 2023, I am filing this further status cum action taken report as follows.

ACTION AGAINST CPCL

4. It is respectfully submitted that TNPCB has issued direction vide proceeding dated 11.12.2023 under Section 33A of the Water (Prevention

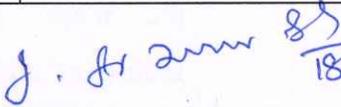

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and Control of Pollution) Act, 1974 to M/s. Chennai Petroleum Corporation Limited (CPCL), Refinery I,II and III, Manali Village, Thiruvottiyur Taluk, Chennai District to comply with following conditions

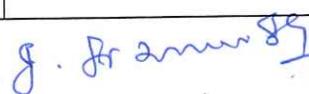
- a) M/s. CPCL shall identify hotspots in Buckingham Canal, Ennore Creek and adjoining area where the oil deposits /oil slick are stagnated and take necessary remedial measures on war footing basis.
 - b) M/s. CPCL and its secondary units and terminals shall ensure that all pipelines (raw materials and products) and tanks are intact with no leakage. If CPCL is found to discharge oil containing water/polluted water against the norms set out for industries under provisions of the Water (Prevention and Control of Pollution) Act, 1974, their operations are liable to be suspended.
 - c) M/s. CPCL shall also be liable to pay environmental compensation for any damages caused in contravention of the extant provisions under the Water (Prevention and Control of Pollution) Act, 1974.
 - d) M/s. CPCL shall also be liable to pay compensation to the families adversely impacted due to the oil spillage including the loss of livelihood.
 - e) M/s. CPCL shall carry out a Leak Detection & Repair Study (LDAR) with the help of a reputed technical institution and furnish the same to the Board immediately.
 - f) M/s. CPCL shall undertake a comprehensive mapping study with a reputed technical institution to identify oil spread areas and furnish the report with Action Plan to the Board immediately.
 - g) M/s. CPCL is directed to ensure that no such occurrence happens in future
5. It is respectfully submitted that the Board has directed the unit of M/s. CPCL to carry out the following vide Lr. No: T6/TNPCB/ F.12753/ 2023 dated:14.12.2023:
- a) Undertake a complete estimation of oil spill in the area with the help of Experts, CPCL and Coast Guard.

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<p>of the Water (Prevention and Control of Pollution) Act, 1974, their operations are liable to be suspended.</p>	<p>instances, including cyclones Vardah, Gaja, Nivar and the 2015 floods, CPCL has demonstrated its capability to prevent release of water contaminated with oil.</p> <p>ii. Cyclone Michaung brought 36 hours of incessant rain, causing severe flooding in CPCL Manali Refinery. The storm water system of CPCL was handling this flood situation, however, the discharge of 48,000 cusecs of water from Poondi and Puzhal reservoirs worsened the situation. The District administration was promptly informed about the situation and CPCL management requested to regulate the discharge of water from the reservoirs to prevent complete flooding of the refinery.</p> <p>iii. All the industries in the Manali area were also affected severely by flooding.</p> <p>iv. Level in canal also increased around 1 m</p>	<p>09.12.2023 and 11.12.2023 it was noticed that patches of oil deposits were found on either side of storm water drain and kerb side of internal roadways of CPCL premises. An oil slick was found in the storm water pond C and also at the connect point of the storm water pond A. In view of huge quantity of oil used and the inadequate storm water management and storm water storage ponds, there is a clear evidence that the oil has leaked from CPCL into the Buckingham Canal.</p>
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		above normal storm water level causing reverse flow. Due to high water levels in the refinery, there is a possibility of comingling of flood water with traces of oil in the refinery, while getting drained in the Canal.	
c.	M/s. CPCL shall also be liable to pay environmental compensation for any damages caused in contravention of the extant provisions under the Water (Prevention and Control of Pollution) Act, 1974.	As explained in previous paras, there was no violation from CPCL's side. The incident occurred due to uncontrolled release of water from reservoirs without prior notice or warning for suitable remedial measures. This is an apt condition of Force Majeure for CPCL.	M/s. CPCL informed that the incident occurred under unforeseeable circumstances due to uncontrolled release of water from reservoirs following heavy downpour.
d.	M/s. CPCL shall also be liable to pay compensation to the families adversely impacted due to the oil spillage including the loss of livelihood.	CPCL, as a responsible corporate citizen has taken the lead in providing relief measures. Mobile medical units have been deployed in villages near Ennore creek, and medicines handed over. Rice, groceries and other essential items have been handed to over 6000 families	Though the unit has provided relief measures, it is liable to pay compensation to the families adversely impacted.


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		through the nodal officer. Cleaning of houses in affected areas has been initiated in coordination with State authorities.	
e.	M/s. CPCL shall carry out a Leak Detection & Repair Study (LDAR) with the help of a reputed technical institution and furnish the same to the Board immediately.	CPCL is carrying out Leak Detection & Repair Study every year & submitting reports regularly.	Complied with
f.	M/s. CPCL shall undertake a comprehensive mapping study with a reputed technical institution to identify oil spread areas and furnish the report with Action Plan to the Board immediately.	CPCL is in the process of lining up a reputed agency to carry out oil spill mapping. Target for completion of Job: Jan' 24.	M/s. CPCL has agreed to comply with.
g.	M/s. CPCL is directed to ensure that no such occurrence happens in future	Will be ensured. However, infrastructure development to avoid flooding of refinery w.r.t. release of water from reservoirs shall be further taken up with Water Resource Department, Government of Tamil Nadu.	M/s. CPCL has agreed to comply with.

J. Aravind ⁸³
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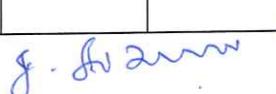
DETAILS OF REMOVAL OF OIL

8. It is respectfully submitted that the details of the agencies carrying out oil cleaning operations as on 16.12.2023 are as follows :

Sl. No	Stretch Name	Distance (Km)	Agency Engaged	Manpower (Trained/ Casual) (Nos)	Machinery	Dead Line to complete remaining work	Contact Persons with Mobile No
1.	Nettukuppam to Ennore Bridge	1.5	M/s. Viraj Clean Sea Enterprises	80 (47 Trained + 33 Local Fishermen) 440 (110 Boats x 4 persons) Total = 520	Boat – 110 Gully sucker – 5 Boom – 4	19.12.2023	Thiru. Praveen Mittal Contact No: 8879698168
2.	Ennore Bridge to Railway Bridge (Kattukuppakam)	0.350	M/s.Vens Hydra Lift Pvt Ltd	20	Skimmer – 1 No Gully Sucker – 2 No Boom – 500 m	19.12.2023	Thiru . Sumesh Contact No: 7373256717
3.	Railway Bridge to entrance of Buckingham canal	1	M/s.Sea Care Services	56	Jet washer- 2 Boat – 2 Skimmer – 2 Oil boom – 100 m Flushing Pumps -2	19.12.2023	Thriu. Subhash Sagar Contact No: 9082127449
4.	Buckingham canal to Sathyayamurthy Nager	6	M/s. Neowin India Ltd	20	Boat – 2 No Hydro jet – 2 No	19.12.2023	Tmt. Rupa Contact No: 7338812224

9. It is respectfully submitted that the details of activities carried out, machinery used, man power deployed and collection of Oil Effluent/Sludge/oil soaked soil are as follows

Date	Activities carried out	Machineries used	Man Power used	Oil water /Sludge recovered
12.12.2023	a) The fishermen community have raised severe objections and have demanded assurance from the authorized government authorities for provision of due compensation for the damages caused by the oil spill to their boats, nets and other equipment's and loss of livelihood due to the incident. b) Negotiations were conducted with the support of the officials from the Fisheries	i. Boats –57 Nos ii. Oil Boom 300 m and 75 m long installed iii. JCB – 4 Nos. iv. Lorry – 3 Nos. v. Tempo – 1 No. vi. Tractor – 1 No. vii. Tankers to suck oil – 3 Nos.	143 Nos	i. 220 liters capacity barrels - 21 Nos.

