

Ministry of Environment, Forest and Climate Change
Legal Monitoring Cell

Date: 09/11/2020

Subject: Engagement of Panel Counsel

Respected Sir,

Mr. Deepak M. Gupte (09422317884)

You are engaged to appear and conduct the case mentioned below for all purposes on behalf of this Ministry till the disposal of the case or expiry of your term of engagement or until further orders, whichever is earlier.

2. Details of the case are as follows:-

Court: **NGT (WZ), Pune**

Case No.: **Appeal No. 41/2020 (WZ) (IA No. 80/2020)**

Title of the Case: **Hiteshbhai Uttambhai Dhodi & Ors. Vs. MoEF&CC & Ors.**

Concerned Division of the Ministry: **IA (Industry)**

Name and contact of the Divisional Head: **JS (SKB) & 011- 24695324**

Email ID: **sujit.baju@gov.in**

Name and contact of the dealing Legal Assistant: **Mr. Ashutosh Rai**

Ph.No. **7754928099**

Email ID: **raia8775@gmail.com**

Next Date of hearing: **23.12.2020**

3. **This engagement is subject to the following conditions:-**

- i. The engagement is governed by O.M. No. 17(19)/2013-PL/NGT Dated 01.09.2015, 19.12.2016, 21.12.2016 and O.M. No. 17(21)/2017-PL/NGT on dated 01.12.2017, Policy and Law Division, Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, New Delhi read with relevant circulars/instructions issued by this Ministry from time to time.
- ii. In case you are unable to attend the case for some reason, sufficient advance intimation should be given to the concerned Division.
- iii. To return the brief on expiry of your term/disposal of the case to the Ministry of Environment, Forest and Climate Change, or till further orders.
- iv. To intimate the Ministry the progress of the case regularly including obtaining and forwarding certified copy of the Order/Judgement to the concerned Division whenever necessary.
- v. To appear on behalf of this Ministry in person, and **not through a junior counsel** in the matters marked to you.
- vi. The engagement is acknowledged.


(B.L. CHOUHARY)

Advisor (Legal)

MoEF&CC, New Delhi

बी. एल. चौधरी/B. L. CHOUHARY

सलाहकार (विधि)

Advisor (Legal)

पर्यावरण वन एवं जलवायु परिवर्तन विभाग

IN THE NATIONAL GREEN TRIBUNAL,
WESTERN ZONE AT PUNE

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IN

Appeal No. 41 of 2020 (WZ)

THE MATTER OF: -

Uttambhai Dhodi & ors.

VERSUS

Ministry of Environment, Forest
& Climate Change

... Respondent

**AFFIDAVIT ON BEHALF OF RESPONDENT NO.1,
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE
CHANGE**

MOST RESPECTFULLY SHOWETH: -

I, **Vishwa Bandhu Meena**, working as **Scientist "C"** in regional office of the Ministry of Environment, Forest & Climate Change, at Bhopal, the deponent herein does hereby solemnly affirm and state on oath as under: -

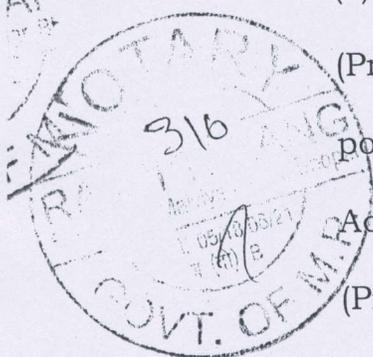
1. That I am duly authorized and competent to swear the present counter affidavit on behalf of Ministry of Environment, Forest and Climate Change (MoEFCC).
2. That the contents of the application, unless specifically admitted, are denied to the extent that they are inconsistent with submissions made hereinafter.
3. It is respectfully submitted that the instant reply is filed by the Answering Respondent without prejudice to his right to

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file a fuller and more detailed reply at a later stage, if so necessary.

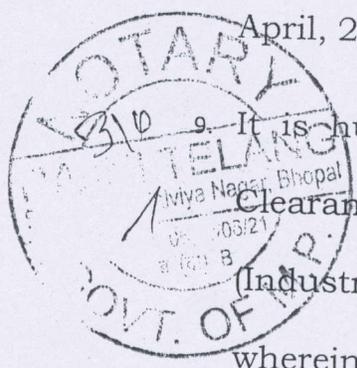
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4. It is respectfully submitted that the Hon'ble Tribunal vide its order dated 17.09.2020, inter-alia, has directed the Ministry of Environment, Forest and Climate Change (MoEFCC) to submit their response as to the specific questions raised by the appellant in reference to the Environmental Clearance (EC).
5. It is respectfully submitted that under sub section (1) clause (v) of sub section (2) of Section-3 of the Environment (Protection) Act, 1986, the Central Government has the power to make rules for carrying out the purposes of the said Act. Exercising the powers conferred by the Environment (Protection) Act, 1986, the Ministry had issued the Environment Impact Assessment (EIA) Notification vide S.O.60(E) dated 27th January, 1994 mandating certain categories of projects listed in the Schedule-I to obtain EC.
6. That under the Environment (Protection) Act, 1986 read with Environment (Protection) Rules, 1986, the Answering Respondent has issued a notification number S.O. 1533(E) dated 14.09.2006, (hereinafter referred to as the "EIA Notification, 2006") with its subsequent amendments.
7. That under the provision of the EIA Notification, 2006, construction of new projects or activities or the expansion or modernization of existing projects or activities listed in the



schedule annexed to the said notification entailing capacity addition with change in process and or technology shall be undertaken in any part of India, as applicable, only after receipt of the prior environment clearance from the Central Government or by the State Level Environment Impact Assessment Authority ("SEIAA"), as the case may be.

