

Dated: 1st September, 2009.

To
The Chief Engineer,
M/s. Visakhapatnam Port trust,
Visakhapatnam,
Andhra Pradesh.

Subject: CRZ and Environmental Clearance for installation of Mechanised Handling facilities at General-Cum-Bulk Cargo Berth in the outer Harbour of Visakhapatnam Port Trust, Andhra Pradesh by M/s. Visakhapatnam Port Trust

This has reference to your application No: IENG/EE(D)403/ot.1, dated 19.01.2009 and subsequent letter dated 13.06.2009 seeking prior CRZ and Environmental Clearance for the above project under the CRZ Notification, 1991 and EIA Notification – 2006. The proposal has been appraised as per prescribed procedure in the light of provisions under the CRZ Notification, 1991 and EIA Notification – 2006 on the basis of the mandatory documents enclosed with the application viz., the Questionnaire, EIA, EMP and the additional clarifications furnished in response to the observations of the Expert Appraisal Committee constituted by the competent authority in its meetings held on 12th – 14th March, 2009, 23rd – 24th April, 2009 and 25th – 26th June, 2009.

2. It is interalia, noted that the proposal involves installing the mechanized coal handling facilities at General Cargo berth in the outer harbour on BOT basis. At present the coking coal and steam coal are being transported by rail/road. The backup area is at the interface with habitation area, school etc. In view of the APPCB's long-term directive to mechanize cargo operations and public have been pursuing to improve the handling system. Hence it is proposed to shift the backup area away from the habitation and the present semi-mechanized method is proposed to be converted to fully mechanized system right from ship side to backup area.

3. The proposed installation of mechanical handling system at the existing general cargo berth in the outer harbour for unloading of cooking coal and steam coal shall comprise ship unloading system, stackers, reclaimers, wagon loading system and a system of conveyors. This proposed installation of mechanical handling equipment envisages cargo handling of 6.50 million Tons of additional cargo. No dredging is involved.

4. TOR of the project was finalized by the Expert Appraisal Committee in its meeting held on 25th – 26th October, 2007 and communicated on 07.11.2007.

5. The Expert Appraisal Committee, after due consideration of the relevant documents submitted by the project proponent and additional clarifications furnished in response to its observations, have recommended for the grant of CRZ and Environmental Clearance for the project. Accordingly, the Ministry hereby accord necessary CRZ and Environmental Clearance for the above project as per the provisions of CRZ Notification, 1991 and EIA Notification – 2006 and its subsequent amendments, subject to strict compliance of the terms and conditions as follows:

6. SPECIFIC CONDITIONS :

(i) No construction work other than those permitted in Coastal Regulation Zone Notification shall be carried out in Coastal Regulation Zone area.

(ii) Oil spills if any shall be properly collected and disposed as per the Rules.

(iii) The approach channel shall be properly demarcated with lighted buoys for safe navigation and adequate traffic control guidelines shall be framed.

(iv) The project proponent shall set up separate environmental management cell for effective implementation of the stipulated environmental safeguards under the supervision of a Senior Executive.

(v) The project proponent shall take up mangrove plantation/green belt in the project area, wherever possible. Adequate budget shall be provided in the Environment Management Plan for such mangrove development.

(vi) The funds earmarked for environment management plan shall be included in the budget and this shall not be diverted for any other purposes.

7. GENERAL CONDITIONS :

(i) Adequate provision for infrastructure facilities including water supply, fuel and sanitation must be ensured for construction workers during the construction phase of the project to avoid any damage to the environment.

(ii) Appropriate measures must be taken while undertaking digging activities to avoid any likely degradation of water quality.

(iii) Borrow sites for each quarry sites for road construction material and dump sites must be identified keeping in view the following:

(a) No excavation or dumping on private property is carried out without written consent of the owner.

(b) No excavation or dumping shall be allowed on wetlands, forest areas or other ecologically valuable or sensitive locations.

(c) Excavation work shall be done in close consultation with the Soil Conservation and Watershed Development Agencies working in the area, and

(d) Construction spoils including bituminous material and other hazardous materials must not be allowed to contaminate water courses and the dump sites for such materials must be secured so that they shall not leach into the ground water.

(iv) The construction material shall be obtained only from approved quarries. In case new quarries are to be opened, specific approvals from the competent authority shall be obtained in this regard.

