



SPEED POST

B-33014/07/2020/IPC-II/TPP/170

May 08, 2020

To,

The General Manager,
M/s. Harduaganj Thermal Power Station,
Uttar Pradesh Vidyut Utpadan Nigam Ltd.,
Harduaganj, Aligarh - 202 127,
Uttar Pradesh

Sub: Directions under Section 5 of the Environment (Protection) Act, 1986 regarding compliance of emission limit notified vide notification No. S.O. 3305 (E) dated 07.12.2015 - reg.

WHEREAS, taking into consideration pollution from thermal power plants, Ministry of Environment, Forest & Climate Change had issued notification in the year 1984 laying out standards for thermal power plants. Further, the stack height regulation was notified in the year 1989, effluent standard for thermal power plants was notified in the year 1986, revised temperature limit of discharge of cooling water from the plants was notified in the year 1999. Thereafter, MoEF&CC vide Notification No.S.O.3305 (E) dated 07.12.2015 amended emission limit for particulate matter and notified new limits for Sulphur dioxide (SO₂), Oxides of Nitrogen (NO_x) and mercury emission, and water consumption limit for coal/lignite based thermal power plants. As per the notification dated 07.12.2015, thermal power plants are required to achieve the notified limit within two years from the date of the notification i.e. by 07.12.2017;

WHEREAS, with the implementation of the amendment in the notification dated 07.12.2015, it is expected that there would be reduction in emission of PM, Sulphur dioxide and oxide of Nitrogen, which in turn will help in improvement in Ambient Air Quality in and around thermal power plants, besides reduction of mercury emission, and reduction in water consumption in the thermal power plants;

WHEREAS, taking into consideration the technical challenges and time requirements for installation of Flue Gas Desulphurization (FGD) and other technologies to meet the new emission limits, the MoEF&CC vide its letter F. No. Q-15017/40/2007-CPW dated 07.12.2017 had asked CPCB to direct all the thermal power plants to ensure compliance with the norms laid down in the 07.12.2015 notification in accordance with the revised plan submitted by the Ministry of Power letter dated 13.10.2017;

WHEREAS, a study by IIT, Kanpur on "Air Pollution and Green House Gases (GHGs) in Delhi, January, 2016" indicated that there are 13 thermal power plants (TPP) with a capacity of over 11000 MW in the radius of 300 kms of Delhi are expected to contribute to secondary particulate pollutants. Hence, considering the impact of coal based power plants on ambient air quality in Delhi-NCR, the timelines given by Ministry of Power for thermal power plants located within 300 kms radius of Delhi were revised as December 31, 2019;

WHEREAS, in compliance of MoEF&CC direction dated 07.12.2017 following directions under section 5 of Environment (Protection) Act, 1986, were issued on 11.12.2017 to M/s. Harduaganj Thermal Power Station, UPRVUNL:

- i.* That plant shall install/retrofit Electrostatic Precipitators (ESP) immediately to achieve PM emission limit,
- ii.* That plant shall install FGD by December 31, 2019 in Units 8 & 9 respectively so as to comply SO₂ emission limit,
- iii.* That plant shall take immediate measure like installation of low NO_x burners, providing Over Fire Air (OFA) etc. and achieve progressive reduction so as to comply NO_x emission limit by the year 2019.

WHEREAS, the compliance of the directions mentioned above (i to iii) regarding PM, SO₂ & NO_x emission limits were reviewed by CPCB periodically with last such review on 30.12.2019.

WHEREAS, M/s. Harduaganj Thermal Power Station reported unit wise compliance status in respect of PM, NO_x and SO₂ emission parameters informing that only feasibility study for installation of FGD has been completed, and thereby, failed to comply the directions issued under Section 5 of the Environment (Protection) Act, 1986 on 11.12.2017 for compliance of emission limit of PM and SO₂ /SO₂.

WHEREAS, a show cause notice under section 5 of Environment (Protection) Act, 1986 was issued on 31.01.2020 to M/s. Harduaganj Thermal Power Station that why Units 8 & 9 of the plant should not be closed down and Environmental Compensation be imposed for the continued non-compliance of the directions.

WHEREAS, M/s. Harduaganj Thermal Power Station has submitted reply to the show cause notice vide letter dated 14.02.2020 that feasibility study has been completed for installation of FGD and installation of FGD in Units 8 & 9 is expected be completed by December 2022, respectively. This tantamounts to violation of the directions issued above vide letter dated 11.12.2017.



WHEREAS, the Ministry of Environment, Forest & Climate Change, 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 compliance of Hon'ble NGT order dated 31.08.2018 in OA No. 593/2017, CPCB has framed a policy for imposition of Environmental Compensation for damage to the environment by industrial units.

NOW, THEREFORE, taking into consideration environmental concerns, in exercise of powers vested under Section 5 of the Environment (Protection) Act, 1986, M/s. Harduaganj Thermal Power Station, UPRVUNL is hereby directed to deposit Environmental Compensation @ ₹ 1,800,000 per month per non-compliant unit to CPCB by 5th day of the succeeding month for non-compliance of emission norms since 01.01.2020.

The compliance status of the directions shall be reviewed by CPCB periodically and further directions, if required, shall be issued, which may include directions for closure.

M/s. Harduaganj Thermal Power Station, UPRVUNL shall ensure compliance of directions mentioned above, failing which action as deemed fit will be taken in accordance with the provisions of the Environment (Protection) Act, 1986.

(Ravi. S. Prasad)
Chairman



Copy to:

1. The Chairman
Uttar Pradesh Pollution Control Board,
Building No. TC-12V Vibhuti Khand,
Gomati Nagar Lucknow - 226 010
2. The Joint 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 Joint Secretary (Thermal),
Ministry of Power,
Shram Shakti Bhawan
Rafi Marg, New Delhi - 110 001
4. The Regional Director,
Central Pollution Control Board
PICUP Bhawan, Ground Floor
Vibhuti Khand, Gomti Nagar
Lucknow - 226 010
5. The Divisional Head - IT, CPCB


(Prashant Gargava)
Member Secretary

