

**MINUTES OF THE 99TH MEETING OF THE
GOA STATE POLLUTION CONTROL BOARD
HELD ON 28TH OCTOBER, 2010 AT 3:30 pm
IN THE BOARD'S CONFERENCE HALL**

1. The 99th meeting of the Goa State Pollution Control Board was held on 28th October, 2010 in the Board's Conference hall.

The following members attended the meeting

1. Dr Simon N. de Sousa, Chairman, GSPCB
2. Additional Principal Chief Conservator of Forests was represented by Assistant Conservator of Forests.
3. Chief Engineer, Water Resources Dept.
4. The Director of Mines and Geology was represented by Shri Hector Fernandes, Senior Technical Assistant, Dept. of Mines & Geology
5. Shri Caesar Menezes, President, Goa Chamber of Commerce and Industries
6. Shri Shekhar Sardessai, President, Goa State Industries Association
7. Shri Jose Manuel Noronha, Gen. Manager (Projects) Agnel Technical Education
8. Shri Srinet Kothwale, Member Secretary, GSPCB

The Director of Mines and Geology expressed his inability to attend the meeting due to prior engagements. Hence, leave of absence is granted to him.

The following officials were present for the Board meeting as Special invitees to discuss and deliberate on the expansion projects to be carried out at Mormugao Port Trust and the issue of coal pollution in the Vasco City.

1. Mr. Gopal A. Parsekar – Chief Officer, Mormugao Municipal Council
2. Shri Stephen Braganza, In-charge Marine Science– Representing the Captain of Ports.
3. Shri Dean Menezes, representing the Confederation of Indian Industries
4. Shri Glenn Kalavampara, representing the Goa Mineral Ore Exporters Association.
5. Shri Arun Naik, representing the Goa Pharmaceutical Manufacturers Association.

Representative of Travel and Tourism Association informed their inability to attend the meeting due to prior engagements.

No representatives from the Dept. of Science, Technology & Environment, Goa Coastal Zone Management Authority and the Office of the Dy. Collector & Sub-Divisional Office, Mormugao Taluka were present for the meeting.

The following officials of Mormugao Port Trust were present during the meeting.

1. Shri .J. Lokhande, Chief Engineer, MPT
2. Shri N. Vaiyapuli, Traffic Manager, MPT
3. Shri D.D. Ambe, Executive Engineer, MPT
4. Shri A. Stephen, CEO, WAPCOS

II. At the outset the Chairman welcomed all the members present for the 99th meeting of the Goa State Pollution Control Board. He stated that this is a special Board meeting called to discuss and decide on the MPT issue, and that in addition there are a few minor matters which were pending with the Board for quite some time, and one Table item regarding adoption of Audit Report for the year 2005-2006.

AGENDA ITEM NO. 01

Confirmation of the minutes of the 98th meeting of the Goa State Pollution Control Board held on 19/08/2010

The members confirmed the minutes of the 97th meeting of the Board held on 19/08/2010, so as to enter the same in the minutes book.

AGENDA ITEM NO. 02

a. Follow up action on the decision taken at the 77th meeting of the Board held on 29/01/2007

The members noted the submissions and enclosures to this item.

b. Follow up action on the decision taken at the 78th meeting of the Board held on 21/02/2007

The members noted the submissions and enclosures to this item

d. Follow up action on the decision taken at the 95th meeting of the Board held on 11/11/2009.

The members noted the submissions and enclosures to this item.

d. Follow up action on the decision taken at the 96th meeting held on 09/02/2010

The members desired to know whether the three mining companies had complied with the three recommendations of NEERI included in the directions issued by the Board. The Chairman clarified that the mining companies had initiated steps for complying with the directions, however, they have not fully complied with the directions. The members opined that directions should be issued to the mining companies to expedite the compliance.

e. Follow up action on the decision taken at the 97th meeting held on 07/05/2010

Agenda item no. 6 - The members noted the same.

Agenda item no. 02(a) -

The Chief Engineer, Water Resource Dept. expressed his departments strong objection for approval of expansion projects by MPT. He stated that establishment of these projects will result in damages to the coast line and will also cause sea erosion as is visible in the coast of Candolim due to grounding of the River Princess. He stated that Environment Impact assessment needs to be carried out for all the expansion projects of MPT, on the beaches of Goa.

