

**MINUTES OF THE 91ST MEETING OF THE GOA STATE
POLLUTION CONTROL BOARD HELD ON 17/02/09 AT 4:30 PM**

1. The 91st meeting of the Goa State Pollution Control Board was held on 17/02/2009 at 4:30 pm in the Conference hall of the Board

The following members attended the meeting.

| | | |
|----|--|------------------|
| 1. | Dr.L.U.Joshi | Chairman |
| 2. | Shri S.M.Paranjape, The Chief Inspector, Factories & Boilers, Altinho, Panaji Goa. | Member |
| 3. | Shri A.V. Palekar, Managing Director, Goa Indl Dev. Corpn, Patto, Panaji Goa. | Member |
| 4. | Dr. V.B.Devari Dy Director, Dte. of Health Services, Campal, Panaji Goa | Member |
| 5 | Shri Tulio De Souza, President, Association of Architects, 404, City Centre, Patto Plaza, Panaji | Member |
| 6 | Shri Nitin Kunkolienkar, President, Goa Chamber of Commerce & Industry, Opp. Azaa Maidan, Panaji | Member |
| 7 | Shri Keshav Kamat, Goa State Industries Assocn., IDC Bldg., Patto Plaza, Panaji Goa | Member |
| 8 | Shri. Ashok Daiwajna, | Member Secretary |

Shri J.S.S. Rego, Chief Engineer – II, Public Works Deptt. Altinho, Panaji Goa, Shri Shri Sanjit Rodrigues, Goa Tourism Dev. Corpn., Trinora Apts. Panaji Goa. Shri Arvind Lolyekar, Director of Mines and Geology, Panaji, Goa, Mrs. Carmeline Menezes, Sarpanch, Village Panchayat Guirim, Bardez Goa Dr. Joseph D'Souza, Chief Scientist GSCST, Dept. of Science, Technology & Env. Saligao', Bardez Goa Shri Sagun Wadkar, Village Panchayat Pissurlem, Sattari, Goa ,Mrs. Ruth Furtado, Councillor, Corporation of the City of Panaji, Timoteo Bldg., Market, Panaji Goa did not attend the meeting.

Agenda Item no. 1

Confirmation of the minutes of the 90th meeting of the Board

The minutes of the 90th meeting of the Board duly approved by the members are confirmed, so as to enter the same in the Minutes Book.

Agenda Item no. 2

Follow up action on the decision taken at the 90th meeting of the Board.

Agenda item no. 5 – The Chairman informed the members that contract of Shri Chaitanya Salgaonkar, Scientific assistant, Mrs. Anunciacao Colaco, Junior Research Assistant and Shri Anil Parab, Security Guard has been extended for a period of six months. The Chairman also informed the members that Mrs Anunciacao Colaco, Junior Research Assistant has now submitted resignation with effect from 2nd March, 2009 as she has been offered employment in the Government. The members noted and approved the same

Agenda item no. 9 - The Chairman informed the members that the units of M/s Ambey Metallic Ltd., M/s Shraddha Ispat Pvt. Ltd., M/s Jain Udyog, M/s Srithik Ispat Ltd. and M/s Goa sponge and Power Ltd. have been granted renewal of Consent under the water and Air Acts, subject to the conditions that the ambient air quality monitoring and stack monitoring would be carried out by the units. The members noted and approved the same

Agenda item no. 10 – The Chairman informed the members that the unit of M/s Goa Sponge and Power Ltd. has been granted Consent to Operate under the Water and Air Acts for their induction furnace unit

Agenda Item no. 3

Application of M/s Syngenta India Limited for Consent to Establish two new active ingredients

The Chairman informed the members that M/s Syngenta India Limited has submitted an application for Consent to establish, namely Mandipropamide and 0-substitued Phenyl Amide (OPA) as also expand the facilities for manufacture of Thiamethoxam and AE Phenol. The Chairman also informed the members that the unit has obtained Environmental Clearance from the Ministry of Environment and Forest under the Environment Impact Assessment Notification.

The Chairman further informed the members that by product Tri Methyl Ethyl Amino Bromide is recycled in the process and KCL solution is disposed to solvent extraction units in other states and the aqueous effluents which are non degradable are incinerated. The Chairman explained that presently ^{M/s Syngenta India Ltd} disposes the treated effluent ~~is discharged~~ into the Cumbarjua Canal and additional effluents of 2500

Kl/day after treatment would also be disposed in the Cumbarjua Canal at two locations after diffusion.