8. It is humbly submitted that the Standard Terms of Reference (ToR) for the project was granted by the respondent on 06th April, 2019.



9. It is humbly submitted that the proposal of Environment Clearance was considered by the Expert Appraisal Committee (Industry-2) in its meeting held on 25-27 February, 2020, wherein the project proponent and their accredited consultant presented the EIA/EMP report. The Expert Appraisal Committee (EAC), constituted under the provision of the EIA Notification, 2006 and comprising of Experts Members/domain experts in various fields, have examined the proposal submitted by the Project Proponent in desired form 2 along with EIA/EMP report prepared and submitted by the Consultant accredited by the QCI/ NABET on behalf of the Project Proponent. The committee found the EIA/EMP report to be satisfactory, complying with the ToR, and recommended the project for grant of environmental clearance. The committee has found that the baseline data and incremental GLC in the proposed project is within the

[Handwritten signature]

NAAQ standards and the issues raised during the public hearing have been properly addressed in the EIA/EMP report. The Committee noted that the EIA/EMP report is in compliance of the Terms of Reference (ToR) issued for the project, reflecting the present environmental concerns and the projected scenario for all the environmental components. The EAC has deliberated the proposal and has made due diligence in the process as notified under the provisions of the EIA Notification, 2006, as amended from time to time and accordingly made the recommendations to the proposal. Minutes of EAC is annexed herewith at **Annexure-I.**



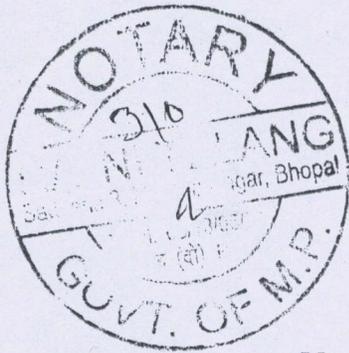
10. Based upon the recommendations of the EAC, the Ministry has granted the Environment Clearance (EC) on 18th May, 2020, as per the provisions of the EIA Notification, 2006 to the project, subject to compliance of specific terms and conditions. So the question of negligibility doesn't arise on the part of Ministry of Environment, Forest and Climate Change. Further, it is not out of place to state here that the appellant is wrongly trying to build a parallel analogy and trying to twist the facts averring that the Environment Clearance given by Ministry of Environment, Forest and Climate Change to M/s Madura Carbon (India) Limited was on a very casual approach, hence misleading the Hon'ble Court. Copy of EC issued by the Ministry is annexed herewith at **Annexure-II.**

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11. It is submitted that the present counter affidavit may kindly be taken on record and into consideration and the Hon'ble Tribunal may pass appropriate Order(s), direction(s) as deemed fit and proper under the facts and circumstances of the present case.

12. That other/ancillary issues raised in the appeal under reply do not pertain to the answering respondent. The Answering Respondent seeks leave to make additional submissions, if required, during the course of the proceedings.



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DEPONENT

विश्व बन्धु मीणा
VISHWA BANDHU MEENA
वैज्ञानिक "सी"/SCIENTIST "C"
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
Ministry of Environment, Forest & Climate Change
क्षेत्रीय कार्यालय (पश्चिम क्षेत्र), भोपाल/R.O. (WZ), Bhopal

VERIFICATION

Verified at **Bhopal** on 04/12 this day of December, 2020

that the contents of the above affidavit are correct to my knowledge and belief based on official records and nothing material has been concealed there from.

SIGNATURE ATTESTED
SWORN BEFORE ME

[Handwritten Signature]
RAJNI TELANG

NOTARY & ADVOCATE
144, Malviya Nagar Bhopal M.P. India
Serial..... 310

4 DEC 2020

Identify by me, *[Handwritten Signature]*

Name

Address

Signature

[Handwritten Signature]
श्री. वन प्रमोद
क्षेत्रीय कार्यालय

[Handwritten Signature]

DEPONENT

विश्व बन्धु मीणा
VISHWA BANDHU MEENA
वैज्ञानिक "सी"/SCIENTIST "C"
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
Ministry of Environment, Forest & Climate Change
क्षेत्रीय कार्यालय (पश्चिम क्षेत्र), भोपाल/R.O. (WZ), Bhopal

**MINISTRY OF ENVIRONMENT, FOREST AND
CLIMATE CHANGE (IA DIVISION-INDUSTRY-2
SECTOR)**

**MINUTES OF THE 17th MEETING OF THE
EXPERT APPRAISAL COMMITTEE (INDUSTRY-2 SECTOR) HELD DURING 25-27 FEBRUARY,
2020**

**Venue: Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Jor Bagh
Road, New Delhi-110003.**

Time: 10:00 AM

(i) Opening Remarks by the Chairman

The Chairman welcomed the Committee members and gave the opening remarks.