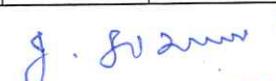

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	<p>department.</p> <p>c) The representatives from the 8 villages have discussed among themselves and have informed us that the oil spill removal work can commence soon after the visit by the Central Monitoring team.</p> <p>d) Removal of oil by deployment of Oil booms near the Ennore Creek (MugathuvaraKuppam Bridge) and removal of oil by suction pump works have started near Ennore Creek area.</p> <p>e) Boom of 300m and 75 m long has been placed and 57 boats were engaged in collecting the oily material from Ennore creek area</p>			
13.12.2023	<p>a) The soil affected by oily slick was scrapped with the help of four JCBs, two tractors and one lorry dipper.</p> <p>b) Removal of oil by deployment of Oil booms and oil skimmer near the Ennore Creek and removal of oil through suction pump was carried out near Ennore Creek area.</p> <p>c) A total Boom of 850m and 225 m long has been placed,</p> <p>d) 1 no. of oil skimmer and 75 boats were engaged in collecting the oily material from Ennore creek area</p>	<p>i. Boats -75 Nos.</p> <p>ii. Oil Boom 300 m and 75 m long installed</p> <p>iii. Oil Skimmer - 1 No.</p> <p>iv. JCB -4 Nos.</p> <p>v. Lorry - 3 Nos.</p> <p>vi. Tempo - 1 No.</p> <p>vii. Tractor -2 No.</p> <p>viii. Tankers to suck oil - 3 Nos.</p>	229 Nos	<p>i. 20 T of soil affected by oil slick was sent to CPCL premises.</p> <p>ii. 220 litres capacity barrels - 33 Nos.</p>
14.12.2023	<p>a) At Nettukuppam, the soil affected by oily slick was scrapped with the help of JCBs, tractors and lorry dipper.</p> <p>b) At Kattu Kuppam, Shore cleaning activity started with JCBs</p> <p>c) Removal of oil by deployment of Oil booms and oil skimmer near Mugathuvara Kuppam. Two oil skimmers were used to</p>	<p>i. Boats utilized - 103</p> <p>ii. tipper/trucks/ tractor loads - 7 (approximately 10 T each)</p> <p>iii. JCBs - 7 Nos</p>	412	<p>i. 220 lit capacity each - 92 Nos</p>

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	collect the oily material from MugathuvaraKuppam Bridge.			
15.12.2023	<p>a) At NettuKuppam, the soil affected by oily slick was scrapped with the help of JCBs, tractors and lorry dipper.</p> <p>b) At KattuKuppam, Shore cleaning activity started with JCBs</p> <p>c) Removal of oil by deployment of Oil booms and oil skimmer near Mugathuvara Kuppam. Two oil skimmers were used to collect the oily material from MugathuvaraKuppam Bridge.</p>	<p>i. Boats – 5 Nos.</p> <p>ii. So far installed Booms</p> <p>a. 300 m long installed – Ennore Creek Mouth</p> <p>b. 600 m long installed – Mugathuvara Kuppam bridge</p> <p>c. 80 m long installed – Railway bridge near Kattukuppam</p> <p>iii. Oil Skimmer – 2 Nos.</p> <p>iv. JCB – 6 Nos.</p> <p>v. Truck/ Tipper – 16 Nos.</p> <p>vi. Tempo – 1 No.</p> <p>vii. Tractor – 2 No.</p> <p>viii. Tankers to suck oil – 4 Nos.</p>	83 (Due to rain the works were affected)	<p>i. 160 T of soil affected by oil slick.</p> <p>ii. Oil water 9400 litres.</p>
16.12.2023	<p>a) At Nettu Kuppam and Kattukuppam, the soil affected by oily slick was scrapped and removed using JCBs, tractors and lorry dipper.</p> <p>b) At Kattu Kuppam, Shore cleaning activity started with JCBs</p> <p>c) Removal of oil by deployment of Oil booms, absorbent booms and oil skimmer near Mugathuvara Kuppam, Ennore Kuppam & Nettu Kuppam. Four oil skimmers were used to collect the oily material from Mugathuvara Kuppam bridge & Kattu Kuppam Village</p>	<p>i. Boats – 110 Nos.</p> <p>ii. So far installed Booms</p> <p>a. 300 m long installed – Ennore Creek Mouth</p> <p>b. 600 m long installed – Mugathuvara Kuppam bridge</p> <p>c. 180 m long installed – Railway bridge near Kattukuppam</p> <p>iii. Oil Skimmer – 4 Nos.</p> <p>iv. JCB – 9 Nos.</p> <p>v. Truck/ Tipper – 14 Nos.</p> <p>vi. Tankers to suck oil – 3 Nos.</p>	615	<p>i) 120 T of soil affected by oil slick.</p> <p>ii) Oil water 11820 liters.</p>
17.12.2023	a) Oil present on the surface of the various location in Creek Mouth to Ennore Bridge were swept by	<p>i. Boats – 110 Nos.</p> <p>ii. So far installed Booms</p> <p>a. 300 m long installed –</p>	635	<p>i. 22 T of soil affected by oil slick.</p>


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	<p>using absorbent boom.</p> <p>b) Oil present on the surface in Ennore Bridge to Railway Bridge (Kattukuppakam) is removed using oil skimmer</p> <p>c) Oil present on the surface of the Railway Bridge to entrance of Buckingham canal is removed using oil skimmer</p> <p>d) Cleaning of bunds from Sathyayamurthy Nagar to Ennore Bridge by using power jet wash.</p>	<p>Ennore Creek Mouth</p> <p>b. 600 m long installed – Mugathuvara Kuppam bridge</p> <p>c. 180 m long installed– Railway bridge near Kattukuppam</p> <p>d. 250 m long installed at Buckingham canal mouth</p> <p>e. 50 m long light boom and 50 m hard boom installed at Sivanpadai Veethi</p> <p>iii. Oil Skimmer – 6 Nos.</p> <p>iv. JCB – 7 Nos.</p> <p>v. Truck/ Tipper – 11 Nos.</p> <p>vi. Tractor -1 No.</p> <p>vii. Gully sucker – 5 Nos.</p> <p>viii. Hydras – 3 Nos.</p> <p>ix. Poclain – 5 Nos.</p>		<p>ii. Oil water 7200 liters.</p>
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The total quantity of oily water skimmed as on 17.12.2023 is 60,540 litres and oily sludge removed as on 17.12.2023 is 322 Tonnes and the same is sent to the CPCL premises for further treatment and disposal.

