

ENVIRONMENT IMPACT ASSESSMENT IN RELATION TO THE THERMAL POWER PLANTS

NOTIFICATION
New Delhi, the 10th April, 1997

S.O.319(E):- In exercise of the powers conferred by section 23 of the Environment (Protection) Act, 1986 (29 of 1986) (hereinafter referred to as the said Act), the Central Government hereby directs that the powers conferred on it by sub-section (I) of section 33 of the said Act to take measures for protecting and improving the quality of the environment and preventing, controlling and abating environmental Pollution be exercisable also by the State Government as notified in the notification of the Government of India in the Ministry of Environment and Forests No. S.O. 60(E) dated the 27th January, 1994 in relation to the Thermal Power Plants specified in Schedule -1 annexed to this notification subject to the conditions and limitations specified in Schedule II annexed to this notification.

SCHEDULE-I

CATEGORY OF THERMAL POWER PLANTS REQUIRING ENVIRONMENTAL CLEARANCE FROM THE STATE GOVERNMENT

- I. Co-generation Captive Plants:
- | | |
|---------------------------|--|
| (i) Co-generation Plants | All Co-generation plants irrespective of the installed capacities |
| (ii) Captive Power Plants | Upto 250 MW (both coal and gas/naphtha based) coming up separately and not along the main industry |
- II. Utility Projects:
- | |
|---|
| (i) Coal based plants Upto 500 MW using fluidized bed technology subject to the sensitive areas restrictions. |
| (ii) Coal based Power Plants Upto 250 MW using conventional technologies. |
| (iii) Gas/Naphtha based plants Upto 500 MW. |

Note: Any project proposed to be located within the radius of twenty five km boundary of reserved forests, ecologically sensitive areas which may include National Parks, Sanctuaries, Biosphere Reserves, critically polluted area and within fifty km of Inter-state boundary shall require environment clearance from the Central Government.

* The Principal notification was published vide No. S.O.60(E). dated 27th January 1994 and Subsequently amended vide No. S.O.356(E), dt. 4th May, 1994.

SCHEDULE-II

Procedure for seeking environment clearance of projects.

1.
 - (1) Any persons who desires to establish a thermal power plant of any category mentioned in Schedule -1, shall submit an application to the Department of the State Government dealing with tile subject of Environment.
 - (2) The application shall be made in the Form 'A' specified in Schedule -II annexed to this notification and shall be accompanied by a the detailed project report which shall, inter alia, include all Environmental Impact Assessment Report and an Environmental Management Plan prepared in accordance with the guidelines issued by the State Department of Environment from time to time.
 - (3) Cases rejected due to Submission of insufficient or inadequate data and Action Plans may be reviewed as and when submitted with complete data and Action Plans. Submission of incomplete data for the second time would itself be a sufficient reason for the State Government to reject the case summarily.
2. In case of the pit-head thermal power plants, the applicant shall intimated tile location of the project site to the State Government while initiating any investigation and surveys. The State Government will convey a decision regarding suitability or otherwise of the proposed site within a maximum period of thirty days. The said site clearance will be granted for a sanctioned capacity and it will be valid for a period of five years for commencing the construction or operation of the project.
3.
 - (1) The applicant shall obtain no objection Certificate from the concerned Pollution Control Board. The State Pollution Control Board shall issue No Objection Certificate to establish only after completing public hearing as specified in Schedule -IV annexed to this notification.
 - (2) The reports submitted with the application, and No Objection Certificate from the State Pollution Control Board shall be evaluated and assessed by the State Government, in consultation with a Committee of experts which shall be constituted by tile State Government as specified in schedule -III appended to this notification.
 - (3) The said Committee of experts shall have full right of entry and inspection of the site, or as tile case may be, factory premises at any time prior to, during or after the commencement of the operation relating to the plant.
 - (4) The State Government Department dealing with the Subject of Environment shall prepared a set of recommendations based on

technical assessment of documents and data furnished by the applicant supplemented by data collected during visits to sites, If undertaken and interaction with affected population and environment groups, if necessary.