As decided during the 98th Board meeting, the officials of MPT are called for this meeting for making a detailed presentation on their present facilities and their proposed facilities at the Port and the pollution measures undertaken by them along with the Master Plan for development of the Port.

The members were briefed regarding the pending applications / requests with the Board and the reasons thereto. The officials of Mormugao Port Trust then made a presentation before the members with regard to the pending issues before the Board.

Shri A.J. Lokhande, Chief Engineer, MPT made a Power Point presentation. During the presentation the officials clarified as follows:

a. Development of second coal terminal at berth no. 7 – It was stated that the Expert Appraisal Committee has recommended the project for grant of Environmental Clearance subject to clearance from Goa Coastal Zone Management Authority for the Project. The GCZMA has till date not issued clearance. However, in their earlier communications, ~~the~~ GCZMA had stated that the said area is CRZ- II, where Port development is permitted.

b. Development of iron ore export terminal – West of break water – It was clarified by the officials representing the MPT that it is not possible to shift the coal handling activities to west of break water. Further, it was stated that MPT proposes to have a closed shed and a mechanized system at berth no. 11, for handling coal and coke, which will ensure reduction in pollution. As regards to the

Officials clarified that though a Master Plan and Business Plan for MPT has been prepared, MPT proposes to undertake only the following three projects at present:

- i. Development of second coal terminal at berth no. 7
- ii. Development of West of break water terminal for iron ore.
- iii. Construction of closed sheds and mechanization of coal handling at berth no. 11.

MPT officials clarified that combined EIA study for the above three projects could be considered.

The officials then stated that MPT had conducted Hydro-dynamic studies through CWPRS, Pune and the report of CWPRS indicate that there is no change in Hydro-dynamic conditions due to reclamation and break water construction. The officials further clarified that the following projects do not require Environmental Clearance, as the same are within the operational areas of the Port and do not involve capacity additions

1. Cruise Terminal / Base port for Indian Coast Guard / NCAOR vessels / NIO ships / Foreign Naval vessels.
2. Additional mooring dolphins.
3. Construction of berth no. 4.
4. Extension of berth no. 8.

It was further clarified by the MPT officials that the following projects are dropped / not initiated / executed by other agencies:

1. Cruise container berth at Baina Bay
2. 5.2 kms four lane port connectivity road (to be implemented by other agency).
3. Widening of 1.2 kms NH-17 between Sada Jn. And gate no. 1 of MPT.
4. New Port crafts / Custom vessels / Marine Police / Launches etc. jetty at Vasco bay
5. Construction of fishing jetty at Khariwada.

Shri A. Stephen, CEO, representing WAPCOS (Consultants of MPT) clarified regarding the mode of conducting Environment Impact assessment Study for various projects of the MPT.

With regards to the observations made in the inspections conducted by the officials of GSPCB, on compliance to the recommendations of NEERI, it was clarified as follows:

	Recommendations of NEERI	Compliance status by MPT
a.	Evacuation of cargo prior to allowing next cargo vessel to berth	Evacuation hampered by restrictions imposed by Road Traffic Authorities. New four lane road and fly over will greatly mitigate this problem.
b.	Trucks found to be overloaded	Circular issued to Port Users Association (PUA). PUA has written to Road Transport Authority and Dy. Suptd. of Police to take strict measures in case of overloaded trucks.
c.	Tyres and body of loaded trucks to be cleaned with compressed air	The compressor was temporarily out of order due to electrical fault. Rectified on the same day by P.U.A.
d.	Covered storage facility for cargo at berths 10 and 11	Tenders invited.
e.	Silos to be provided for cargo handling	Tenders invited.

On perusal of the presentation made by MPT, the members deliberated and decided as follows:

A. Application of MPT for renewal of Consent to Operate under the Water and Air Act for handling coal and coke

On perusal of the presentation made by MPT and submissions forwarded by the representatives of MPT with regard to the show cause notice dated 09/09/2010, after detailed deliberations the members observed that:-

The MPT has not complied with the following measures recommended by NEERI and directed by the Board till date.:

- a. Construction of closed sheds at berth no. 10 and 11 for storage of coal and coke
- b. Setting up of mechanized handling system for coal and coke at