FURTHER PROCEEDINGS AND ACTION TAKEN BY GOVERNMENTAL COMMITTEES

STATE OIL SPILL CRISIS MANAGEMENT GROUP HEADED BY CHIEF SECRETARY

10. It is respectfully submitted that a meeting was held on 11.12.2023, chaired by the Chief Secretary with the State Oil Spill Crisis Management Group along with the High Level Committee to discuss on the activities being carried out at field level for oil removal and action to be taken to expedite

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flood relief activities. It is submitted that the Committee assessed the situation and directed appropriate directions.

11. It is respectfully submitted that the second meeting of the State Oil Spill Crisis Management Group with the High Level Committee was held on 13.12.2023 and following instructions were issued.

- a. The entire remedial work shall be expedited and completed as early as possible by engaging more trained manpower by CPCL. The committee also observed the engagement of further teams by all the agencies.
- b. CPCL shall undertake a complete estimation of oil spill in the area with the help of Experts & Coast Guard and report on Oil Spillage with Mitigation Plan shall be submitted.
- c. More number of PPE kits (Masks, Gloves & Gumboots) shall be procured and provided to the workers.
- d. Operations shall begin by 7 AM everyday till sunset.
- e. Additional sophisticated machineries and specialized equipments viz., booms, skimmers and gully suckers shall be deployed for speedy collection of oil.
- f. To provide lunch and potable water to the workers involved in oil clearing activities.
- g. Appointment of expert agencies for cleaning/painting/whitewashing of affected boats and residences.
- h. CPCL shall bear the entire expenditure.
- i. More Health teams shall be deployed with Dermatologist/ Pulmonologist for health check-up of affected residents.
- j. Fire & Rescue Van shall be engaged for safety of workers.

HIGH LEVEL COMMITTEE HEADED BY ADDITIONAL CHIEF SECRETARY

12. It is respectfully submitted that a High Level Committee meeting chaired by Additional Chief Secretary to Government/Commissioner – Revenue & Disaster Management, complying with the order of the Hon'ble NGT in OA No.180 of 2023, was held on 11.12.2023. In the meeting, the urgent

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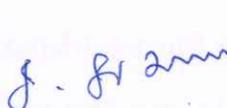
need to find out the source of oil spillage and suggestions for the action to be taken for the remediation of oil spillage areas were highlighted and following instructions were given:

- a. Medical teams with dermatologists to be engaged by the Health Department to conduct health checkups to all residents of affected areas.
- b. The District Collector, Chennai in coordination with CMWSSB has to arrange potable water supply through lorries to residents of affected areas.
- c. CPCL has to undertake all remedial measures to recover oil spillages by using available facilities viz., boom arrangements, gully suckers, oil skimmers and absorbing pads.
- d. Recovered oil, oily sludge and soil are to be scientifically disposed by CPCL.
- e. Oil contaminated absorbing pads will be incinerated in the Treatment Storage Disposal Facility (TSDF), Gummidipoondi which should be ensured by CPCL.
- f. Compensation to the affected people for loss of livelihood has to be borne by CPCL.
- g. CPCL has to submit the report pertaining to flammability of the oil spillage.

SETTING UP OF GOVERNMENTAL COORDINATION CENTRE AND PROGRESS OF WORK

13. It is respectfully submitted that an Oil Spill Management co-ordination centre was set up at Nettu Kuppam village.

14. It is respectfully submitted that the M/s. CPCL, through M/s. Viraj Clean Sea Enterprises - a specialised agency, has engaged 400 workers to carry out this oil cleaning with the guidance of Indian Coast Guard. M/s. Viraj Clean Sea Enterprises started its work on 13.12.2023. The workers carrying out this activity are being provided with PPE kits viz gumboots, masks, gloves etc.,

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15. It is respectfully submitted that the work commenced at Nettu Kuppam and Ennore kuppam Villages where the banks of Buckingham canal was affected by oil slick was scrapped with the help of JCBs, tractors, gully suckers, poclain, hydracrane, pickup trucks and lorry tippers.
16. It is respectfully submitted that in addition to the above agency of M/s. Viraj Clean Sea Enterprises, three more agencies namely M/s. Vens Hydra Lift Pvt Ltd, M/s. Sea care Services and M/s. Neowin India Ltd were engaged by M/s. CPCL for clean-up operations.
17. It is respectfully submitted that a co-ordination meeting was held at the Coordination Centre at Nettu Kuppam village chaired by the Additional Chief Secretary, Environment, Climate Change and Forest Department on 16.12.2023. In the meeting, the works carried out so far was reviewed and the strategies for further course of action by the stakeholders such as CPCL, TNPCB, Department of Environment and Climate Change, Forest Department, Wild life warden, Fisheries Department, Health Department, Revenue Department, Greater Chennai Corporation, Fire Department, Police Department, Clean-up agencies and local village people were arrived.
18. It is respectfully submitted that surface water samples are being collected at ten locations along the Buckingham canal to Ennore creek stretch. Ground water samples are collected along the above stretch. Ambient Air Quality Air quality survey is being conducted through mobile lab at various locations in Ennore creak area. Volatile organic carbon (VOC) level in air is also measured in these locations.

OTHER ACTION , FURTHER STUDY AND PROGRESS

19. It is respectfully submitted that a monitoring team consisting of 2 Joint Chief Environmental Engineer, District Environmental Engineer, 3 Assistant Environmental Engineers, 3 Assistant Engineers and 3 Environmental Scientists headed by the Additional Chief Environmental Engineer is at the site coordinating with the various stakeholders and to oversee the activities of clean-up operation.

J. S. Suresh
18/12/2023

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20. It is respectfully submitted that four team of officers comprising of one District Environmental Engineer and one Assistant Environmental Engineer/Assistant Engineer in each team has been formed vide proceeding dated 15.12.2023, to make an extensive survey of the industries handling petroleum products in the areas of Manali, Kodungaiyur, Thiruvottiyur and Tondiarpet to verify the occurrence of oil spill if any during the Michaung cyclone. The teams have been instructed to furnish the report by 18.12.2023 before 5 P.M.
21. It is respectfully submitted that in addition to the above actions taken, the TNPCB has directed 106 industries in Chennai, Kancheepuram, Chengalpattu & Tiruvallur Districts to submit the Monsoon Preparedness Plan to prevent any such incidents in the future. Similar instructions have been given to all the Districts.
22. It is respectfully submitted that Perambulation Study was carried out by the Fisheries Department and TNPCB and observed total number of fishing boats affected in the oil spill is 638 nos. and nets damaged is 453 nos. (7-8 kg each).
23. It is respectfully submitted that the Additional Chief Secretary to Government, Environment Climate Change and Forest Department vide letter dated 14.12.2023 has addressed the IIT Madras to undertake a Complete Assessment of quantity of oil spillage, physical measurements of oil depth in canals, water and sediments, flow models to assess the discharge and occupational safety of workers in Ennore creek, Buckingham canal, Kosasthalaiyar river and other adjoining water spread areas using drones, ocean spill models and satellite imagery. The IIT Madras has started their assessment study.
24. It is respectfully submitted that the Chairperson, Tamil Nadu Pollution Control Board has addressed the Indian Coast Guard vide letter dated 13.12.2023 and 14.12.2023 to assess the quantum of oil ingressed in the Buckingham canal and Ennore creek area and to ascertain the status of oil spread in the ocean, if so to what extent.