(ii) Confirmation of the Minutes of the 16th Meeting of the EAC (Industry-2) held during 21-23 January 2020 at MoEFCC, Indira Paryavaran Bhawan, New Delhi

The EAC, having taken note that no comments were offered on the minutes of its 16th EAC meeting held during 21-23 January, 2020 at MoEFCC New Delhi, confirmed the same.

After welcoming the Committee Members, discussion on each of the agenda items was taken up ad-seriatim.

Details of the proposals considered during the meeting, deliberations made and the recommendations of the Committee are explained in the respective agenda items as under:-

DAY 1: 25th February, 2020 (Tuesday)

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Agenda No.17.3

Setting up Carbon Black manufacturing unit & Power Generation unit by M/sMadura Carbon (India) Ltd located at 3705, 3708, 3719, 3725,3738, 4108, 4110,4318,Village Fansa (Karajgam), Taluka Umbergaon, DistrictValsad(Gujarat) -

Consideration of Environmental Clearance

[IA/GJ/IND2/76156/2018, IA-J-11011/266/2018-IA-II(I)]

The project proponent and their consultant M/s Precitech Laboratories Pvt. Ltd, made a detailed presentation on the salient features of the project.

During deliberations, the EAC noted the following:-

The proposal is for environmental clearance to the project for setting up Carbon Black manufacturing unit of capacity 2,30,000 TPA & Power Generation unit of 45 MW by M/sMadura Carbon(India)Ltd located at 3705,3708,3719,3725,3738,4108,4110,4318,Village Fansa (Karajgam), Taluka Umbergaon, District Valsad(Gujarat).

The details of products and capacity are as under:

| S. No. | Name of the Product | CAS No. | Quantity | End use of product |
|--------|--------------------------------|-----------|------------|--|
| 1. | Carbon Black | 1333-86-4 | 230000 TPA | Reinforcing material & filler in rubber products |
| 2. | Power Generation (Green Power) | -- | 45 MW | Power consumption |

The project/activities are covered under category A of item 5(e) 'Petroleum products and petrochemical based processing such as production of carbon black and electrode grade graphite (processes other than cracking and reformation and not covered under the complexes)' and 1(d) 'Thermal Power Plant' of the Schedule to the Environment Impact Assessment Notification, 2006, and requires appraisal at central level by the sectoral EAC in the Ministry.

Standard ToR for the project was granted on 6th April, 2019. Public Hearing for the proposed project has been conducted by the State Pollution

Control Board on 19th July 2019 under the Chairmanship of District Magistrate. The main issues raised during the public hearing are related to land issues, water consumption, effluent generation & its disposal, air pollution, traffic load and health & safety etc. The Committee deliberated the action plan on the issues raised during PH and found in order.

Total Land area is 94499 sqm. Industry will develop greenbelt in an area of 26.24% i.e., 24800 sqm out of total area of the project. In addition to this additional greenbelt development outside premises in consultation with local forest department & gram panchayats to be done in around 7500 sqm area to fulfil the requirement of total greenbelt of the project. The committee suggested to develop greenbelt in 33% area. The PP agreed with it. The estimated project cost is Rs.440 crores. Total capital cost earmarked towards environmental pollution control measures is Rs.86.5 Crores and the Recurring cost (operation and maintenance) will be about Rs. 26.45 Crores per annum. Total employment will be 760 persons as 400 persons direct & 360 persons indirect after proposed project.

There are no National Parks, Wildlife Sanctuaries, Biosphere Reserves, Tiger/Elephant Reserves, Wildlife Corridors etc. except patches of reserve forest (nearest patch of reserve forest is approx. 0.8 km) within 10 km distance from the project site. River Daro is flowing at a distance of 5 km in East direction.

Total water requirement will be 3115 cum/day, of which fresh water requirement of 2525 cum/day will be met from Damanganga Canal Distry. Effluent of 630 m³/day will be generated (Domestic: 45 m³/day & Industrial: 585 m³/day). The domestic wastewater will be treated in STP. Treated water from STP will be used for greenbelt development. Industrial wastewater mainly generated from industrial activities like boiler blowdown @ 55 KLD, Cooling blowdown @ 60 KLD, Plant washing @ 30 KLD, DeSOx blowdown @ 60 KLD, DM plant regeneration @ 20 KLD and miscellaneous (RO reject) @ 360 KLD.

The boiler & cooling blowdown will be directly recycled in DeSOx system for lime slurry preparation. DeSOx blowdown along with plant washing will be diverted to ETP. Treated water from ETP will be recycled through RO. There will be no discharge of treated/untreated waste water from the unit, and thus ensuring Zero Liquid Discharge.

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Power requirement for the proposed project will be 13 MW, which will be met from in house turbine and provision will also be made for initial start-up power from Dakshin Gujarat Vij Co. Ltd. One DG set of 1000 kVA capacity will also be installed as standby during power failure. Stack (height: 35 m) will be provided as per CPCB norms to the proposed DG set.

Two nos. of Steam boilers of capacity 112 TPH & 72 TPH in two separate production lines will be installed for power generation. Common Stack of 110 m will be provided to boilers. Off-gas generated during manufacturing of Carbon Black will be used as fuel in boilers.

Off-gas will also be used in two nos. of Dryer Combustor provided in 2 production lines. Two separate stacks (60m) for each line will be provided, which will be connected to Vapour bag collector as well (process emission). DeSO_x (FGD) system will be provided for control of SO₂ and DeNO_x (SCR/SNCR) system will be provided for control of NO_x emissions.

