

SPEED POST

B-33014/07/IPC-II/TPP/2018/

December 07, 2018

To

The General Manager/Plant Head
M/s. NLC India Limited, TPS-I, Neyveli Station - I,
Uthangai Village, Virudhachalam Taluk.
Dist. Cuddalore - 639 112
Tamil Nadu

Sub: Directions under Section 5 of the Environment (Protection) Act, 1986 regarding installation of online effluent and emission monitoring system- Revocation thereof.

WHEREAS, the thermal power plants are identified as one of the 17 categories of highly polluting industries in the country and have been discharging environmental pollutants directly or indirectly into the ambient air and water, which pose constant threat to cause adverse effect on the air and water quality; and

WHEREAS, for strengthening the monitoring and compliance through self-regulatory mechanism, online emission and effluent monitoring systems need to be installed and operated by the developers and the industries on 'polluter pays principle'; and

WHEREAS, directions under section 18 (1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 were issued on February 05, 2014 to all the State Pollution Control Boards (SPCBs)/ Pollution Control Committees (PCCs) for installation of online emission monitoring systems w.r.t PM, SO₂ & NO_x parameters & online effluent monitoring system for pH, TSS, & Temperature parameters in thermal power plants; and

WHEREAS, under section 5 of the Environment (Protection) Act, 1986 a notice was served on July 21, 2015 to show cause as to why the plant should not be closed down, if the plant has not complied fully with directions issued w.r.t installation of on-line effluent and emission monitoring system by June 30, 2015, and the plant was further directed to install online continuous emission & effluent monitoring systems (OCEMS) for parameters namely PM, SO₂, NO_x & pH, TSS, Temperature, flow and submit the status; and

WHEREAS, M/s NLC India Limited TPS-I, Neyveli, Cuddalore, Tamilnadu had failed to establish online connectivity of OCEMS for emission and effluent parameters with CPCB server and hence failed to comply the show cause notice cum directions issued vide letter dated 21.07.2015; and

WHEREAS, in order to hear the problems being faced in complying the above directions a meeting was held on 19.04.2017 with the representatives of 45 non-complying Thermal Power Plants under chairmanship of the Chairman, CPCB at CPCB, Delhi. As the justification given by the Plant representatives were not enough to explain the cause of non-compliance of show cause notice, prosecution was launched at National Green Tribunal, Principle Bench, New Delhi against 45 non-complying Thermal Power Plants.

WHEREAS, Hon'ble NGT, Principal Bench, New Delhi in OA No. 409/2017 passed an order dated 24.10.2017 stating that "Central Pollution Control Board and all the State Pollution Control Boards to act in accordance with law. Law provides enough powers including power to direct

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closure and ensure closing of the defaulting industries. Concerned State Administration shall provide all assistance to the Boards for ensuring execution of their orders".

WHEREAS, Ministry of Environment & Forests, Government of India, vide Notifications No. S. O. 157 (E) of 27.02.1996 and S. O. 730 (E) dated 10.07.2002, has delegated the powers vested under Section 5 of the Environment (Protection) Act, 1986 (29 of 1986) to the Chairman, Central Pollution Control Board, to issue directions to any industry or any local body or any other authority for violations of the standards and rules notified under the Environment (Protection) Rules, 1986 and amendment thereof.

WHEREAS, in view of the non-compliance of show cause notice cum directions dated 21.07.2015, a closure direction under section 5 of the Environment (Protection) Act, 1986, was issued to M/s NLC India Limited TPS-I, Neyveli, Cuddalore, Tamilnadu on 30.07.2018.

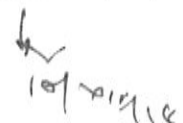

WHEREAS, M/s NLC India Limited TPS-I vide letter dated 10.10.2018 has informed that connectivity of online monitoring system has been provided to CPCB server.

WHEREAS, the connectivity of online monitoring system has been got verified by the IT division of Central Pollution Control Board on 26.10.2018.

WHEREAS, a meeting of the three-member committee constituted for examination and recommendation for revocation of closure direction issued by CPCB was held on 15.11.2018 and in view of the above, the committee recommended that the closure direction issued to M/s NLC India Limited TPS-I may be revoked with the condition that the Plant shall operate with a valid Consent to Operate from TNPCB, and

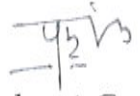
NOW, THEREFORE, in exercise of powers vested under Section 5 of the Environment (Protection) Act, 1986, closure direction issued on 30.07.2018 to M/s NLC India Limited TPS-I, Neyveli, Cuddalore, Tamilnadu is hereby revoked with the condition that the Plant shall operate with a valid Consent to Operate from TNPCB and ensure uninterrupted connectivity with CPCB server.

However, any expansion of the existing project shall be intimated to CPCB and TNPCB and applicability and scope of the installation of OCEMS will be subjected to proposed expansion activities.


(S.P.S. Parihar)
Chairman


Copy to:

1. The Chairman
Tamil Nadu Pollution Control Board
76, Anna Salai, Guindy Industrial Estate,
Race View Colony, Guindy,
Chennai - 600 032, Tamil Nadu
2. The Additional Secretary (CP Division)
Ministry of Environment, Forests and Climate Change
Prithvi Wing, 2nd Floor, Room No. 216
Indira Paryavaran Bhawan, Aliganj,
Jor Bagh Road, **New Delhi - 110 003**
3. The Regional Director
1st & 2nd Floors, Nisarga Bhawan, A-Block,
Thimmaiah Main Road, 7th D Cross,
Shivanagar, **Bengaluru -560 079**
4. The District Magistrate,
First Floor, New Collectorate Building,
Collectorate, Manjakuppam,
Cuddalore - 607 001, Tamilnadu
5. The Divisional Head- IT, CPCB


(Prashant Gargava)
Member Secretary