J. S. Kumar
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CHENNAI-600 032.

25. Further, it is respectfully submitted that, the Ennore creek is a biodiverse habitat and a vital part of wetland ecosystem comprising of Mangroves, resident and migratory birds, fish, crabs, prawns, mudskippers, snails etc. In order to protect and conserve the biodiverse ecosystem, the rapid assessment of the biodiversity loss including the extent of damage to the goods and services from the Mangroves was undertaken by the Forest Department as a preliminary exercise to assess the extent of damage to the aquatic ecosystem on account by the oil spill from the CPCL. Further, the Government in Environment Climate Change and Forest Department vide letter dated 15.12.2023 has directed the Principal Chief Conservator of Forests and Member Secretary, Tamil Nadu State Wetland Authority and Chief Mission Director, Green Tamil Nadu Mission to assess the Biodiversity loss and to prepare a Bio-remediation plan in consultation with the expert institutions. Accordingly, a detailed study of the ecological damage to the Mangroves and the overall biodiversity loss shall be undertaken by the Principal Chief Conservator of Forests and Member Secretary, Tamil Nadu State Wetland Authority and Chief Mission Director, Green Tamil Nadu Mission with the help of Experts/Institutions for the purpose of formulating a bio remediation/mediation plan for the oil spill affected areas for estimating the loss to the ecosystem goods and services of the Mangroves and the overall biodiversity loss.

26. It is respectfully submitted that the Additional Chief Secretary, Environment, Climate Change and Forests, Government of Tamil Nadu and Officials of Forest Department had inspected the oil spill affected Mangrove areas in the Ennore creek on 17 -12-2023. Based on the said field inspection, the Additional Chief Secretary, Department of Environment, Climate Change and Forests has given instructions to the Principal Chief Conservator of Forests and Member Secretary, Tamil Nadu State Wetland Authority and Chief Mission Director, Green Tamil Nadu Mission regarding the mapping of Mangroves, mudflats, birds breeding ground and undertake fish gut analysis, birds count, effect of oil

J. J. Annas 85
18/12/23
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI-600 032.

spill on turtles along with the sample analysis of sediments and mangroves affected by the oil spill.

Under the above circumstances, it is humbly prayed that this Hon'ble National Green Tribunal may be pleased to pass such further or other orders as this Hon'ble Tribunal may deem fit and proper in the facts of this case and thus render justice.

J. Josephine 85
18/12/23

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

VERIFICATION

I, J. Josephine Sahayarani, D/o. Jesu Rajan, working as Joint Chief Environmental Engineer, having office at No. 76, Anna Salai, Guindy, Chennai-32, do hereby submit that the above contents are true to the best of my knowledge and belief through records.

J. Josephine 85
18/12/23

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



Environment, Climate Change &
Forest (EC.3) Department,
Secretariat, Chennai- 600 009.
E.mail : eccfd@tn.gov.in

By e-mail / S.M.

Letter No.8466/EC.3/2023-4, dated 15.12.2023

From
Thiru. Anurag Mishra, I.F.S.,
Special Secretary (Environment, Climate Change)

To
The Principal Chief Conservator of Forests & Member Secretary,
Tamil Nadu State Wetland Authority &
Chief Mission Director,
Green Tamil Nadu Mission (FAC),
Panagal Malligai, Saidapet,
Chennai-15.

Sir,

Sub : Environment, Climate Change - Oil Spillage on the
Buckingham Canal and Ennore Creek Area -
Nomination of Nodal Officer - Bio-remediation work -
Regarding.

It is informed that oil spillage has taken place during the recent cyclone
in Ennore Creek and nearby areas. It has caused considerable damage to the
Bio-Diversity in the area.

To assess the Bio-diversity loss and prepare a bio-remediation plan, the
Government nominate Thiru. Deepak Srivastava, I.F.S., PCCF & CMD, GTM. He
will carry out the above work in consultation with expert institutions.

Yours faithfully,

for Special Secretary
(Environment, Climate Change)

Copy to

1. The Private Secretary to Additional Chief Secretary to Government,
Environment, Climate Change and Forest Department, Secretariat,
Chennai-09.
2. The Private Secretary to Special Secretary(E,CC), Secretariat,
Chennai-09.

VA
15/12/23

SUPRIYA SAHU, IAS
Additional Chief Secretary to Government



**Environment, Climate Change and
Forest Department**
Fort St. George, Secretariat,
Chennai - 600 009.
E-mail : forsec@tn.gov.in
Dir : 044 - 2567 1511
Fax : 044 - 2567 0040

D.O. Lr. No.8466/EC3/ECCFD/2023, dated:14.12.2023

Dear Dr. Indumathi Nambi,

As you are aware, the oil spillage in the Ennore Creek area is a matter of serious concern as it has adversely impacted the local community living in the vicinity, apart from serious impact on biodiversity loss. In order to arrive at a comprehensive solution to the problem, the first step is to estimate the quantity of oil available in the Ennore Creek area, Buckingham Canal, Kosasthalaiyar River and other adjoining water spread areas.

I therefore request IIT, Madras to undertake a complete assessment of the quantity of oil spillage as per the following details:-

1. Drone measurement of extent of the length of canal and area of spillage on both sides.
2. Physical measurement of oil depth in canals, sampling of sediments, water.
3. Physical measurement of oil depth at houses wall, road side walls of shops, etc
4. Ocean spills models on how far the oil can go.
5. Total quantum spilled from CPCL based on satellite imagery on Dec 1st and 2nd, 3rd and 4th, 5th .
6. Flow models to assess the discharge/velocity of flow of oil and water exposure assessment of people indoors.
7. Occupational safety of workers

I request you to kindly give your report to the Government of Tamil Nadu within 24 hours to strategize our mitigation plan holistically. Charges incurred in this regard shall be reimbursed on actual basis along with the technical fee. I am also to inform you that we can provide the services of drones from the Drone Corporation of Tamil Nadu apart from men and materials required for your team to undertake this assessment. Kindly acknowledge the receipt of this letter.

Yours sincerely,
Sd./-14.12.23
(SUPRIYA SAHU)

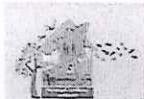
To
Dr.Indumathi Nambi,
Professor, Environment and Water Resources Division,
Department of Civil Engineering,
IIT Madras, Chennai.
indunambi@civil.iitm.ac.in / indunambi@gmail.com

p.t.o

Copy to

✓ Dr. Jayanthi, I.F.S.,
Chairperson,
Tamil Nadu Pollution Control Board,
Chennai.

Thiru. Deepak S. Bilgi, I.F.S.,
Director of Environment & Climate Change,
Saidapet, Chennai -15.



TAMIL NADU POLLUTION CONTROL BOARD



From
Dr. Jayanthi.M, I.F.S.,
Chairperson,
Tamil Nadu Pollution Control Board,
76, Mount Salai, Guindy,
Chennai – 600 032.