Ambient air quality monitoring was carried out at 10 locations during October 2018 to December 2018 and the baseline data indicates the ranges of concentrations as: PM₁₀ (60- 89µg/m³), PM_{2.5} (16-38µg/m³), SO₂ (9-22µg/m³) and NO₂ (10-26µg/m³). AAQ modelling study for point source emissions indicates that the maximum incremental GLCs after the proposed project would be 1.80µg/m³, 6.09 µg/m³ and 1.86µg/m³ with respect to PM₁₀, SO₂ & NO_x, respectively. The resultant concentrations are within the National Ambient Air Quality Standards (NAAQS).

The expenditure towards CER for the project would be Rs.10 crore as committed by the project proponent.

The EAC, constituted under the provision of the EIA Notification, 2006 and comprising of Experts Members/domain experts in various fields, have examined the proposal submitted by the Project Proponent in desired form along with EIA/EMP report prepared and submitted by the Consultant accredited by the QCI/NABET on behalf of the Project Proponent.

The EAC noted that the Project Proponent has given undertaking that the data and information given in the application and enclosures are true to the best of his knowledge.

degeand belief and no information has been suppressed in the EIA/EMP report. If any part of data/information submitted is found to be false/misleading at any stage, the project will be rejected and Environmental Clearance given, if any, will be revoked at the risk and cost of the projectproponent.

The Committee noted that the EIA/EMP report is in compliance of the ToR issued for the project, reflecting the present environmental concerns and the projected scenario for all the environmental components. Issues raised during public hearing have been addressed by the project proponent.

The EAC has deliberated the proposal and has made due diligence in the process as notified under the provisions of the EIA Notification, 2006, as amended from time to time and accordingly made the recommendations to the proposal. The Experts Members of the EAC have found the proposal in order and have recommended for grant of Environmental Clearance(EC).

The EAC, after deliberations, **recommended** the project for grant of environmental clearance, subject to compliance of terms and conditions as under:-

- (i) Necessary permission as mandated under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981, as applicable from time to time, shall be obtained from the State Pollution Control Board.
- (ii) As already committed by the project proponent, Zero Liquid Discharge shall be ensured and no waste/treated water shall be discharged outside the premises.
- (iii) Necessary authorization required under the Hazardous and Other Wastes (Management and Trans-Boundary Movement) Rules, 2016, Solid Waste Management Rules, 2016 shall be obtained and the provisions contained in the Rules shall be strictly adhered to.
- (iv) National Emission Standards for Petrochemical (Basic & Intermediates) issued by the Ministry vide G.S.R. 820 (E) dated 9th November, 2012 as amended time to time shall be followed.
- (v) No raw material/solvent prohibited by the concerned regulatory authorities from time to time, shall be used.

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- (vi) To control source and the fugitive emissions, suitable pollution control devices shall be installed to meet the prescribed norms and/or the NAAQS. The gaseous emissions shall be dispersed through stack of adequate height as per CPCB/SPCB guidelines. Bag filter (PTFE/pulse jet) shall be installed to control the emissions. Proper control measures shall be provided for controlling fugitive emissions in all vulnerable section from where there are chances of fine carbon particles getting airborne.
- (vii) ESP shall be installed as air pollution control measures for all major boilers & power generation unit.
- (viii) Total fresh water requirement shall not exceed 2525 cum/day, proposed to be met from Damanganga Canal Distry. Prior permission in this regard shall be obtained from the concerned regulatory authority.
- (ix) Rainwater harvesting system shall be set up in the premises by construction of storage tanks and water shall be used for various industrial purpose in the unit. No water shall be permitted to be pumped in the ground.
- (x) Process effluent/any wastewater shall not be allowed to mix with storm water. The storm water from the premises shall be collected and discharged through a separate conveyance system.
- (xi) Hazardous chemicals shall be stored in tanks, tank farms, drums, carboys etc. Flame arresters shall be provided on tank farm, and solvent transfer through pumps.
- (xii) The Company shall strictly comply with the rules and guidelines under Manufacture, Storage and Import of Hazardous Chemicals (MSIHC) Rules, 1989 as amended time to time. All transportation of Hazardous Chemicals shall be as per the Motor Vehicle Act (MVA), 1989.
- (xiii) Fly ash should be stored separately as per CPCB guidelines so that it may not adversely affect the air quality. Direct exposure of worker to fly ash and dust should be avoided. Brick manufacturing unit shall be set up in the premises for effective utilization of the ash.
- (xiv) The company shall undertake waste minimization measures as below:-
 - (a) Metering and control of quantities of active ingredients to minimize waste.
 - (b) Reuse of by-products from the process as raw materials or as raw material substitutes in other processes.
 - (c) Use of automated filling to minimize spillage.
 - (d) Use of Close Feed system into batch reactors.
 - (e) Venting equipment through vapour recovery system.