(v) Adequate precautions shall be taken during transportation of the construction material so that it does not affect the environment adversely.

(vi) Full support shall be extended to the officers of this Ministry/ Regional Office at Bangalore by the project proponent during inspection of the project for monitoring purposes by furnishing full details and action plan including action taken reports in respect of mitigation measures and other environmental protection activities.

(vii) Ministry of Environment & Forests or any other competent authority may stipulate any additional conditions or modify the existing ones, if necessary in the interest of environment and the same shall be complied with.

(viii) The Ministry reserves the right to revoke this clearance if any of the conditions stipulated are not complied with the satisfaction of the Ministry.

(ix) In the event of a change in project profile or change in the implementation agency, a fresh reference shall be made to the Ministry of Environment and Forests.

(x) The project proponents 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 land development work.

(xi) Andhra Pradesh Pollution Control Board shall display a copy of the clearance letter at the Regional Office, District Industries Center and Collector's Office/Tehsildar's office for 30 days.

8. These stipulations would be enforced among others under the provisions of Water (Prevention and Control of Pollution) Act 1974, the Air (Prevention and Control of Pollution) Act 1981, the Environment (Protection) Act, 1986, the Public Liability (Insurance) Act, 1991 and EIA Notification 1994, including the amendments and rules made thereafter.

9. All other statutory clearances such as the approvals for storage of diesel from Chief Controller of Explosives, Fire Department, Civil Aviation Department, Forest Conservation Act, 1980 and Wildlife (Protection) Act, 1972 etc. shall be obtained, as applicable by project proponents from the respective competent authorities.

10. The project proponent shall advertise in at least two local Newspapers widely circulated in the region, one of which shall be in the vernacular language informing that the project has been accorded Environmental Clearance and copies of clearance letters are available with the Andhra Pradesh State Pollution Control Board and may also be seen on the website of the Ministry of Environment and Forests at <http://www.emf.or.gov.in>. The advertisement should be made within 10 days from the date of receipt of the Clearance letter and a copy of the same should be forwarded to the Regional office of this Ministry at Bangalore.

11. Environmental clearance is subject to final order of the Hon'ble Supreme Court of India in the matter of Goa Foundation Vs. Union of India in Writ Petition (Civil) No.460 of 2004 as may be applicable to this project.

12. Any appeal against this Environmental Clearance shall lie with the National Environment Appellate Authority, if preferred, within a period of 30 days as prescribed under Section 11 of the National Environment Appellate Act, 1997.

13. A copy of the clearance letter shall be sent by the 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. The clearance letter shall also be put on the website of the company by the proponent.

14. The proponent shall upload the status of compliance of the stipulated EC conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the Regional Office of MoEF, the respective Zonal Office of CPCB and the SPCB. The criteria pollutant levels namely: SPM, RSPM, SO₂, NO_x (ambient levels as well as stack emissions) or critical sectoral parameters, indicated for the project shall be monitored and displayed at a convenient location near the main gate of the company in the public domain.

15. The project proponent shall also submit six monthly reports on the status of compliance of the stipulated EC conditions including results of monitored data (both in hard copies as well as by e-mail) to the respective Regional Office of MoEF, the respective Zonal Office of CPCB and the SPCB.

16. The environmental statement for each financial year ending 31st March in Form-V as is mandated to be submitted by the project proponent 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 EC conditions and shall also be sent to the respective Regional Offices of MoEF by e-mail.

Director (IA-III)

(Bharat Bhushan)

Copy to:

(1) The Secretary, Department of Environment, Government of Andhra Pradesh, Secretariat, Hyderabad.

(2) The Chairman, Central Pollution Control Board, Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, Delhi – 110 032.

(3) The Chairman, Andhra Pradesh Coastal Zone Management Authority and Principal Secretary, Environment, Forests and Sciences and Technology, Government of Andhra Pradesh, Hyderabad.

(4) The Member Secretary, Andhra Pradesh Pollution Control Board, Hyderabad.

(5) The CCF, Regional Office, Ministry of Environment & Forests(SZ), Kendriya Sadan, IVth floor, E&F wings, 1st Main Road, Koramangala II Block, Bangalore – 560 034.

(6) IA - Division, Monitoring Cell, MOEF, New Delhi - 110003.

(7) Guard file.

Director (IA-III)

(Bharat Bhushan)