



16 October 2019

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**Shri P K Gupta,**

Div. Head – IPC- VII

Central Pollution Control Board,

New Delhi

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President

**Natubhai Patel**  
Sr. Vice President

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Secretary (R)

**Pathik S. Patwari**  
Treasurer

**Subject: Submitting our views and suggestion with respect to your letter dated 11<sup>th</sup> October 2019 to the draft mechanism prepared by the MoEF&CC for the compliance of Hon'ble NGT order dated 23<sup>rd</sup> August 2019 in the matter O.A. 1038/2018 reg.**

Respected Sir,

At the outset we appreciate and thank you for inviting us for the discussion on the draft mechanism prepared by the MoEF&CC with respect to Hon'ble NGT order dated 23<sup>rd</sup> August 2019.

We hereby submitting our views and suggestions on behalf of all the CPAs and SPAs of Gujarat.

**Part :A – Environment Management of CPA & SPA**

- (i) : Agreed
- (ii) : kindly add that “till such time no punitive actions / no moratorium may be imposed as per the revised CEPI guidelines, part :D, Sr no 17”
- (iii) : Kindly Add “ industries association may be included in the committee constitute by the Chief Secretary
- (iv) : kindly add “ It is suggested that only designated industrial areas which were assessed and monitored by Central Pollution Control Board (CPCB) as delineated in the affidavit of CPCB shall be considered as influenced areas of the order. (For illustration, only GIDC- Chitra shall be considered as the CEPI area instead of whole Bhavnagar district, Gujarat). CPCB should come out with maps of areas with latitude and longitudes which are influenced by the order”.



- (v) : Agreed however it is submitted that “the above “both committees may also have representation from industries association
- (vi) Kindly Add following points:
- a. The NABL accredited Laboratory engaged for monitoring may be selected from nearby area of the cluster so that sample preservations and storage period may be maintained as per APHA and IS code which is referred by CPCB and SPCB.
  - b. Samples collected by the monitoring agency may be divided in three parts from a single sample and counter samples may be handed over to CPCB, GPCB and respective industries associations which shall be further analyzed by another NABL laboratory. The result of average of three laboratories may be considered for calculation of CEPI.
  - c. For air quality monitoring, another two sets of Ambient Air Monitoring Stations may be operated at similar locations and time period. The samples so collected may be handed over to CPCB, GPCB as well as respective industries associations which may be further analyzed by NABL accredited laboratory.
  - d. Each industrial cluster shall be assessed once again for CEPI by CPCB/SPCB jointly based on Calculation of the CEPI considering criteria pollutants which are contributed by industrial activities. This should be done jointly by CPCB, SPCB and concerned industries association. Moreover the sampling locations also be finalized in association with CPCB, SCBP and concerned industries association .  
(Refer revised CEPI guideline 2016, Criteria Pollutants, Option :01 )

**The above exercise should be completed by 31<sup>st</sup> December 2019**

(vii) : Agreed

(viii) : Agreed

(ix) : kindly add “Each industrial cluster shall be assessed once again for CEPI by CPCB/SPCB jointly based on Calculation of the CEPI considering criteria pollutants which are contributed by industrial activities. This should be done jointly by CPCB, SPCB and concerned industries association. (Refer revised CEPI -2016 guideline, Criteria Pollutants, Option: 01)

The above exercise should be completed by 31<sup>st</sup> December 2019

(x): Kindly Add “The SPCBs and industries association may be included in formulating carrying capacity protocol”

**Part: B consideration OF proposals for grant of Environment Clearance for new and expansion activities listed in “Red and “Orange” categories located in critically & Severally polluted Areas**

i The boundary from critically area may be taken 1 km in place of 5 km  
Any projects or activity specified in Category B1 will be appraised at the Central level for the units located in CPAs:

To avoid any hardship to the PP and delay in processing it is suggested that status quo may be maintained in granting EC. i.e. B1 and B2 category at state level and A category at center level, however additional conditions may be incorporated in the SEIAA also.

ii: Agreed

iii: not required as already mentioned in point no 3 & 5 of part A

iv: Agreed

## Comments of draft prepared for mitigation measures for Air Water and Land environment

### Air:

- i. The stringent norms may not be applicable to existing units as retrofitting measures are difficult due to limitation of the space and financial constraints. However, in case of new units, 90 % of max permissible limit may be given in CPA and SPA.
- ii. Continuous Ambient Air Quality Monitoring Stations irrespective of the Nature/Scale of Industry and connected to SPCB and CPCB server.