The Chairman stated that the process emissions are controlled by High efficiency scrubbers / absorbers and condensation. The Boiler have been provide^d Chimney for dispersion of emissions and the Incinerators are provided with Venturi Scrubbers / Wet Scrubbers as pollution control equipment followed by chimney.

The Chairman informed the members that the existing Incinerators have sufficient capacity to treat and dispose the additional hazardous waste generated from proposed expansion.

The members decided to grant Consent to Establish to M/s Syngenta India Ltd for the proposed expansion subject to the following conditions

1. The unit should maintain log book and carry out monitoring of water quality of the Cumbarjua Canal 50 meters upstream of the point of discharge during high tide and 50 meters down steam of point of discharge during low tide every fortnight and submit analysis report .
2. The unit should comply with the conditions stipulated in the Environmental Clearance granted by the MoEF, GOI.
3. The unit should increase the capacity of storage of hazardous solid waste to be disposed in the CHWTSDF.
4. The process of establishing a CHWTSDF should be expedited to comply with the provisions of the Hazardous Waste (Management & Handling) Rules, 1989 as amended and the directions issued by the Hon Supreme Court.

The Chairman further informed the members that Chairman of the Central Pollution Control Board vide letter No D.O. No B-29014/1/2007/ESS dated 23/01/09 had requested that the following steps mooted should be discussed in the Board meeting and implemented.

- a) Establishment of well equipped laboratory facilities including Continuous Air Quality and Water Quality Monitoring Stations, by units falling in Category 'A' of EIA notification, 2006, especially the large and medium industrial units of 17 Categories of polluting industries ;

- b) Uploading of data about key factors like critical pollutants and Ambient Air /Water Quality by the Project Proponent on its own website;
- c) Display of results of key parameters on a continuous basis or otherwise on a display Board at a prominent location in front of the premises of the unit which will be visible to common people;
- d) Sending of results of monitoring and also the detailed monitoring reports to The State Pollution Control Board and concerned zonal offices of CPCB and Regional office of MoEF by E-mail and subsequent display of this information by these offices on their own websites;
- e) Suitable incorporation of the dispensation in para (a) to (d) in the Consent orders to be issued in future by the SPCBs for Categories of industrial units described at para (a) above as also any other category of industrial units which the SPCB may like to include. As regards, the existing units, SPCBs may either amend in continuation to the existing order or may incorporate at the time of renewal of the consent order.

The Members approved the inclusion of the above conditions in the Consent

Agenda Item no. 4

Application of Mormugao Port Trust for Water and Air Consents

The Chairman informed the members that M/s Mormugao Port Trust has submitted an application for renewal of Consent under the Water and Air Acts. The matter of coal pollution is a part of Writ Petition in the High Court of Bombay. The Hon. High Court of Bombay had directed NEERI to conduct a study and submit a report. In this regard the officials of the Board have conducted inspections to verify the implementation status of the recommendations made by NEERI with regard to handling of coke and coal at berth no. 10 and 11. The Board has also independently conducted ambient air quality monitoring through a laboratory recognized under the Environment (P) Act, 1986 at the same locations where NEERI had conducted monitoring from 18th to 22nd January, 2009.

The Chairman informed the members that The ambient air quality monitoring report indicate that Suspended Particulate Matter and Respirable Suspended Particulate matter are exceeding the permissible limits prescribed under the Rules. A letter has been issued to Mormugao

Port Trust and the Mormugao Port users Association informing the above findings and they have been directed to submit further measure they propose to undertake to meet the standards prescribed

The Chairman then informed the members that the Mormugao Port Trust has replied to the letter issued by this office vide their letter dated 11/02/2009 stating that the recently the Dust suppression system at General Cargo Berth No 11 and at height of 8.1 meters 8 no's sprinklers, resurfacing of roads by asphalt concrete and cleaning roads by mechanized means has been completed. The Mormugao Port Trust proposes to Resurface the remaining roads in the port area with hot mix asphalt and concrete, erection of additional sprinklers 8 Nos in and around the stackyard of the coal, erection of additional dust suppression system of silpaulin sheet of 120 meters length on the city side and deployment of additional mecahnised sweeper for sweeping of the roads within six months.

The members decided to carry out monitoring at the locations where NEERI had carried out the monitoring once a week to verify the ambient air quality and also issue directions to Mormugao Port Trust to complete the additional measures proposed vide their letter dated 11/02/09 by April 30, 2009. Meanwhile the Mormugao Port Trust should be allowed to operate and the decision regarding granting Consent should be taken after receipt of the weekly monitoring report.