- berth no. 10 and 11.
- c. The evacuation of cargo lying on MPT plot which is to be carried out within specified time prior to allowing next cargo vessel to dock-in at the MPT berths.
 - d. Trucks should not be overloaded with cargo and should be covered effectively with tarpaulin or HDPE sheets during transportation to the desired destination.
 - e. The tyres and body of loaded trucks be cleaned by compressed air jet followed by water jet prior to allowing the trucks to leave the Port. The members noted that MPT has installed compressed air jet however the same was found not to be in working condition during inspection. Hence, the members were of the view that the directions are not complied with.
 - f. With regard to Ambient Air Quality Monitoring being conducted in order to assess the efficiency of the pollution control measures as recommended by NEERI and the Board, on perusing the reports of AAQ monitoring submitted by MPT, it was observed that MPT is not carrying out monitoring at all the six locations specified and conducted by NEERI. MPT is only carrying out monitoring only at three locations and out of these three locations MPT is only carrying out monitoring at only one desired location.
 - g. MPT has not carried out comprehensive EIA in respect of its operation / projects.

In view of the above non compliance, the members decided :-

- i. To issue directions to MPT to ensure that construction of the closed shed and mechanization of coal handling at berth no. 11 is taken up on priority after obtaining Environmental Clearance, CRZ clearance and Consent to Establish under the Air Act & the Water Act for the said project from the Board. The said construction of the closed shed and mechanization of coal handling at berth no. 11 should be completed within 18 months i.e by 30/06/2012.
- ii. That the Board should conduct regular ambient air quality monitoring at the locations specified by NEERI in its report, from 01/12/2010 to 31/05/2011 through a laboratory, recognized by Ministry of Environment and Forest, in order to verify the present status of ambient air quality in the Port Town of Vasco and assess the impact of coal handling operations at berth nos. 10 and 11 and to assess the efficiency of the pollution control measures adopted by MPT as recommended by NEERI and the Board in this regard. The cost towards the same should be recovered from MPT.

- iii. That in the event the reports of ambient air quality monitoring conducted by the Board as above indicate that the levels of particulate matter exceed the permissible limits thereby indicating that the short term measures adopted by the MPT are not efficient, the Board should initiate immediate stringent legal action against the MPT with regard to the coal handling activities at berth nos. 10 and 11.
- iv. To issue directions to MPT to install a Continuous Automatic Air Quality Monitoring station as per Central Pollution Control Board guidelines, at MPT Institute for monitoring PM₁₀ and PM_{2.5} within a period of 60 days from the date of receipt of the directions.
- v. To initiate appropriate action as deemed fit upon receipt of the Ambient Air Quality monitoring reports.
- vi. That with regard to the observations that trucks carrying coal and coke are overloaded, the Director of Transport should be directed to ensure that trucks carrying coal and coke are not overloaded and adequately covered while leaving the premises of MPT.
- vii. That with regard to the applications for renewal of Consent to Operate under the Water Act and the Air Act as submitted by MPT, the same should be processed only after receipt of the results of the ambient air quality monitoring conducted by the Board, as well as from the continuous ambient air quality monitoring and after effective steps are taken by MPT for construction of closed sheds and mechanized handling of coke and coal at berth no. 10 and 11 as recommended by NEERI and as directed by the Board.

B. Request of MPT for conducting Environmental Public Hearing for the proposed development of West of Break Water.

On perusal of the presentation made by MPT and submissions forwarded by the representatives of MPT the members observed that the proposed expansion projects as seen from the proposals submitted by MPT would involve reclamation at various locations at the Port area, construction of breakwaters etc. which is likely to have the following impacts:

- a. Adverse impact on the terrestrial flora during the construction stage and operation stage.
- b. Impact on marine ecology such as benthic organism due to dredging and disposal of dredged material.
- c. Impact on fisheries due to the increase in the turbidity of water upon the increase in the activity in the Port area.

- d. Coastal erosion due to huge areas of land reclamation and possibly due to change in direction of water currents.
- e. Displacement of population and adverse impact on demography during construction and operational phase (establishment of labour colonies during construction phase etc.)
- f. Change in land use pattern
- g. Stress in the existing infrastructure facilities such as roads, railways, water, garbage treatment facilities and sewage treatment facilities.