- (5) The assessment shall be completed within a period of ninety days from the receipt of the requisite documents and data from the applicant and decision conveyed within thirty days thereafter.
 - (6) The environmental clearance granted shall be valid for a period of five years for commencement of the construction or operation of the project.
4. Concealing factual data or submission of false, misleading data or reports, decisions of recommendations would lead to the project being rejected. Approval, if granted, earlier on the basis of false data, can also be revoked.

(FORM A)

APPLICATION FORM

1.
 - (a) Name and Address of the project proposed:
 - (b) Location of the project:
Name of the Place:
District, Tehsil :
Latitude/Longitude:
Nearest Airport/Railway Station:
 - (c) Alternate sites examined and the reasons for selecting the proposed site:
 - (e) Does the site conform to Stipulated land use as per local land use plan:
2. Objectives of the projects:
3.
 - (a) Land Requirement:
Agriculture Land:
Forests land and Density of vegetation other (specify):
 - (b)
 - (i) Land use in the Catchments /within 10 kms. radius of the proposal site:
 - (ii) Topography of the area indicating gradients, aspects and altitude.
 - (iii) Erodibility classification of the proposed land:
 - (c) Pollution sources existing in 10 km radius and their impact on quality of air, water and land:
 - (d) Distance of the nearest National Park/Sanctuary/Biosphere Reserve/Mountains/heritage site/ Reserve Forests:
 - (e) Rehabilitation plan for quarries /borrow areas:
 - (f) Green belt plan:
 - (g) Compensatory afforestation plan:

4. Climate and Air Quality
 - (a) Windrose at site:
 - (b) Max/Min/Mean annual temperature:
 - (c) Frequency of inversion:
 - (d) Frequency of cyclones/tornadoes/c loud burst:
 - (e) Ambient air quality data:
 - (f) Nature and concentration of emission of SPM, Gas (CO, CO₂, NO₂, CH_n etc.) from the project.

5. Water balance:
 - (a) Water balance at site
 - (b) Lean season water availability
Water Requirement
 - (c) Source to be tapped with competing users (River, Lake, Ground, Public Supply)
 - (d) Water quality
 - (e) Changes observed in quality and quantity of ground water in the last 15 years and present charging and extraction details :
 - (f)
 - (i) Quantum of waste water to be release with treatment details
 - (ii) Quantum of quality of water in the receiving body before and after disposal of solid wastes :
 - (iii) Quantum of waste water to be released on land and type of land
 - (g)
 - (i) Details of reservoir water quality with necessary Catchment Treatment Plan:
 - (ii) Command Area Development Plan

6. Solid Waste:
 - (a) Nature and quantity of solid wastes generated
 - (b) Solid waste disposal method

7. Noise and Vibrations
 - (a) Sources of Noise and Vibrations
 - (b) Ambient noise level:
 - (c) Noise and Vibration control measures proposed:
 - (d) Subsidence problem if any with control measures

8. Power requirement indicating sources of supply : Complete environmental details to be furnished separately, if captive power unit proposed:

9. Peak labour force to be deployed giving details of:

Endemic health problems in the area due to waste water/air/soil borne diseases:

Health care system existing and proposed:

10. (a) Number of villages and population to be displaced

(b) Rehabilitation Master Plan :

11. Risk Assessment Report and Disaster Management Plan

- 12 (a) Environment Impact Assessment:
- (b) Environment Management Plan:
- (c) Detailed Feasibility Report:
- (d) Duly filled in questionnaire:

Report prepares as per guidelines Issued by the Central Government in the MOEF from time to time.

13. Details of Environmental Management Cell

I hereby give an undertaking that the data and information given above are true to be best of my knowledge and belief and I am aware that if any part of tile data / information submitted is found to be false or misleading at any stage, the project be rejected and the clearance given, if any, to the project is likely to be revoked at our risk and cost.

Signature of the applicant
With name and full address
Given under the seal of Organization
On behalf of whom the applicant is signing

Date:
Place:

In respect to item for which data are not required or is not available as per the declaration of project proponent, the project Would be considered oil that basis.