Agenda Item no. 5

Decision regarding the NEERI report on the operation of Pig iron plant of M/s Sesa Industries Ltd. and M/s Sesa Met Coke Division

The Chairman informed the members that the Amona Bachao Andolan has filed a Public interest Litigation alleging pollution caused due to the release of graphite particles / dust pollution on operation of the pig iron plant and coke oven plant of M/s Sesa Industries Ltd. and M/s Sesa Met Coke Division respectively.

The Chairman further informed the members that ~~the~~ The Hon. High Court had appointed NEERI to conduct a study and submit a report. Accordingly NEERI has submitted a report to the Hon. High Court and the report has listed Short Term measures, Long Term measures, Health Safety and Environment Aspect and Corporate Social Responsibility aspect.

The members decided to issue directions to M/s Sesa Industries Ltd and M/s Sesa Metcoke Division Ltd to comply with the recommendations made by NEERI in its report and submit an action plan for implementation of the same.

Agenda Item no. 6

Fees to be paid to Adv. S.N. Joshi – Board Advocate

The Chairman informed the members that Adv. S.N. Joshi is on Panel of Advocate of this Board and has submitted a bill for representing the Board in the Hon. High Court at the rate of Rs. 5000/- per hearing from 20/11/07 to 13/10/08. The Board had earlier approved a fee of Rs. 3000/- per hearing for Adv. Joaquim Godinho, who is also a Counsel on the Panel of the Board.

The members decided to approve fee of Rs 5000 per hearing for Adv S.N.Joshi for the period from 20/11/07 to 13/10/2008 and for the further period also.

Agenda Item no. 7

Fees to be paid to the Legal Counsel of the Board.

The Chairman informed the members that as decided in the 85th Board meeting the fees to be paid to the Legal Counsels, Adv. Bhavani Shankar Gadnis and Adv. A.N. S. Nadkarni were as follows: Appearance – Rs. 5000/-, Drafting of Affidavits – Rs. 1000/- and Clerkage – Rs. 1000/-.

The Chairman further informed the members that Adv A.N.S Nadkarni is now a Senior Counsel hence Adv Dattaprasad Lawande would be Advocate on record .

The members decided to revise the fees paid to the Legal Counsel as follows;-

| | |
|-----------------------------|--|
| | Adv. A.N. S. Nadkarni Sr Counsel and Adv. Bhavani Shankar Gadnis and |
| Fees for appearance | Rs. 7000/- |
| Fees for drafting | Rs. 1000/- |
| Clerkage | Rs. 1000/- |
| Fees for Advocate on record | Rs 1000 per appearance |

| | |
|---|--|
| Dattaprasad Lawande for Sr Counsel Shri Nadkarni | |
|---|--|

| | |
|---------------------|--|
| | Adv. Joaquim Godinho and Adv. S.N. Joshi |
| Fees for appearance | Rs. 5000/- |
| Fees for drafting | Rs. 1000/- |
| Clerkage | Rs. 1000/- |

The Chariman further informed the members that Senior Counsel Shri A.N.S.Nadkarni is presently representing the Board in the Hon High Court and his performance is exemplary as a result of which the positive actions taken by the Board are highlighted. The Board members were of the opinion that all the important cases of the Board should be dealt by Senior Counsel A.N.S.Nadkarni and the Member Secretary should take approval of the Chairman for allotting the cases to the Legal Counsels of the Board.

Agenda Item no.8

Bank Guarantee submitted by M/s Nicomet Industries Ltd.

The Chairman informed the members that the Board agreed to grant permission for establishment of the captive land fill site to M/s Nicomet Industries Ltd. with a Bank guarantee amounting to Rs. 10 lakhs only for the fulfillment of the conditions to establish a captive land fill site to the satisfaction of the Board, as set out in the minutes of the 76th Board meeting held on 29/11/06, within a period of 6 months from the date of grant of permission / approvals from the statutory authorities / bodies as per the prevailing laws/rules

The Chairman informed the members that the unit could not set up the captive land fill site within the stipulated time period due to monsoon however the construction work started in the second week of April and as per the NEERI report, the industry initiated and successfully completed a number of tasks concerning the site within a span of one month. But due to heavy rains, the work could not be continued and NEERI suggested that the work would be deferred until the end of monsoons season and also stated that the unit has taken measures to store the waste safely during monsoons.

The unit vide its letter dated 07/01/09 had submitted application to the Board to grant them Consent to Operate which was granted on

02/02/09 after NEERI which is appointed as the pool consultant had inspected the site and submitted a report, subject to the condition that the unit complies with the recommendations made by NEERI in its inspection report and completes the ancillary facilities in two months from the date of issue of the consent.