- (f) Use of high pressure hoses for equipment cleaning to reduce wastewater generation.
- (XV) The green belt of at least 10 m width shall be developed in nearly 33% of the total project area, mainly along the plant periphery, in downward wind direction, and along road sides etc. Selection of plant species shall be as per the CPCB guidelines in consultation with the State Forest Department. Green belt shall be increased with plantation of additional two rows along the existing green belt.
- (Xvi) All the commitments made to the public during public consultation/hearing shall be satisfactorily implemented.
- (Xvii) As committed Rs. 10.00 crore shall be allocated for Corporate Environment Responsibility (CER). The CER funds shall be utilized for meeting the issues suggested during public hearing. The CER plan shall be completed before commissioning of the expansion project.
- (Xviii) For the DG sets, emission limits and the stack height shall be in conformity with the extant regulations and the CPCB guidelines. Acoustic enclosure shall be provided to DG set for controlling the noise pollution.
- (Xix) The unit shall make the arrangement for protection of possible fire hazards during manufacturing process in material handling. Fire-fighting system shall be as per the norms.
- (XX) Occupational health surveillance of the workers shall be done on a regular basis and records maintained as per the Factories Act. Workers shall be provided with adequate safety kits/mask for protection from carbon black/coal tar dust, if any, occur in the factory.
- (XXi) Continuous online (24x7) monitoring system for stack emissions shall be installed for measurement of flue gas discharge and the pollutants concentration, and the data to be transmitted to the CPCB and SPCB server. For online continuous monitoring of effluent, the unit shall install web camera with night vision capability and flow meters in the channel/drain carrying effluent within the premises.
- (XXii) A separate Environmental Cell both at the project and company head quarter level, with qualified personnel shall be set up under the control of senior Executive, who will directly report to the head of the organization.
- (XXiii) Action plan for implementing EMP and environmental conditions along with responsibility matrix of the company shall be prepared and shall be duly approved by competent authority. The year wise funds earmarked for environmental protection measures shall be kept in separate account and not to be diverted for any other

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purpose. Year wise progress of implementation of action plan shall be reported to the Ministry/Regional Office along with the Six Monthly Compliance Report.

(xxiv) Mitigating measures suggested during process safety and risk assessment studies shall be carried out.



F. No.J-11011/266/2018-IA-II(I)
Government of India
Ministry of Environment, Forest & Climate Change
Impact Assessment Division

Indira Paryavaran Bhavan,
Vayu Wing, 3rd Floor, Aliganj,
Jor Bagh Road, New Delhi-110 003

Dated: 18th May, 2020

To,

M/s Madura Carbon (India) Ltd,
1, Janki Centre, Veera Desai Road,
Andheri (W), **Mumbai** - 400 053 (Maharashtra).

Sub: Setting up Carbon Black manufacturing unit of capacity 2,30,000 TPA & Power Generation unit of 45 MW by M/s Madura Carbon (India) Ltd located at Village Fansa (Karajgam), Taluka Umbergaon, District Valsad (Gujarat).- Environmental Clearance - reg.

Sir,

This has reference to your online proposal No. IA/GJ/IND2/76156/2018 dated 09th January, 2020 for environmental clearance to the above project.

2. The Ministry of Environment, Forest and Climate Change has examined the proposal for environmental clearance to the project for setting up Carbon Black manufacturing unit of capacity 2,30,000 TPA & Power Generation unit of 45 MW by M/s Madura Carbon (India) Ltd located at 3705, 3708, 3719, 3725, 3738, 4108, 4110, 4318, Village Fansa (Karajgam), Taluka Umbergaon, District Valsad (Gujarat).

3. The details of products and capacity are as under:

| S. No. | Name of the Product | CAS No. | Quantity | End use of product |
|--------|--------------------------------|-----------|------------|--|
| 1. | Carbon Black | 1333-86-4 | 230000 TPA | Reinforcing material & filler in rubber products |
| 2. | Power Generation (Green Power) | -- | 45 MW | Power consumption |

4. Total Land area is 94499 sqm. Industry will develop greenbelt in an area of 26.24% i.e., 24800 sqm out of total area of the project. In addition to this additional greenbelt development outside premises in consultation with local forest department & gram panchayats to be done in around 7500 sqm area to fulfil the requirement of total greenbelt of the project. The committee suggested to develop greenbelt in 33% area. The PP agreed with it. The estimated project cost is Rs.440 crores. Total capital cost earmarked towards environmental pollution control measures is Rs.86.5 Crores and the recurring cost (operation and maintenance) will be about Rs. 26.45 Crores per annum. Total employment will be 760 persons as 400 persons direct & 360 persons indirect after proposed project.

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5. There are no National Parks, Wildlife Sanctuaries, Biosphere Reserves, Tiger/Elephant Reserves, Wildlife Corridors etc. except patches of reserve forest (nearest patch of reserve forest is approx. 0.8 km) within 10 km distance from the project site. River Darotha is flowing at a distance of 5 km in East direction.

6. Total water requirement will be 3115 cum/day, of which fresh water requirement of 2525 cum/day will be met from Damanganga Canal Distry. Effluent of 630m³/day will be generated (Domestic: 45m³/day & Industrial: 585m³/day). The domestic wastewater will be treated in STP. Treated water from STP will be used for greenbelt development. Industrial wastewater mainly generated from industrial activities like boiler blowdown @55 KLD. The boiler & cooling blowdown will be directly recycled in DeSOx system for lime slurry preparation. DeSOx blowdown along with plant washing will be diverted to ETP. Treated water from ETP will be recycled through RO. There will be no discharge of treated/untreated waste water from the unit, and thus ensuring Zero Liquid Discharge.