Continues source emission monitoring system may be insisted for only large scale industries .

Ix : In case of road widening concerned government department may be directed.

### Water:

(ii) continuous monitoring of effluent quality and quantity may be insisted for the large units which are not a member of CETP.

As per the CEMS guidelines, Continuous monitoring of effluent quality of the units, who are the members of CETP are exempted for installing CEMS. Only flow meter is to be installed

(iii) this may be removed due to administrative reasons

(iv) **Zero Liquid Discharge wherever feasible**

Concept of Zero Liquid Discharge may not be considered where adequate Common Environmental Infrastructures like CETP, MEE, Spray dryers etc are available.

(Vii ): kindly add “ where EC is applicable. Domestic waste water may be discharge into CETP”

**Land :**

(vi) kindly add “including co processing “

Other conditions: Agreed

Moreover, in 2016, The criteria pollutants for Vapi, Vatva and Ankleshwar were pre decided and thereafter CEPI score was calculated but in 2018, CPCB ignored it and considered worst scenario case hence the CEPI score is high.

Please find below the comparison of CEPI scores of Vapi, Vatva and Ankleshwar as per the CPCB’s criteria and Criteria decided in 2016

Area	CEPI score as per CPCB (New Parameters)	CEPI scores as per GPCB (Old parameters)
Vapi	79.95	53.82
Ankleshwar	80.21	57.00
Vatva –Narol	70.94	43.42

**Further suggestion for CPA and SPA**

- A. There may be no restriction on upcoming of new, expansion / up-gradation of existing Common Environment Infrastructure Projects such as Common Effluent Treatment Plants (CETPs), Treatment, Storage and Disposal Facility (TSDFs), Common Multi Effect Evaporator (CMEE), Common spray dryer, etc in the Critically Polluted Areas (CPAs)/ Severely Polluted Areas (SPAs).
- B. Up-gradation / strengthening of the Environment Management System of individual industry may be allowed without any restriction.



- C. Any project which has been given Environment Clearance / Consent to Establish (CTE) of the Board prior Hon. NGT order in CPA / SPA may be allowed without any restriction. (All projects under pipeline shall be allowed without any restrictions).
- D. There are common environmental infrastructures like CETP, Secured Landfill site, Common Spray Dryer facility, Common MEE and which are installed with art of technology. All these Common Environmental Infrastructures facilities are granted CC&A by GPCB based on their adequacy only. In Gujarat, As per the Directions of the Hon'ble High Court, Schedule-I Environmental Auditors approved by GPCB are conducting Environment Audit of these facilities every six months and submitting audit reports to GPCB which also certifies that the facilities are adequate. Thus, such facilities may be considered as adequate based on the Environmental Auditors' Certificate in Gujarat.

## **CEPI calculation for Component – C**

**Under this component, Health related Statistics are covered. Following points may be considered.**

- E. Health related statistic used for the calculation of CEPI is based on hospital records of last five years. The rise in no. of patients is on year to year basis but at the same time, growth in population in the region is not considered. Also the patients coming to the hospitals are not only from affected area but they may also be coming from far distances places. For this component, health related statistics regarding occupational health may be collected from Department of Industrial Safety and Health. i.e. this data may be based on occupational health.



I hope you will consider our concern positively and include our views and suggestion  
in preparing the guideline

Once again thanking you for inviting us for the discussion

Best Regards,

  
Natubhai Patel

**Sr. Vice President**