

BEFORE THE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE, CHENNAI

Original Application No. 256 of 2020 (SZ)

IN THE MATTER OF

Tribunal on its own motion-SUOMOTU based on The News item in News Desk Magazine dated 11.11.2020, Air Pollution and Industries, "These Six Industries in North Chennai are polluting the air for more than half the year, the North Chennai Thermal Power station alone Ennore Port"

Union of India
Ministry of Environment, Forest and
Climate Change & 15 Others

...Respondents

PAPER BOOK I

**REPLY STATEMENT FILED ON BEHALF OF
MANALI PETROCHEMICALS LIMITED
15TH RESPONDENT**

**M/s. AL. GANTHIMATHI
ADVOCATES FOR 15TH RESPONDENT**

For Manali Petrochemicals Limited



**M. Karthikeyan
Whole-time Director (Operations)**

**BEFORE THE NATIONAL GREEN TRIBUNAL SOUTHERN
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Chennai Thermal Power station alone Ennore Port"

1. Union of India,
Ministry of Environment, Forest and Climate Change,
Rep. by its Secretary,
Indira Paryavaran Bhavan, Jorbagh Road, New Delhi - 100 003.
2. The Chief Secretary to Govt. of Tamil Nadu,
Govt. Secretariat, Fort St. George,
Chennai, Tamil Nadu- 600009.
3. The Secretary to Govt. of Tamil Nadu, Department of Environment,
Govt. Secretariat, Fort St. George,
Chennai, Tamil Nadu - 600009.
4. The Principal Secretary to Govt. of Tamil Nadu,
Industries Department,
Govt. Secretariat, Fort St. George,
Chennai, Tamil Nadu - 600009.
5. Additional Chief Secretary to Govt. of Tamil Nadu,
Municipal Administration and Water Supply Department,
Govt. Secretariat, Fort St. George,
Chennai, Tamil Nadu - 600009.
6. Principal Secretary to Government,
Health and Family Welfare Department,
Secretariat, Chennai 600 009.
7. The Chairman,
Central Pollution Control Board (CPCB),
Parivesh Bhawan, East Arjun Nagar,
Shahdara, Delhi 110 032.
8. The Chairman,
Tamil Nadu Pollution Control Board (TNPCB),

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- No. 76, Anna Salai, Guindy,
Chennai, Tamil Nadu-600032.
9. The Greater Chennai Corporation,
Rep. by its Commissioner,
Ripon Building, Chennai - 600 003.
10. The District Collector,
Chennai District,
District Collectorate Office,
No. 62, Rajaji Salai, 4th Floor,
Chennai 600 001.
11. North Chennai Thermal Power Station
Rep by its Chairman cum Managing Director (TANGEDCO)
Attpattu Main Road,
Thiruvallur District, Athipattu,
Tamil Nadu 600 120.
12. NTPC Tamil Nadu Energy Company Limited (NTECL)
Rep. by its General Manager (TS),
Vallur Thermal Power Project,
P.O: Vellivoyal Chavadi, Ponneri Taluk, Tiruvallur District, Chennai 600 103.
13. Chennai Petroleum Corporation Limited (CPCL)
Rep. by its Managing Director,
New No. 536, Anna Salai, Teynampet,
Chennai 600018.
14. Tamil Nadu Petro products Limited (TPL) ,
Rep. by its Chairperson,
Manali Express Highway, Manali, Chennai 600 068.
15. Manali Petrochemicals Limited (MPL),
Rep. by its Chairman,
SPIC House, VI Floor, No. 88 Mount Road,
Guindy, Chennai 600 032.
16. Madras Fertilizers Limited (MFL)
Rep by its Chairman & Managing Director,
SH 104, Harikrishna Puram,
Manali, Chennai, Tamil Nadu – 600 068.

... Respondents

For Manali Petrochemicals Limited


M. Karthikeyan
Whole-time Director (Operations)

REPLY STATEMENT FILED ON BEHALF OF MANALI PETROCHEMICALS LIMITED - 15th RESPONDENT

It is respectfully submitted as follows:

1. It is submitted that the Application No. 256 of 2020, has been taken up by this Hon'ble Tribunal on its own motion Suo moto based on the news item published in News Desk Magazine dated 11.11.2020 under the caption "These Six Industries in North Chennai are polluting the air for more than half the year".
2. The allegations against the 15th Respondent reported in newspaper are factually incorrect and have been made without verifying the facts and hence liable to be dismissed. It is submitted that the main allegation in the newspaper report was six industries mentioned therein have been constantly violating the conditions/consent/permissions granted resulting in serious emission from the industries affecting the air quality in that area. It has been alleged that the stack monitoring systems provided in these units were not proper and the pollution control mechanisms were also not properly maintained by these units. It is submitted that none of the above allegations is correct in so far as Manali Petrochemicals Limited, the 15th Respondent is concerned.
3. Manali Petrochemicals Limited (hereinafter referred to as MPL) is a petrochemical manufacturing Company having its manufacturing facilities in (1) Ponneri High Road, Manali and (2) Sathangadu Village,. MPL is an Associate Sector enterprise of Tamilnadu Industrial Development Corporation Limited (TIDCO), wholly owned by Government of Tamilnadu and produces Propylene Glycol (PG), Polyols, similar petrochemicals and also Propylene Oxide (PO), the feedstock for the said products.
4. MPL is the only Indian manufacturer of PG and the first manufacturer of Polyols and PO in the country. Polyols are made in four grades, viz., Flexible Slab stock, Flexible Cold Cure, Rigid and Elastomers. These find application in the automobile, refrigeration & temperature control, adhesive, sealant, coatings, furniture and textile industries. Use of Polyols is gaining popularity in footwear and roofing applications also.
5. Propylene Glycol (PG) is a colorless, clear, nearly odorless liquid with a faint sweet taste chemical produced by reaction of propylene oxide with water. It is chemically neutral and so does not react with other substances.

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PG when mixed with water, chloroform and acetone can form a homogenous mixture and it tends to absorb moisture from air. PG remains without affecting the properties of the substances that are required to react. Thus, it is useful in mixing contrasting elements such as perfumes and is also consumed as solvent in a wide variety of applications. PG is used in large varieties of applications and most commonly as drug solubilizer in tropical, oral and injectable medications, stabilizer for vitamins and also as a water miscible co solvent. The Food and Drug Administration (FDA) has recognized PG as a safe additive for human consumption, especially for pharmaceutical and food formulations. In addition to the above, PG is also used as moisturizer in cosmetic products and as a dispersant in fragrances. PG also has industrial applications like manufacture of resins and other products.

6. MPL has installed boilers of various capacities in its Plants for operational purposes, for which all the required licenses have been obtained as per Indian Boiler Regulations (IBR). The details of the boilers and the licenses of Plant – 1 & 2 are given below:

Details of Boilers – Plant - 1			
Boiler Reg. No.	Boiler Capacity	Make	License validity
T-5158	18 TPH	Thermax	05-08-2021
T-5159	18 TPH	Thermax	27-05-2022
Details of Boilers – Plant - 2			
Boiler Reg. No.	Boiler Capacity	Make	License validity
T-5111	10 TPH	Nestler	28-09-2021
T-5848	10 TPH	Thermax	24-08-2021
T-11564	21 TPH	Thermax	26-11-2021

Copies of the licenses have been enclosed in **Annexure – I-A, I-B, I-C, I-D & I-E.**

7. It is submitted that at present MPL uses Re-gasified Liquefied Natural Gas (R-LNG) as fuel for the boilers in Plant 1 and Low Sulphur Fuel Oil (LSFO) in Plant 2. It is submitted that, actions have been taken for switchover to LNG in Plant 2 also, but the supplies have not commenced due to delay in laying of pipelines by IOCL for the same.
8. It is submitted that, in respect of operating above boilers, MPL has been complying with the emission norms prescribed under the Relevant

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Regulations. The emission values are submitted to the CARE-AIR Centre of the Tamilnadu Pollution Control Board on a real time basis. In addition to this, MPL also conducts periodical tests through accredited labs. The details of the emission reports carried out by the accredited labs are furnished in **Annexure II-A and II-B** from which it could be seen that the values have been within the norms.

9. The News report in the News Desk Magazine dated 11.11.2020 alleges that MPL Plants have not complied with the norms for 6104 hours or 9% of the total hours during the period 01/01/2019 to 15/12/2019 which is totally incorrect. This news has been published based on an unverified Report of the Chennai Climate Action Group (CCAG) titled "POISON IN THE AIR - THE REGULATORY BLACK HOLE IN THE ENNORE- MANALI INDUSTRIAL ZONE."
10. ***It is submitted by the 15th Respondent that on a close look at the information provided in Table 7 of Annexure 2 in the Report of the CCAG, it could be seen that the number of exceedance hours by MPL is "Zero". The Report has chosen to classify, "No data hours as non-compliance", which is incorrect and misleading.***
11. In Table 4 of the said Annexure 2 in the Report of the CCAG, the values have been furnished for each of the Plants separately, which contain information on the no data hours which is also totally contrary to the facts as could be seen from the below paras:
12. It is submitted that MPL has installed all the required equipment for Continuous Emission Monitoring System (CEMS) for online connectivity to TNPCB / CPCB monitoring websites and all the analysis are carried out to produce representative data by way of doing the operations and calibration as per CPCB CEMS Guidelines 2018. The details of the CEMS equipment installed in both the Plants is given below, which are calibrated once in six months as prescribed in the Guidelines:

Parameters	Make / Model	Certification TUV / MCERTS	Range of Analyzers in mg/Nm ³	Name of the stack	Emission limit value (ELV) in mg/Nm ³
SO ₂	SICK / S710	MCERTS	0-28000	Boiler	1700
NO _x	SICK / S710	MCERTS	0-3350	Boiler	450