To
The Commander Coast Guard Region (East),
Headquarters,
Indian Coast Guard Regional (East),
Rajaji Salai, Near Napier Bridge,
Chennai - 600 009

Letter No. T6/TNPCB/F.12753/RL/2023 Dated : 13.12.2023

Sir,

Sub: TNPCB – Industries - M/s. Chennai Petroleum Corporation Limited – Oil slick ingress in Buckingham Canal & Ennore Creek – Estimation of quantum of oil - requested - Reg.

With reference to the subject cited, it is informed that ingress of oil into the banks of Buckingham canal and in & around the Ennore creek area was occurred due to the impact of floods caused due to Cyclone Michaung in the Manali industrial area. Also, during inspection by a team of officials of Tamil Nadu Pollution Control Board in the said area on 09.12.2023, it was observed that thick oil deposits near the Southern side of the bunds in the stretch between the Ennore Creek upto the Buckingham Canal upto a distance of 11 km.

In this regard, it is the need of the hour that a complete estimation of oil ingress in the said area has to be carried out immediately.

In view of the above, it is requested to assess the quantum of oil ingressed into the Buckingham canal & Ennore Creek area in coordination with the M/s. Chennai Petroleum Corporation Limited and also to furnish details on whether any Standard Operating Procedure (SOP) available to remove the oil in the water bodies / coastal area or any different methodology available for the same to this office immediately.

The receipt of the letter may be acknowledged.

[Handwritten Signature]
For Chairperson 13.12.23

Copy to:

The Managing Director,
M/s. Chennai Petroleum Corporation Limited,
Refinery I, II and III,
Manali Village, Thiruvottiyur Taluk,
Chennai District

चेन्नै पेट्रोलियम कॉर्पोरेशन लिमिटेड
(भारत सरकार का उद्यम और आईओसीएल की समूह कंपनी)
Chennai Petroleum Corporation Limited
(A Government of India Enterprise and Group Company of IOCL)



EP&S:01:059

16.12.2023

To:

The Chairperson,
Tamil Nadu Pollution Control Board
76, Anna Salai,
Guindy,
Chennai – 600032.

Dear Madam,

Sub: TNPCB – Industries – M/s. Chennai Petroleum Corporation Limited, Refinery I, II and III, Manali Village, Thiruvottiyur Taluk, Chennai District – Directions under Section 33A of the Water (Prevention and Control of Pollution) Act, 1974 as amended – Issued – Regarding.

Ref: Proceedings No.T6/TNPCB/12753/W/2023, Dated: 11.12.2023

CPCL is in receipt of the letter referred above and action taken on the observations & subsequent directions given by TNPCB during inspection in CPCL on 09.12.23 is attached for your kind perusal:

P. KANNAN
Director (Operations)

Copy To : Member Secretary, TNPCB, Guindy
Joint Chief Environmental Engineer, TNPCB, Arumbakkam.

Action taken on the observations by TNPCB team inside CPCL on 09.12.23

TNPCB Observation No.1

The unit was partially in operation. Out of three refineries, only one refinery was in operation and the other two were not in operation due to maintenance. All secondary units were in operation.

CPCL's Response:

CPCL would like to submit that out of 3 Refineries, only one Refinery was in operation. Due to heavy downpour caused by Cyclone Michaung followed by sudden release of water from nearby reservoirs, the water level inside Refinery increased above 1 meter.

Under these unforeseen circumstances, CPCL kept one refinery in operation even under adverse conditions to ensure uninterrupted supply of fuel to the State.

Other 2 Refineries were taken on circulation considering the alarming water level inside the Refinery.

TNPCB Observation No.2

The unit authorities informed that the unit was inundated by the floods in most of the places causing 3 to 4 feet depth of water level on 04.12.2023 and 05.12.2023.

CPCL's Response:

Agreed.

TNPCB Observation No.3

During the inspection, it was also noticed that the flood water was completely drained. However, patches of oil deposits were found on the either side of the storm water drains and kerb side of internal roadways.

CPCL's Response:

Entire Manali Industrial Area, including CPCL, was inundated and the water level in Buckingham Canal also increased significantly.

TNPCB Observation No.4

An oil slick was found in the Storm Water Pond C and also at the connect point of the Storm water Pond A from which the outlet to the Buckingham canal from the unit was found. At this point, a sample was taken for analysis.

CPCL's Response:

Small oil slick found in the Storm Water Pond C and connect point of Storm Water Pond A was removed. Pond C & A are having water undercut baffle type

oil catcher systems to trap the oil continuously. In addition to the above, any oil ingress in the storm pond is trapped in the gravity oil separators & the oil thus trapped is confined to a small area & is recovered through gully suckers / ejectors.

TNPCB Observation No.5

It was observed that the Storm Water Pond A and Storm Water Pond provided for Refinery III were filled with oil slick. At these points, samples were taken for analysis.

CPCL's Response:

Due to the heavy inundation and sudden release of water from reservoirs, minor Oil traces from Contaminated Rain Water System reached the Storm Pond and is being recovered through Gully Suckers and Ejectors.

TNPCB Observation No.6

Mechanism for removal of oil in both Ponds A and C was not in operable condition.

CPCL's Response:

Pond C & A are having water undercut baffle type oil catcher systems which are in operation. In addition to the above, any oil ingress in the storm pond is trapped in the gravity oil separators & the oil thus trapped is confined to a small area & is recovered through gully suckers / ejectors. Recovered oil is handled through a closed Slop oil recovery system and reprocessed with Crude Oil.

TNPCB Observation No.7

All components of the ETP were in operable conditions.

CPCL's Response:

Noted & Agreed.

TNPCB Observation No.8

It was reported by CPCL that during the excessive flow of rainwater, the rainwater mixed with oil was pumped into the Buckingham canal.

CPCL's Response:

CPCL would like to clarify that the rain water alone was pumped & not the oil mixed water. Pumps suctions are located at the bottom of the ponds and escaping of oil through pumping is not possible.

As explained earlier, the continuous release of water from Poondi & Puzhal reservoirs in the outside canal led to increase in levels within the Refinery. CPCL had informed the State authorities of the extremely dangerous levels of water creating severe flooding, which has never been experienced by CPCL.

In a normal scenario, the excess surface run-off water from refinery is connected to Buckingham Canal for handling the water during heavy rains via Storm water drain. However, the refinery experienced unprecedented flooding of upto 3 to 4 feet, which occurred due to large water release from reservoirs. Due to high water levels in the refinery, there is a possibility of co-mingling of flood water with traces of oil in the refinery, while getting drained through the Canal.

TNPCB Observation No.9

Oil separator system provided for the storm water installed at ground level was flooded on 04.12.2023 and 05.12.2023

CPCL's Response:

Unforeseen flooding in the refinery was caused by the heavy downpour & sudden release of water from reservoirs. The problem was intensified as the Buckingham Canal level also increased. Due to the above, water level inside Refinery increased to more than 1 m.

TNPCB Observation No.10

Oil slick formed in the Ennore Creek, Buckingham canal and oil deposits within the unit's premises were found to be identical in terms of odour, colour and texture. Hence, it is observed that the oil slick in Ennore creek and Buckingham canal was caused by the oil-mixed effluent discharged by CPCL during floods.