The members decided to extend the Bank guarantee for a further period of 3 month from January 2009 till the unit completes the ancillary facilities and submits a compliance report with regard to the same. The members also decided that the unit should be monitored for compliance to Consent conditions by the Board officials. If Non compliance to the conditions stipulated by the Board is observed then the Consent should be revoked.

Agenda Item no. 9

Enhancement in the Contractual emoluments to the Chairman of the Board

The members noted that the Contractual Emoluments excluding pension of The Chairman, GSPCB since his appointment in June 2003 have not been revised. Dr L.U.Joshi was reappointed as the Chairman of GSPCB from 09/06/06 however the contractual emoluments excluding pension remained the same i.e Rs 35,000/ Rupees (Thirty five thousand) per month as in June 2003. The members also noted that The Chairman, Goa State Pollution Control Board has been given the status of the Chief Secretary and the 6th pay commission has enhanced the salary of all the staff with effect from 1st January, 2006. After revision of pay scales as per 6th Pay Commission with effect from 1st January, 2006 the Member Secretary, The Environmental Engineer and Scientist "B" of the Board draw a pay in excess of Rs. 35000/ per month. Taking into account the above facts the members decided that the Contractual emoluments excluding the pension of The Chairman should be revised to Rs. 80,000/ (Rupees Eighty thousand) per month with effect from the date of reappointment i.e. 09/06/06

Agenda Item no. 10

Applications cleared in the Technical Advisory Committee from 05/02/08 to 02/02/09

The members perused the list and approved the same.

Agenda Item no. 11

Environmental Engineer to hold charge of the post of Member Secretary in the absence of Shri A.G. Daiwajna, Member Secretary of the Board.

Chairman informed the members that Shri Rajendra Kamat has been deputed to this Board from Public Works Dept. on the post of Environmental Engineer and Shri Kamat is holding the post of Executive Engineer in the Public Works Dept. and has joined this office in December, 2008.

The members decided that that Shri Rajendra Kamat will hold the charge of the post of Member Secretary in absence of Shri Ashok Daiwajna, Member Secretary and Shri Rajendra Kamat should also operate the Account of the Board in the absence of Shri Ashok Daiwajna.

Agenda Item no. 12

Return of Bank Guarantee of sponge iron units

The Chairman informed the members that the sponge iron units had submitted a Bank Guarantee of Rs. 5 lakhs for carrying out measures in compliance to the recommendations made by NEERI in its report. The Bank Guarantee for the same has expired in April, 2008. The units have complied with the recommendations made by NEERI in its report. The Chairman further informed that the Board in its last meeting had also approved granting of Consent to all the five sponge iron units.

The members decided to return the bank guarantees of all the sponge iron units.

~~The members may deliberate and decide.~~

Table Item No 1.

Payment of Mobile Allowance to the Junior Stenographer presently working as the Private Assistant to the Chairman and driver of the Chairman

The members decided to grant a monthly mobile allowance of Rs 250 to the Junior Stenographer presently working as the Personal Assistant to the Chairman and to the Driver of the Chairman.

Table Item No 2

Appointment of Ms Supriya Usgaokar as Data Entry Operator on Contract basis

The member approved the appointment of Ms Supriya Usgaokar as Data Entry Operator on Contract basis for a period of one year with one day break after six months on consolidated salary of Rs 4500/ per month.

Table Item No 3

Comments sought by the Chairman MPT regarding shifting of Khariwada jetty

The members perused the letter forwarded by the Chairman MPT and members desired that the officials of the Board should prepare a report on the same and place before the Board in the next meeting.


Table Item No 4

Constitution of Committee for purchase of instruments for the Board Laboratory

The Chairman informed the members that the following Committee would decide on the purchase of instruments for the Board Laboratory

1. Shri. Keshav Kamat - Board Member
2. Mrs. Analia Mesquita - Scientist 'B', NIO
3. Shri. Rajendra Kamat - Environmental Engineer, GSPCB
4. Shri. Sanjeev Joglekar - Assistant Environmental Engineer, GSPCB
5. Shri. Nilesh Parsekar - Scientific Assistant, GSPCB
6. Shri. Sanjay Kankonkar - Scientific Assistant, GSPCB
7. Mrs. Jocelyn Coelho - Junior Laboratory Assistant, GSPCB

The Members approved the constitution of the Committee.


Member
Goa State Pollution Control Board


CHAIRMAN
Goa State Pollution Control Board