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Two nos. of Steam boilers of capacity 112 TPH & 72 TPH in two separate production lines will be installed for power generation. Common Stack of 110 m will be provided to boilers. Off-gas generated during manufacturing of Carbon Black will be used as fuel in boilers.

7. The project/activities are covered under category A of item 5(e) 'Petroleum products and petrochemical based processing such as production of carbon black and electrode grade graphite (processes other than cracking and reformation and not covered under the complexes)' and 1(d) 'Thermal Power Plant' of the Schedule to the Environment Impact Assessment Notification, 2006, and requires appraisal at central level by the sectoral EAC in the Ministry.

8. Standard ToR for the project was granted on 6th April, 2019. Public Hearing for the proposed project has been conducted by the State Pollution Control Board on 19th July 2019 under the Chairmanship of District Magistrate. The main issues raised during the public hearing are related to land issues, water consumption, effluent generation & its disposal, air pollution, traffic load and health & safety etc. The Committee deliberated the action plan on the issues raised during PH and found in order.

9. The proposal for environmental clearance was considered by the EAC (Industry-2) in its meetings held on 25-27 February, 2020. The project proponent and their accredited consultant M/s Precitech Laboratories Pvt. Ltd presented the EIA/EMP report. The Committee found the EIA/EMP report to be satisfactory, complying with the ToR, and recommended the project for grant of environmental clearance.

10. The EAC, constituted under the provision of the EIA Notification, 2006 and comprising of Experts Members/domain experts in various fields, have examined the proposal submitted by the Project Proponent in desired form along with EIA/EMP report prepared and submitted by the Consultant accredited by the QCI/ NABET on behalf of the Project Proponent. The EAC noted that the Project Proponent has given undertaking that

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the data and information given in the application and enclosures are true to the best of his knowledge and belief and no information has been suppressed in the EIA/EMP report. If any part of data/information submitted is found to be false/ misleading at any stage, the project will be rejected and Environmental Clearance given, if any, will be revoked at the risk and cost of the project proponent.

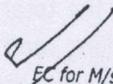
11. The EAC has deliberated the proposal and has made due diligence in the process as notified under the provisions of the EIA Notification, 2006, as amended from time to time and accordingly made the recommendations to the proposal. The Experts Members of the EAC have found the proposal in order and have recommended for grant of Environmental Clearance (EC).

12. The Committee noted that the EIA/EMP report is in compliance of the ToR issued for the project, reflecting the present environmental concerns and the projected scenario for all the environmental components. The Committee has found the baseline data and incremental GLC due to the proposed project within NAAQ standards. The Committee has also deliberated on the CER plan and found to be addressing the issues in the study area. Issues raised during the public hearing have been properly addressed in the EIA/EMP report.

13. Based on the proposal submitted by the project proponent and recommendations of the EAC (Industry-2), Ministry of Environment, Forest and Climate Change hereby accords environmental clearance to the project for **setting up Carbon Black manufacturing unit of capacity 2,30,000 TPA & Power Generation unit of 45 MW by M/s Madura Carbon (India) Ltd** located at Village Fansa (Karajgam), Taluka Umbergaon, District Valsad (Gujarat), under the provisions of the EIA Notification, 2006, and the amendments therein, subject to compliance of the terms and conditions as under:-

A. Specific Conditions

- (i) Necessary permission as mandated under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981, as applicable from time to time, shall be obtained from the State Pollution Control Board.
- (ii) As already committed by the project proponent, Zero Liquid Discharge shall be ensured and no waste/treated water shall be discharged outside the premises.
- (iii) Necessary authorization required under the Hazardous and Other Wastes (Management and Trans-Boundary Movement) Rules, 2016, Solid Waste Management Rules, 2016 shall be obtained and the provisions contained in the Rules shall be strictly adhered to.
- (iv) National Emission Standards for Petrochemical (Basic & Intermediates) issued by the Ministry vide G.S.R. 820 (E) dated 9th November, 2012 as amended time to time shall be followed.
- (v) No raw material/solvent prohibited by the concerned regulatory authorities from time to time, shall be used.


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(vi) To control source and the fugitive emissions, suitable pollution control devices shall be installed to meet the prescribed norms and/or the NAAQS. The gaseous emissions shall be dispersed through stack of adequate height as per CPCB/SPCB guidelines. Bagfilter (PTFE/pulse jet) shall be installed to control the emissions. Proper control measures shall be provided for controlling fugitive emissions in all vulnerable section from where there are chances of fine carbon particles getting air borne.

(vii) ESP shall be installed as air pollution control measures for all major boilers & power generation unit.

(viii) Total fresh water requirement shall not exceed 2525 cum/day, proposed to be met from Damanganga Canal Distry. Prior permission in this regard shall be obtained from the concerned regulatory authority.

(ix) Rainwater harvesting system shall be set up in the premises by construction of storage tanks and water shall be used for various industrial purpose in the unit. No water shall be permitted to pumped in the ground.

(x) Process effluent/any wastewater shall not be allowed to mix with storm water. The storm water from the premises shall be collected and discharged through a separate conveyance system.