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CO	SICK / S710	MCERTS	0-3125	Boiler	200
SPM	SICK / DUST HUNTER SB30	MCERTS	0-200	Boiler	100

13. It is submitted that as per the Real Time Data Acquisition And Monitoring information downloaded from the Care Air Centre Portal TNPCB/CPCB (<http://glens.glensserver.com>) for the above period 01/01/2019 to 15/12/2019, the data availability period was above 94% for Plant 1 and above 96% for Plant 2 and not as alleged in the Report of the CCAG. The information downloaded from the Care Air Centre Portal are given in **Annexure III-A** for Plant 1 and **Annexure III-B** for Plant 2, respectively.
14. The summary of the data availability during the period 01/01/2019 to 15/12/2019 is given in the below tables:

Summary of The Data to Care Air Centre Portal – Plant – 1 - STACK_1_Boiler-				
Description	SO ₂ _U	NO _x _U	CO_U	PM_U
Prescribed Standards	-	-	-	-
Maximum Data	819.71	132.21	25.42	65.46
Minimum Data	0.0	0.1	0.0	0.0
Geometric Mean	188.35	83.35	8.28	40.28
Median	219.82	98.77	9.89	45.02
Standard Deviation	97.67	41.11	4.26	16.11
Maximum Value At Time	2019-01-25	2019-05-26	2019-03-02	2019-05-18
Minimum Value At Time	2019-01-08	2019-01-01	2019-01-01	2019-11-10
Valid Data Points	332	334	334	331
Total Data Points	350	350	350	350
Data Availability %	94.86%	95.43%	95.43%	94.57%

Summary of The Data to Care Air Centre Portal – Plant – 2				
Description	SO ₂ _U	SO ₂ _U	SO ₂ _U	SO ₂ _U
Prescribed Standards	-	-	-	-
Maximum Data	522.84	59.71	56.77	14.15
Minimum Data	68.3	1.34	0.56	4.02
Geometric Mean	213.2	19.0	7.5	12.32
Median	182.88	7.64	0.97	13.13
Standard Deviation	76.64	18.35	11.42	2.0
Maximum Value At Time	2019-01-12	2019-01-26	2019-04-13	2019-05-11
Minimum Value At Time	2019-11-11	2019-11-16	2019-11-17	2019-11-15

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Valid Data Points	337	340	340	340
Total Data Points	350	350	350	350
Data Availability %	96.29%	97.14%	97.14%	97.14%

15. It is submitted that as per Clause 11(d) of the CEMS Guidelines 2018 Rev.01, issued by the Central Pollution Control Board (Page No. 79 & 80), an industry shall ensure 85% data availability and exemption is allowed for 15% of non-Connectivity period for maintenance of analyzers, network issues etc. From the above tables it could be seen that the data availability had been well above the minimum prescribed for both the Plants of MPL.
16. It is submitted that, had the CCAG approached MPL, the above could have been explained and CCAG could have avoided giving a false Report in the public domain. So, it is really sad that the CCAG made the allegations of non-compliance on MPL without taking any efforts to check the information in detail.
17. It is further submitted that MPL as a conscientious Corporate Citizen is aware of its social responsibilities and so complies with all the regulatory requirements, in letter and spirit.
18. Based on the above facts, it is respectfully submitted by the 15th Respondent as follows:
- a. The allegations of non-compliance with the emission norms by MPL Plants in the Report of the Chennai Climate Action Group published in News Desk on 11-11-2020 are baseless and contrary to the facts explained above.
 - b. The action of the CCAG in publishing its Report without going into the details and fact-checking with the concerned industries is improper and so the information is not reliable at all.
 - c. The period of emission data made available in the Care Air Centre Portal by MPL has been well above the minimum hours prescribed under the CEMS Guidelines, 2018, Rev.01.
 - d. It has been admitted in the above Report of CCAG itself that there were no exceedance hours by MPL on any single day.
 - e. The CCAG describing the no-data hours as non-compliance period is contrary to facts and looks, to have been made with the sole aim to sensationalize the matter.

In the light of the above, the 15th Respondent respectfully prays to the Hon'ble Tribunal that they may be discharged from the Suo moto application and render justice.

Dated at Chennai on this 23rd day of July 2021.

For Manali Petrochemicals Limited



M. Karthikeyan
Whole-time Director (Operations)

VERIFICATION

I, M Karthikeyan, Wholetime Director (Operations) of Manali Petrochemicals Limited the 15th Respondent Company herein, do hereby declare that what is stated in the above paragraphs are true and correct to the best of my knowledge, information, and belief.

For Manali Petrochemicals Limited

M. Karthikeyan

Verified at Chennai on this 23rd day of July 2021

M. Karthikeyan

COUNSEL FOR 15th RESPONDENT

**M. Karthikeyan
Whole-time Director (Operations)**

DEPONENT

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ADVOCATES FOR 15TH RESPONDENT**