CPCL's Response:

As explained earlier, the continuous release of water in the outside canal led to increase in levels within the Refinery. CPCL had informed the State authorities of the extremely dangerous levels of water creating severe flooding, which has never been experienced by CPCL.

In a normal scenario, the excess surface run-off water from refinery is connected to Buckingham Canal for handling the water during heavy rains via Storm water drain. However, the refinery experienced unprecedented flooding of upto 3 to 4 feet, which occurred due to large water release from reservoirs. Due to high water levels in the refinery, there is a possibility of co-mingling of flood water with traces of oil in the refinery, while getting drained through the Canal.

However, it may be noted that there are around 25 petrochemical, fertilizer and other industries in Manali area along with many Small industries (many of which handle/deal with fuel oil, lubricants and other oils) which were also completely inundated due to flood water. During site inspection by TNPCB, floating oil was

observed in the Buckingham canal upstream of CPCL. Hence, other industries are also likely to have contributed to the Oil slick.

TNPCB Observation No.11

Oil mixed water has entered into the nearby habitations. It was caused damage to the houses and household articles.

CPCL's Response:

Although the Oil spill cannot be attributed to CPCL alone, as a responsible Corporate citizen, CPCL has initiated relief measures for the affected people, in consultation with State authorities. CPCL is providing essential grocery & other items to the people and conducting Medical camps in the affected areas, apart from cleaning of the houses in coordination with State authorities.

TNPCB Observation No.12

Oil spillage has adversely affected the livelihood of the fishermen who depends on fishing in affected areas.

CPCL's Response:

The Oil spill cannot be attributed to CPCL alone, as the entire Manali industrial belt experienced severe flooding during the Cyclone and subsequent discharge of water from reservoirs.

TNPCB's Directions & CPCL's Response

- a) M/s. CPCL shall identify hotspots in Buckingham Canal, Ennore Creek and adjoining area where the oil deposits / oil slick are stagnated and take necessary remedial measures on war footing basis.

CPCL's Reply:

Complied.

CPCL, as a major industry of the belt has taken the lead for inspection of the areas and identified hot spots requiring attention. Remedial measures have been undertaken on war footing basis.

- b) M/s. CPCL and its secondary units and terminals shall ensure that all pipelines (raw materials and products) and tanks are intact with no leakage. If CPCL is found to discharge oil containing water/polluted water against the norms set out for industries under provisions of the Water (Prevention and Control of Pollution) Act, 1974, their operations are liable to be suspended.

CPCL's Reply:

Complied,

CPCL clarifies again that Tanks & Pipelines in CPCL are intact and there are no leaks.

- **CPCL is designed to withstand waterlogging, with storm water systems designed to handle the highest levels of rainfall. In previous instances, including cyclones Vardah, Gaja, Nivar and the 2015 floods, CPCL has demonstrated its capability to prevent release of water contaminated with oil.**
 - **Cyclone Michaung brought 36 hours of incessant rain, causing severe flooding in CPCL Manali Refinery. The storm water system of CPCL was handling this flood situation, however, the discharge of 48,000 cusecs of water from Poondi and Puzhal reservoirs worsened the situation. The District administration was promptly informed about the situation and CPCL management requested to regulate the discharge of water from the reservoirs to prevent complete flooding of the refinery.**
 - **All the industries in the Manali area were also affected severely by flooding.**
 - **Level in canal also increased around 1mt above normal storm water level causing reverse flow. Due to high water levels in the refinery, there is a possibility of co-mingling of flood water with traces of oil in the refinery, while getting drained in the Canal.**
- c) **M/s. CPCL shall also be liable to pay environmental compensation for any damages caused in contravention of the extant provisions under the Water (Prevention and Control of Pollution) Act, 1974.**

CPCL's Reply:

As explained in previous paras, there was no violation from CPCL's side. The incident occurred due to uncontrolled release of water from reservoirs without prior notice or warning for suitable remedial measures. This is an apt condition of Force Majeure for CPCL.

- d) **M/s. CPCL shall also be liable to pay compensation to the families adversely impacted due to the oil spillage including the loss of livelihood.**

CPCL's Reply:

CPCL, as a responsible corporate citizen has taken the lead in providing relief measures. Mobile medical units have been deployed in villages near Ennore creek, and medicines handed over. Rice, groceries and other

essential items have been handed to over 6000 families through the nodal officer. Cleaning of houses in affected areas has been initiated in coordination with State authorities.

- e) M/s. CPCL shall carry out a Leak Detection & Repair Study (LDAR) with the help of a reputed technical institution and furnish the same to the Board immediately.

CPCL's Reply:

Complied.

CPCL is carrying out Leak Detection & Repair Study every year & submitting reports regularly.

- f) M/s. CPCL shall undertake a comprehensive mapping study with a reputed technical institution to identify oil spread areas and furnish the report with Action Plan to the Board immediately.

CPCL's Reply:

CPCL is in the process of lining up a reputed agency to carry out oil spill mapping. Target for completion of Job: Jan'24

- g) M/s. CPCL is directed to ensure that no such occurrence happens in future

CPCL's Reply:

Will be ensured. However, infrastructure development to avoid flooding of refinery w.r.t. release of water from reservoirs shall be further taken up with WRD / State Government.



TAMIL NADU POLLUTION CONTROL BOARD



From
Dr. Jayanthi.M, I.F.S.,
Chairperson,
Tamil Nadu Pollution Control Board,
76, Mount Salai, Guindy,
Chennai – 600 032.

To
The Managing Director,
M/s. Chennai Petroleum Corporation Limited,
Refinery I, II and III,
Manali Village,
Thiruvottiyur Taluk, Chennai District

Letter No. T6/TNPCB/F.12753/2023 Dated: 14.12.2023

Sir,

Sub: TNPCB – Industries - M/s. Chennai Petroleum Corporation Limited – Oil slick in Buckingham Canal & Ennore Creek – Directions issued under Section 33A of the Water (Prevention and Control of Pollution) Act, 1974 as amended - Action Taken Report called for - Reg.

Ref: 1. Proceedings No. T6/TNPCB/12753/W/2023 Dated 11.12.2023
2. D.O.Letter No.8466/EC3/ECCFD/2023 Dated 12.12.2023

I invite kind attention to the reference 1st cited, wherein directions under Section 33A of the Water (Prevention and Control of Pollution) Act, 1974 as amended was issued to the unit M/s. Chennai Petroleum Corporation Limited for immediate compliance of certain conditions.

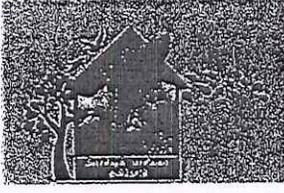
Further, the Additional Chief Secretary, Environmental, Climate Change and Forest Department, Secretariat, Chennai vide reference 2nd cited has informed that during clean up operations it was observed that some fisherfolks involved in the clean up were not wearing the protective gear and hence directed the TNPCB to coordinate with the CPCL authorities and ensure that only specialised agencies are utilised and under no circumstances, vulnerable and untrained people should be used for clean up who are not aware about dangers of such operations. Also, the following needs shall be carried out immediately.