(xi) Hazardous chemicals shall be stored in tanks, tank farms, drums, carboys etc. Flame arresters shall be provided on tank farm, and solvent transfer through pumps.

(xii) The Company shall strictly comply with the rules and guidelines under Manufacture, Storage and Import of Hazardous Chemicals (MSIHC) Rules, 1989 as amended time to time. All transportation of Hazardous Chemicals shall be as per the Motor Vehicle Act (MVA), 1989.

(xiii) Fly ash should be stored separately as per CPCB guidelines so that it may not adversely affect the air quality. Direct exposure of workers to fly ash and dust should be avoided. Brick manufacturing unit shall be set up in the premises for effective utilization of the ash.

(xiv) The company shall undertake waste minimization measures as below:-

- (a) Metering and control of quantities of active ingredients to minimize waste.
- (b) Reuse of by-products from the process as raw materials or as raw material substitutes in other processes.
- (c) Use of automated filling to minimize spillage.
- (d) Use of Close Feed system into batch reactors.
- (e) Venting equipment through vapour recovery system.
- (f) Use of high pressure hoses for equipment clearing to reduce wastewater generation.

(xv) The green belt of at least 10 m width shall be developed in nearly 33% of the total project area, mainly along the plant periphery, in downward wind direction, and along road sides etc. Selection of plant species shall be as per the CPCB guidelines in consultation with

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the State Forest Department. Green belt shall be increased with plantation of additional two rows along the existing greenbelt.

(xvi) All the commitments made to the public during public consultation/hearing shall be satisfactorily implemented.

(xvii) As committed Rs. 10.00 crore shall be allocated for Corporate Environment Responsibility (CER). The CER funds shall be utilized for meeting the issues suggested during public hearing. The CER plan shall be completed before commissioning of the expansion project.

(xviii) For the DG sets, emission limits and the stack height shall be in conformity with the extant regulations and the CPCB guidelines. Acoustic enclosure shall be provided to DG set for controlling the noise pollution.

(xix) The unit shall make the arrangement for protection of possible fire hazards during manufacturing process in material handling. Fire-fighting system shall be as per the norms.

(xx) Occupational health surveillance of the workers shall be done on a regular basis and records maintained as per the Factories Act. Workers shall be provided with adequate safety kits/mask for protection from carbon black/coal tar dust, if any, occur in the factory.

(xxi) Continuous online (24x7) monitoring system for stack emissions shall be installed for measurement of flue gas discharge and the pollutants concentration, and the data to be transmitted to the CPCB and SPCB server. For online continuous monitoring of effluent, the unit shall install web camera with night vision capability and flow meters in the channel/drain carrying effluent within the premises.

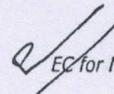
(xxii) A separate Environmental Cell both at the project and company head quarter level, with qualified personnel shall be set up under the control of senior Executive, who will directly report to the head of the organization.

(xxiii) Action plan for implementing EMP and environmental conditions along with responsibility matrix of the company shall be prepared and shall be duly approved by competent authority. The year wise funds earmarked for environmental protection measures shall be kept in separate account and not to be diverted for any other purpose. Year wise progress of implementation of action plan shall be reported to the Ministry/Regional Office along with the Six Monthly Compliance Report.

(xxiv) Mitigating measures suggested during process safety and risk assessment studies shall be carried out.

B. General Conditions

(i) The Project Proponent shall obtain all other statutory/necessary permissions/recommendations/NOCs prior to start of construction/operation of the project, which inter alia include, permission/approvals under the Forest (Conservation) Act, 1980; the Wildlife (Protection) Act, 1972; the Coastal Regulation

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Zone Notification, 2019, as amended from time to time, and other Office Memoranda/Circular issued by the Ministry of Environment, Forest and Climate Change from time to time, as applicable to the project.

- (ii) The project proponent shall ensure compliance of 'National Emission Standards', as applicable to the project, issued by the Ministry from time to time. The project proponent shall also abide by the rules/regulations issued by the CPCB/SPCB for control/abatement of pollution.
- (iii) The project authorities shall adhere to the stipulations made by the State Pollution Control Board/Committee, Central Pollution Control Board, State Government and any other statutory authority.
- (iv) The project proponent shall prepare a site specific conservation plan and wildlife management plan in case of the presence of Schedule-1 species in the study area, as applicable to the project, and submit to Chief Wildlife Warden for approval. The recommendations shall be implemented in consultation with the State Forest/Wildlife Department in a time bound manner.
- (v) No further expansion or modifications in the plant, other than mentioned in the EIA Notification, 2006 and its amendments, shall be carried out without prior approval of the Ministry of Environment, Forest and Climate Change. In case of deviations or alterations in the project proposal from those submitted to this Ministry for clearance, a fresh reference shall be made to the Ministry to assess the adequacy of conditions imposed and to add additional environmental protection measures required, if any.
- (vi) The energy source for lighting purpose shall be preferably LED based, or advance having preference in energy conservation and environment betterment.
- (vii) The locations of ambient air quality monitoring stations shall be decided in consultation with the State Pollution Control Board (SPCB) and it shall be ensured that at least one station each is installed in the upwind and downwind direction as well as where maximum ground level concentrations are anticipated.
- (viii) The National Ambient Air Quality Emission Standards issued by the Ministry vide G.S.R. No. 826(E) dated 16th November, 2009 shall be followed.
- (ix) The overall noise levels in and around the plant area shall be kept well within the standards by providing noise control measures including acoustic hoods, silencers, enclosures etc. on all sources of noise generation. The ambient noise levels shall conform to the standards prescribed under Environment (Protection) Act, 1986 Rules, 1989 viz. 75 dBA (day time) and 70 dBA (night time).
- (x) The Company shall harvest rainwater from the roof tops of the buildings and storm water drains to recharge the ground water and to utilize the same for process requirements.
- (xi) Training shall be imparted to all employees on safety and health aspects of chemicals handling. Pre-employment and routine periodical medical examinations for all employees shall be undertaken on regular basis. Training to all employees on handling of chemicals shall be imparted.