Considering the submissions of MPT, directions of the Board and non-compliance by the MPT, and on considering the predominant issue of coal pollution in the Vasco city, the Board decided as follows:

- i. Directions should be issued to MPT to submit a copy of the report of Hydro-dynamics studies conducted by CWPRS for perusal of the Board members, so as to ascertain the terms of reference of the study. Further, MPT should carry out a comprehensive EIA study for considering the two projects i.e. Development of berth no. 7 and development of west of break water for iron ore export terminal along with CPWRS report. The application for conducting Environmental Public Hearing along with the fees deposited should be returned to MPT directing them to re-submit a fresh application on completion of the comprehensive EIA study considering both the projects and submission of CWPRS report.

C. Application for Consent to Establish for development of berth no. 7

On perusal of the presentation made by MPT and submissions forwarded by the representatives of MPT the members observed that

- a. While processing the application for Environmental Clearance for the proposed 5 MTPA coal handling facility at berth no. 7 of MPT, the Expert Appraisal Committee had noted in their minutes that shifting of coal and coke handling from berth no. 10 and 11 to berth no. 7 will free the Vasco city from dust pollution being experienced currently.
- b. It is also noted that page no. 2 -11 of the EIA report for berth no. 7, wherein it has been stated that the Port is planning to *shift existing POL handling activities from berth no. 8 to berth no. 11, whereas MPT has now submitted a feasibility study for development of mechanized coal and coke handling activities at berth no. 11. It has been further stated in the said page that the Port is planning an iron ore berth at Vasco bay, whereas MPT*

has now submitted an application for development of a dedicated iron ore berth.

- c. MPT has commenced development of berth no. 7 without obtaining Environmental Clearance and Consent to Establish from the GSPCB.

In view of the above observations the members decided to:-

- i. Issue direction to MPT to stop construction activity /development activity at berth no. 7 until Environmental clearance and CRZ permission is obtained from MoEF. Further, the application for Consent to Establish berth no. 7, submitted by MPT should be rejected and returned in original along with fees deposited back to MPT as the project is not granted Environmental Clearance by the MoEF.
- ii. Directions to MPT to Explore the possibilities of shifting of coal and coke handling activities of berth no. 10 & 11 to berth no.7.

D. Other expansion projects of MPT

The members noted during the presentation that MPT has commenced developmental work for some projects without obtaining Consent to Establish from the Board. The members then decided to issue direction to MPT to submit applications for Consent to Establish complete in all respects for the following projects, alongwith comprehensive EIA, Environmental Clearance, CRZ permission, namely:

- a. Cruise Terminal / Base port for Indian Coast Guard / NCAOR vessels / NIO ships / Foreign Naval vessels.
- b. Additional mooring dolphins.
- c. Construction of berth no. 4.
- d. Extension of berth no. 8.

Further members decided that, MPT should be issued directions to stop all construction / development activity for the above projects until Consent to Establish (NOC) is obtained for the same from the Board.

- f. Follow up action on the decision taken at the 98th meeting of the Board held on 19/08/2010

The members noted the same.

g. Follow up action the decision taken at the 83rd meeting of the Board held on 12/10/2007 Table item no. 7 - The members approved the Report on 'Feasibility study of steel slag usage in construction of embankment and pavement layers' submitted by Central Road Research Institute, New Delhi (CRRRI).

The members also decided to forward a copy of the report to the Public Works Dept., Govt. of Goa, for implementing the recommendations made by CRRRI in the report, as well as request for co-operation to conduct Phase - II of the Study.

The members also suggested that a proposal should be sought from CRRRI to conduct Phase -II of the study.

AGENDA ITEM NO. 3

Application of M/s Dazzler Confectionery Company Pvt. Ltd. (Unit -I & II) - Plot no. N-73 & N-74, Verna Industrial Estate, Verna, Salcete Goa for Consent to Establish for the manufacture of confectionery products.

The Chairman informed the members that the HPCC has cleared the proposal of M/s Dazzler Confectionery Company Pvt. Ltd. (Unit -I & II) in principle. The HPCC has cleared the above proposal in its meetings, but with a condition that the unit shall make provisions for rain water harvesting and re-charging of wells, within their unit, so as to recharge the ground water aquifer, which has been depleted. The Chief Engineer, Water Resource Dept. stated that no permissions will be given by his department for construction of bore wells, as the water table in the Verna Industrial Estate has already depleted and that the company should make its own arrangements for the source of water supply.