SCHEDULE-III

[See Sub para (2), Para (3) of Schedule -II]

COMPOSITION OF THE EXPERT COMMITTEES FOR ENVIRONMENTAL IMPACT ASSESSMENT

- I. The Committees will consist of experts in the following disciplines:
 - (i) Eco-System Management
 - (ii) Air/Water Pollution Control
 - (iii) Water Resources Management
 - (iv) Flora/Fauna Conservation and management
 - (v) Land Use Planning

- (vi) Social Science/Rehabilitation
 - (vii) Project Appraisal
 - (viii) Ecology
 - (ix) Environmental health
 - (x) Subject Area Specialists
 - (xi) Representatives of NGOs /persons concerned with environmental issues.
2. The Chairman will be an outstanding and experienced ecologist or environmentalist or technical professional with wide managerial experience in the relevant development sector.
 3. The representative of Impact Assessment Agency will act as a Member Secretary.
 4. Chairman and Members will serve in their individual capacities except those specifically nominated as representatives
 5. The Membership of a Committee shall not exceed 15.

SCHEDULE -IV

[See para 3, subparagraph (2) of Schedule - II]

PROCEDURE FOR PUBLIC HEARING

- (1) **Process of Public Hearing:** Whoever apply for environmental clearance of projects, shall submit to the concerned State Pollution Control Board twenty sets of the following documents namely:
 - (i) An Executive summary containing the salient features of the project both in English as well as local language.
 - (ii) Form XIII prescribed Under Water (Prevention and Control Of Pollution) Rules, 1975 where discharge of sewage, trade effluents, treatment of water in any form, is required.
 - (iii) Form I prescribed under Air (Prevention and Control of Pollution) Union Territories Rules, 1983 where discharge of emissions are involved in any process, operation or industry.
 - (iv) Any other information on document which is necessary in the opinion of the Board for their final disposal of the application.
- (2) **Notice of Public Hearing:**
 - (i) The State Pollution Control Board shall cause a notice for environmental public hearing which shall be published in at least two newspapers widely circulated in the region around the

project, one of which shall be in the vernacular language of the locality concerned. State Pollution Control Board shall mention the date, time and place of public hearing. Suggestions, views, comments and objections of the public shall be invited within thirty days from the date of publication of the notification.

- (ii) All persons including bonafide residents, environmental groups and other located at the project site/sites of displacement/sites likely to be affected can participate in the public hearing. They can also make oral/written suggestions to the State Pollution Control Board.

Explanation: For the purpose of the paragraph person means

- (a) any person who is likely to be affected by the grant of environmental clearance;
- (b) any persons who own or has control over the project with respect to which an application has been submitted for environmental clearances;
- (c) any associations of persons whether incorporated or likely to be affected by the project and/or functioning in the field of environment;
- (d) any local authority within any part of whose local limits in the neighbourhood, wherein the project is proposed to be located.

(3) Composition of public hearing panel: The composition of the Public Hearing Panel may consist of the following namely:

- (i) Representative of State Pollution Control Board;
- (ii) District Collector or his nominee;
- (iii) Representative of State Government dealing with the subject of power;
- (iv) Representative of Department of the State Government dealing with the Environment ;
- (v) Not more than three representatives of the local bodies such as Municipalities or Panchayats;
- (vi) Not more than three senior citizens of the area nominated by the District Collector.

(4) Access to the Executive Summary: The concerned persons shall be provided access to the Executive Summary of the Project at the following places namely: -

- (i) District Collector Office

- (ii) District Industry Centre;
- (iii) In the Office of the Chief Executive Officers of Zila Parishad or Commissioner of the Municipal Corporation/Local Body as the case may be;
- (iv) In the head office of the concerned State Pollution Control Board and its concerned Regional Office;
- (v) In the concerned Department of the State Government dealing with the Subject of environment".

[No.Z- I 2013/4/89-I.A.]
R.K.Khwaja, Jt.Secretary