- (xii) The company shall also comply with all the environmental protection measures and safeguards proposed in the documents submitted to the Ministry. All the recommendations made in the EIA/EMP in respect of environmental management, and risk mitigation measures relating to the project shall be implemented.
- (xiii) The company shall undertake all relevant measures for improving the socio-economic conditions of the surrounding area. CER activities shall be undertaken by involving local villages and administration and shall be implemented.
- (xiv) The company shall undertake eco-developmental measures including community welfare measures in the project area for the overall improvement of the environment.
- (xv) A separate Environmental Management Cell (having qualified person with Environmental Science/Environmental Engineering/specialization in the project area) equipped with full fledged laboratory facilities shall be set up to carry out the Environmental Management and Monitoring functions.
- (xvi) The company shall earmark sufficient funds towards capital cost and recurring cost per annum to implement the conditions stipulated by the Ministry of Environment, Forest and Climate Change as well as the State Government along with the implementation schedule for all the conditions stipulated herein. The funds so earmarked for environment management/ pollution control measures shall not be diverted for any other purpose.
- (xvii) A copy of the clearance letter shall be sent by the project 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.
- (xviii) The project proponent shall also submit six monthly reports on the status of compliance of the stipulated Environmental Clearance conditions including results of monitored data (both in hard copies as well as by e-mail) to the respective Regional Office of MoEF&CC, the respective Zonal Office of CPCB and SPCB. A copy of Environmental Clearance and six monthly compliance status report shall be posted on the website of the company.
- (xix) The environmental statement for each financial year ending 31st March in Form-V as is mandated shall be submitted 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 environmental clearance conditions and shall also be sent to the respective Regional Offices of MoEF&CC by e-mail.
- (xx) The project proponent shall inform the public that the project has been accorded environmental clearance by the Ministry and copies of the clearance letter are available with the SPCB/Committee and may also be seen at Website of the Ministry and at <https://parivesh.nic.in/>. This shall be advertised within seven days from the date of issue of the clearance letter, at least in two local newspapers that are widely circulated in the region of which one shall be in the vernacular language of the locality concerned and a copy of the same shall be forwarded to the concerned Regional Office of the Ministry.

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- (xxi) The project authorities shall inform the Regional Office as well as the Ministry, the date of financial closure and final approval of the project by the concerned authorities and the date of start of the project.
- (xxii) This Environmental clearance is granted subject to final outcome of Hon'ble Supreme Court of India, Hon'ble High Court, Hon'ble NGT and any other Court of Law, if any, as may be applicable to this project
14. The Ministry reserves the right to stipulate additional conditions, if found necessary at subsequent stages and the project proponent shall implement all the said conditions in a time bound manner. The Ministry may revoke or suspend the environmental clearance, if implementation of any of the above conditions is not found satisfactory.
15. Concealing factual data or submission of false/fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this clearance and attract action under the provisions of Environment (Protection) Act, 1986.
16. Any appeal against this environmental 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.
17. The above conditions will be enforced, inter-alia under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, the Hazardous Waste (Management, Handling and Transboundary Movement) Rules, 2016 and the Public Liability Insurance Act, 1991 read with subsequent amendments therein.
18. This issues with the approval of the competent authority.

(डा. आर. बा. लाल)
(Dr. R. B. LAL) (Dr. R. B. Lal)
विज्ञानिक 'E' / Scientist 'E'
Scientist 'E' / Additional Director
Ministry of Environment, Forest and Climate Change
भारत सरकार, नई दिल्ली
Govt. of India, New Delhi

Copy to: -

1. The Principal Secretary, Forests & Environment Department, Government of Gujarat, Sachivalaya, 8th Floor, **Gandhi Nagar** - 382 010 (Gujarat)
2. The Dy. Director General of Forests (Western Zone), MoEF&CC, Regional Office, E-5, Arera Colony, Link Road -3, Ravishankar Nagar, **Bhopal** - 462 016 (MP)
3. The Member Secretary, Central Pollution Control Board, Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, **Delhi** -32
4. The Member Secretary, Gujarat Pollution Control Board, Paryavaran Bhawan, Sector 10 A, **Gandhi Nagar**-382 043 (Gujarat)
5. Monitoring Cell, Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, **New Delhi** - 3
6. Member Secretary, Central Ground Water Authority, 18/11, Jamnagar House, Man Singh Road, **New Delhi**-110011
7. District Collector, **Valsad, (Gujarat)**
8. Guard File/Record File/Monitoring File/Website of MoEF&CC

(Dr. R. B. Lal)
Scientist 'E' / Additional Director