The members suggested that the unit submit their plans for rain water harvesting and re-charge of wells along with designs to the Goa State Pollution Control Board / Directorate of Industries, Trade and Commerce, to forward the same to the Water Resource for scrutiny.

The members approved the proposal of M/s Dazzler Confectionery Company Private Limited: (Unit - I & II) Plot no. N-73 & N-74, Verna Industrial Estate, Verna, Salcete Goa for the manufacture of confectionery products with capacity of 8,000 MT/annum and 16,000 MT/annum

AGENDA ITEM NO. 4

Application of M/s Essel Propack Limited – Plot no. 113 & 114 and the adjacent plot no. 111, Kundaim Industrial Estate, Kundaim Goa for Consent to Establish for expansion in their manufacturing capacities.

The Chairman informed the members that the HPCC has cleared the proposal of M/s Essel Propack Limited in principle. The HPCC has cleared the above proposal in its meetings, but with a condition that the unit shall make provisions for rain water harvesting and re-charging of wells, within their unit, so as to recharge the ground water aquifer, which has been depleted. The Chief Engineer, Water Resource Dept. stated that no permissions will be given by his department for construction of bore wells, as the water table in the Kundaim Industrial Estate has already depleted and that the company should make its own arrangements for the source of water supply.

The members suggested that the unit submit their plans for rain water harvesting and re-charge of wells along with designs to the Goa State Pollution Control Board / Directorate of Industries, Trade and Commerce, to forward the same to the Water Resource for scrutiny.

The members approved the proposal of M/s Essel Propack Limited – Plot no. 113 & 114 and the adjacent plot no. 111, Kundaim Industrial Estate, Kundaim Goa for Consent to Establish for expansion in their manufacturing capacities

AGENDA ITEM NO. 5

Application of Commanding Officer, INS Hansa, Dabolim for Consent to Establish a Reverse Osmosis Plant for domestic use.

After perusing the Agenda item, the members decided to seek the following clarifications from INS Hansa:

- a. The temperature and concentration of the brine proposed to be discharged into the sea.
- b. To conduct an EIA study on the said proposal
- c. Mode of treatment and disposal of the brine and brine concentrates into the sea.
- d. Source of power supply for the proposed plant.
- e. Mode of disposal of the waste membranes of the plant.

The members decided to defer the item and to place the matter before the Board on receipt of the clarifications.

AGENDA ITEM NO. 6

Application of M/s Sunrise Electromelt Ltd., Plot no. M-4, Cuncolim Industrial Estate, Cuncolim, Salcete Goa for Consent to Operate under the Water Act for a coal based Gassifier plant.

- Chairman informed the members that M/s Sunrise Electromelt Limited vide their letter dated 26/10/2010 have requested for time to make their submission and presentation to the Board as their Technical person is out of town. The members decided to grant the same and take up the matter in the next Board meeting.

AGENDA ITEM NO. 7

a. Files cleared by the Technical Advisory Committee of the Board during its meetings held from 16/08/2010 to 11/10/2010

The members perused the enclosed database where in the list of applications cleared in the TAC meetings during its meetings held from 16/08/2010 to 11/10/2010, and approved the same

b. Files cleared with the approval of the Chairman (Green category files)

The members perused the enclosed database wherein the list of files were cleared with the approval of the Chairman (Green category files) from 11/08/2010 to 15/10/2010, and approved the same

TABLE ITEM NO. 01

Adoption of the Audit Report for the financial year 2005-2006.

Chairman informed the members that this is the fourth Audit being conducted since the re-constitution of the Board, and he plans to conduct another three more audits, so as to clear the back-log.

The members perused the Audit Report for the financial year 2005-2006 submitted by Govt. appointed auditor M/s Harite and Associates and thereafter passed the following resolution unanimously:

“RESOLVED THAT Receipts and Payments, Income and Expenditure Account and the Balance sheet together with notes thereon for the financial year ended on 31st March, 2006 be and are hereby approved.

RESOLVED FURTHER THAT the Chairman, the Member Secretary, the Accounts cum Administrative Officer and Accountant are hereby authorized to

sign the Audited Annual Accounts of the Goa State Pollution Control Board jointly."

III. The meeting ended with thanks to the Chair.



MEMBER SECRETARY



CHAIRMAN