1. Undertake a complete estimation of oil spill in the area with the help of Experts, CPCL and Coast Guard.
2. Ensure the deployment of sophisticated machineries and specialized equipments.
3. Ensure that specialized sea cleaning agencies are immediately deployed with trained and well equipped man power.

In view of the above, it is requested to take necessary action to comply with the above said points 1 to 3 and shall ensure that only specialised agencies are utilised; and also to submit the action taken report for the directions issued to the unit vide Proc. dated 11.12.2023 on or before 18.12.2023.

The receipt of the letter shall be acknowledged.

Dr. Jayanthi.M
14/12/2023
for Chairperson



33

TAMILNADU POLLUTION CONTROL BOARD

BY RPAD

Proceedings No. T6/TNPCB/12753/W/2023, Dated: 11.12.2023

Sub: TNPCB – Industries –M/s. Chennai Petroleum Corporation Limited, Refinery I,II and III, Manali Village, Thiruvottiyur Taluk, Chennai District – Directions under Section 33A of the Water (Prevention and Control of Pollution) Act, 1974 as amended – Issued – Regarding.

- Ref:**
1. Minutes of meeting held at Corporate Office, TNPCB Guindy with CPCL & Other Industries at Manali on 08.12.2023
 2. The Hon'ble National Green Tribunal, Chennai (Southern Zone) order Dated 09.12.2022.
 3. JCEE/TNPCB/Chennai/ Newstelecast/2023 Dated 09.12.2023

Whereas, a team of officials from Tamil Nadu Pollution Control Board inspected the Buckingham canal stretch from Kargil Nagar bridge upto Kodungaiyur on 07.12.2023 to observe the impact of floods caused due to Cyclone Michaung. During the inspection, the team observed traces of oil in the Buckingham canal mainly on the banks. It was observed that the ingress of oil mainly occurred from the storm water drain from the Manali industrial area confluence with Buckingham canal. The team found that there was some stagnant storm water along with oil, adjoining to the storm outlet near South Gate of Chennai Petroleum Corporation Limited (CPCL).

Whereas, on 8.12.2023, when flood water receded, officials from Tamil Nadu Pollution Control Board inspected the area and observed oil deposits on the banks of Buckingham canal and in and around the Ennore creek area.

Whereas, in continuation to the inspection, a meeting was convened on 08.12.2023 at the Corporate Office by Senior Officials of TNPCB with oil industries located at Manali, Kodungaiyur and Tondiarpet areas including CPCL, IOCL, Manali Industries Association etc., to discuss the matter on emergent basis. Subsequent to the meeting, detailed instructions were issued to CPCL and other oil industries vide reference 1st cited above.

Whereas, a team of officials of Tamil Nadu Pollution Control Board again carried out a follow-up inspection in the said area on 09.12.2023 and observed thick oil deposits near the South side of the bunds in the stretch between the Ennore Creek upto the Buckingham Canal upto a distance of 11 km. It was noticed that these deposits had come

from the unit M/s. CPCL. The team collected several samples from the affected areas and sent them for analysis.

Whereas, the team also inspected the premises of M/s Chennai Petroleum Corporation Limited (Manali Refining facility) on 09.12.2023. The team observed the following:

1. The unit was partially in operation. Out of three refineries, only one refinery was in operation and the other two were not in operation due to maintenance. All secondary units were in operation.
2. The unit authorities informed that the unit was inundated by the floods in most of the places causing 3 to 4 feet depth of water level on 04/12/2023 and 05/12/2023
3. During the inspection, it was also noticed that the flood water was completely drained. However, patches of oil deposits were found on the either side of the storm water drains and kerb side of internal roadways.
4. An oil slick was found in the Storm water Pond C and also at the connect point of the Storm water Pond A from which the outlet to the Buckingham canal from the unit was found. At this point, a sample was taken for analysis.
5. It was observed that the Storm water Pond A and Storm water Pond provided for Refinery III were filled with oil slick. At these points, samples were taken for analysis.
6. Mechanism for removal of oil in both Ponds A and C was not in operable condition.
7. All components of the ETP were in operable conditions.
8. It was reported by CPCL that during the excessive flow of rainwater, the rainwater mixed with oil was pumped into the Buckingham canal.
9. Oil separator system provided for the storm water installed at ground level was flooded on 04/12/2023 and 05/12/2023
10. Oil slick formed in the Ennore Creek, Buckingham canal and oil deposits within the unit's premises were found to be identical in terms of odour, colour and texture. Hence, it is observed that the oil slick in Ennore creek and Buckingham canal was caused by the oil-mixed effluent discharged by CPCL during floods.
11. Oil mixed water has entered into the nearby habitations. It has caused damage to the houses and household articles.
12. Oil spillage has adversely affected the livelihood of the fishermen who depends on fishing in affected areas.

In view of the above, JCEE (M), TNPCB, Chennai vide letter dated 09.12.2023 has recommended to issue certain directions to M/s CPCL under Section 33A of the Water (Prevention and Control of Pollution) Act, 1974 as amended for compliance.

The Environment, Climate Change and Forests Department, Government of Tamil Nadu had constituted a Technical team vide G.O(Ms).No.178 Dated 10.12.2023 to ascertain the cause of the recent oil spillage into the Ennore Creek area. The said team inspected the premises of CPCL and other related industries on 11.12.2023 and submitted its report wherein it is concluded that because of the huge quantity of oil used and the inadequate storm water management and storm water storage ponds, there is a clear evidence that the oil spillage has happened from CPCL into the Buckingham Canal reaching the Ennore Creek.

In the light of above, following directions are issued under Section 33A of the Water (Prevention and Control of Pollution) Act, 1974 to M/s. Chennai Petroleum Corporation Limited, Refinery I, II and III, Manali Village, Thiruvottiyur Taluk, Chennai District for immediate compliance

1. M/s. CPCL shall identify hotspots in Buckingham Canal, Ennore Creek and adjoining area where the oil deposits /oil slick are stagnated and take necessary remedial measures on war footing basis.
2. M/s. CPCL and its secondary units and terminals shall ensure that all pipelines (raw materials and products) and tanks are intact with no leakage. If CPCL is found to discharge oil containing water/polluted water against the norms set out for industries under provisions of the Water (Prevention and Control of Pollution) Act, 1974, their operations are liable to be suspended.
3. M/s. CPCL shall also be liable to pay environmental compensation for any damages caused in contravention of the extant provisions under the Water (Prevention and Control of Pollution) Act, 1974.
4. M/s. CPCL shall also be liable to pay compensation to the families adversely impacted due to the oil spillage including the loss of livelihood.
5. M/s. CPCL shall carry out a Leak Detection & Repair Study (LDAR) with the help of a reputed technical institution and furnish the same to the Board immediately.
6. M/s. CPCL shall undertake a comprehensive mapping study with a reputed technical institution to identify oil spread areas and furnish the report with Action Plan to the Board immediately.
7. M/s. CPCL is directed to ensure that no such occurrence happens in future.

Notwithstanding anything to the contrary herein, it is explicitly acknowledged that these directives are without prejudice to any further orders, amendments or supplementary instructions that may be issued pertaining to this subject matter. You are hereby obligated to promptly adhere to and implement any such future directives as may be communicated by this office.

The receipt of this proceeding shall be acknowledged.

J. J. Arun 85
11/12/2023

For Chairperson

To:

The Managing Director,
M/s. Chennai Petroleum Corporation Limited,
Refinery I, II and III,
Manali Village,
Thiruvottiyur Taluk and Chennai District

Copy to

1. The Joint Chief Environmental Engineer (M),
TNPC Board,
Chennai Region
2. The District Environmental Engineer,
TNPC Board, Ambattur.
3. Technical file.



TAMILNADU POLLUTION CONTROL BOARD



Dr. JAYANTHI. M, IFS.,
Chairperson

Lr.No.T6/TNPCB/F.027307/2023 dated.14.12.2023

Dear Sir,

Sub: Report on Oil Spillage due to Michaung cyclone
in the Ennore Creek area

Kindly recall our discussions during the earlier meetings held at Secretariat regarding the Oil Spillage at Ennore area. During the meetings held on 11.12.2023 and 12.12.2023, it was informed by the Coast Guard officials that the Oil Spillage has not spread to the Ocean. However, some media personnel have reported that the oil has spread to a distance of 20 km from Ennore Creek. In this regard, it is requested to ascertain the status of oil spread in the ocean, if so to what extent the oil has reached.

It is requested a press/media release if possible may be issued to clarify ground situation to the public in order to avoid unnecessary panic to public and fishermen.

Jayanthi M
CHAIRPERSON

To

The Deputy Inspector General, Commander,
Mukhyalaya Tatrakshak Zila No.5 (TN)
Coast Guard District Headquarters No.5(TN)
Clive battery Complex,
Rajaji Salai Chennai-600001

BY RPAD

TAMIL NADU POLLUTION CONTROL BOARD



O/o. Joint Chief Environmental Engineer
TNPC Board, Chennai Zone.

Proc.No. F.1081-01/RL/JCEE(M)/TNPCB/CHN.ZONE/W/2022 Dated:16/12/2023.

Sub: TNPCBoard – O/o JCEE(M) – Chennai Zone - Industries –M/s. Chennai Petroleum Corporation Limited, Refinery I, II and III, Manali Village, Thiruvottiyur Taluk, Chennai District – Directions under Section 33A of the Water (Prevention and Control of Pollution) Act, 1974 as amended issued -Not Complied – Show Cause Notice issued - Regarding.

Ref: 1. Proceedings No. T6/TNPCB/12753/W/2023, Dated: 11.12.2023.
2. Letter No. T6/TNPCB/F.12753/2023 Dated: 14.12.2023.

Tamilnadu Pollution Control Board serves this notice on you as occupier of the unit of M/s. Chennai Petroleum Corporation Limited, Refinery I, II and III, Manali Village, Thiruvottiyur Taluk, Chennai District for not complying with the directions issued to the unit vide references 1st and 2nd cited, thereby contravening the provisions of the Section 33A of the Water (Prevention and Control of Pollution) Act, 1974 as amended.

Whereas, the Board vide Proceeding in the reference 1st cited, issued the following directions under Section 33A of the Water (Prevention and Control of Pollution) Act, 1974 to the unit of M/s. Chennai Petroleum Corporation Limited, Refinery I, II and III, Manali Village, Thiruvottiyur Taluk, Chennai District for immediate compliance:

1. M/s. CPCL shall identify hotspots in Buckingham Canal, Ennore Creek and adjoining area where the oil deposits /oil slick are stagnated and take necessary remedial measures on war footing basis.
2. M/s. CPCL and its secondary units and terminals shall ensure that all pipelines (raw materials and products) and tanks are intact with no leakage.If CPCL is found to

discharge oil containing water/polluted water against the norms set out for industries under provisions of the Water (Prevention and Control of Pollution) Act, 1974, their operations are liable to be suspended.

3. M/s. CPCL shall also be liable to pay environmental compensation for any damages caused in contravention of the extant provisions under the Water (Prevention and Control of Pollution) Act, 1974.
4. M/s. CPCL shall also be liable to pay compensation to the families adversely impacted due to the oil spillage including the loss of livelihood.
5. M/s. CPCL shall carry out a Leak Detection & Repair Study (LDAR) with the help of a reputed technical institution and furnish the same to the Board immediately.
6. M/s. CPCL shall undertake a comprehensive mapping study with a reputed technical institution to identify oil spread areas and furnish the report with Action Plan to the Board immediately.
7. M/s. CPCL is directed to ensure that no such occurrence happens in future.

Whereas, the Board vide reference 2nd cited, directed the unit to carry out the following immediately:

1. Undertake a complete estimation of oil spill in the area with the help of Experts, CPCL and Coast Guard.
2. Ensure the deployment of sophisticated machineries and specialized equipments.
3. Ensure that specialized sea cleaning agencies are immediately deployed with trained and well equipped man power.

Whereas, the unit till date has not furnished reply for the aforesaid directions issued by the Board. Further the progress on taking remedial measures for removal of oil deposits/ oil slick in Buckingham Canal, Ennore Creek and adjoining area is found to be slow. And complete estimation of oil spill in the area has not been furnished so far. Thereby the provisions of Section 25 of the Water (P&CP) Act 1974 as amended have been contravened by you which is punishable under Section 44 of the Act with imprisonment for a term which shall not be less than one year and six months, but which may extend to six years and with fine and which will attract the provisions of Section 33 A of the said Act for the issue of directions for the closure of the unit, stoppage of power supply etc.

Hence, you are requested to show cause within three days from the date of receipt of this notice as to why penal action for offence punishable under Section 44 of the water (P&CP) Act 1974 as amended should not be initiated against you and also why direction should not be issued for the suspension of the operation of the unit and stoppage of power supply, etc. as occupier for not complying with the direction already issued under Section 33 A of the Water (P&CP) Act, 1974.

It is informed that non-receipt of any reply within the prescribed period will be construed that you have no satisfactory explanation to offer for the above contravention and action will be taken accordingly.

The receipt of this proceeding shall be acknowledged.

J. Reddy
16/12/23
Joint Chief Environmental Engineer (M),
Tamil Nadu Pollution Control Board,
Chennai Zone.

To

The Managing Director,
M/s. Chennai Petroleum Corporation Limited,
Refinery I, II and III,
Manali Village,
Thiruvottiyur Taluk and Chennai District

Copy submitted to

1. The Chairman,
Tamil Nadu Pollution Control Board,
76, Mount salai, Guindy, Chennai-32.
2. The Member Secretary,
Tamil Nadu Pollution Control Board,
76, Mount salai, Guindy, Chennai-32

Copy to

The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Ambattur

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

Original Application No. 180 of 2023 (SZ)

Tribunal on its own motion SUOMOTU
based on the Visual media titled
Chennai Rains Makkalai Vathaikkum Oil
Companies- Shocking Story - Michaung
Ground Report covered by on VIKATAN TV
Chennai dt.06.12.2023.

Vs.

The District Collector, Chennai District
And Ors.

...Respondents

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

Advocate for Respondent: TNPCB
Thiru. Sai Sathyajith
Advocate, Chennai.

Date: 18.12.2023