File No. 10-98/2010-IA.III
Government of India
Ministry of Environment & Forests
(IA Division)

Paryavaran Bhawan,
CGO Complex, Lodhi Road,
New Delhi - 110 003.

Dated: 6th August, 2012

To,
Chief Port Administrator,
M/s Andaman & Nicobar Administration,
Port Management Board,
Post Box No. 52, Port Blair – 744 101

Subject: *Environmental and CRZ clearance* for one time approval for Ship breaking of 07 Nos. vessels in Port Blair Harbour by M/s Andaman & Nicobar Administration -Reg.

This has reference to letter No: PMB/Civil/GL/160/2011/4296, Port Blair dated 07.02.2012 and subsequent letter dated 24.02.2012 seeking prior *Environmental and CRZ Clearance for the above project* under the EIA Notification – 2006 and Coastal Regulation Zone (CRZ) Notification, 2011. The proposal has been appraised as per prescribed procedure in the light of provisions under the EIA Notification - 2006 and Coastal Regulation Zone Notification, 2011 on the basis of the mandatory documents enclosed with the application viz., the Questionnaire, recommendation of State Coastal Zone Management Authority, EIA, EMP and the additional clarifications furnished in response to the observations of the Expert Appraisal Committee constituted by the competent authority in its meeting held on 5th – 7th March, 2012 and 16th – 17th April, 2012.

2. It is interalia, noted that the proposal involves one time Ship breaking of 07 vessels including *Five (05) vessels of A&N Administration* (MV Vanvikas, MV Jaldhar, MT Balshali, MV Padauk, MV Austin-I) and 02 private vessels (MV Andaman Victory and MV Andman Fortune) operating in A&N Islands are lying at Port Blair for disposal by breaking on expiry of their life span. MV Jaldhar is a water barge, MT Balashali a Tug and MV Austin-I a small vehicle ferry, whereas other four vessels are small capacity cargo carriers. These ships have been grounded and their hull is badly damaged (except for MV Andaman Fortune), hence cannot be navigated or towed to a ship breaking yard. Thus need to be broken on *"As is Where is Basis.* They have to be cut into pieces/ broken at the place of their grounding and recycled in order to prevent them from being navigational and environmental hazard. Most of the usable materials have already been removed from these vessels except for those constituting integral components of the vessel. A committee constituted by A&N Administration have assessed the waste material on board vessels and found that approximately 1370 kg of paint chips, 6 units lead acid batteries, 2450 kg PVC (in cables), 3100 kg asbestos, 750 kg FRP, 1350 kg glass wool, 1500 liter oily bilge and 360 liter oily sludge shall have to be disposed off. These materials shall be incinerated in the

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Hazardous waste incinerator installed within the port premises. The ship breaking activity will be done only for a total period of two –four months, without any permanent establishment, ship breaking will not continue as regular activity.

3. *The proposal was examined by the EAC in its meeting held on 30th* November, 2010 to 1st – 2nd December, 2010 and the committee finalised the ToR including conduct of Public Hearing: AN CZMA has recommended for clearance. Public Hearing conducted on 20.01.2012 at Port Blair.

4. 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 Environmental and CRZ Clearance for the project. Accordingly, the Ministry hereby accord necessary Environmental Clearance for the above project as per the provisions of Environmental Impact Assessment Notification – 2006 and Coastal Regulation Zone Notification, 2011, subject to strict compliance of the terms and conditions as follows:

5. **SPECIFIC CONDITIONS:**

(i) "Consent for Establishment" shall be obtained from A&N Pollution Control Committee under Air and Water Act and a copy shall be *submitted to the Ministry before start of any construction work* at the site.

(ii) Regular marine water monitoring during the period of ship breaking shall be carried out.

(iii) There shall be no burning of waste at site.

(iv) Batteries, Asbestos etc shall be removed and sent to main land for recycling.

(v) Hazardous waste including oil wastes and paints etc shall be sent to Hazardous waste incinerator at Port Blair Harbour. Alternatively Plasma Pyrolysis unit of A & N pollution Control Committee can also be utilized.

(vi) Proper personal prospective equipments (gas masks, dust masks, hand gloves, safety shoes, safety goggles, etc) shall be provided to the workers engaged for cutting, dismantling, isolation and segregation process.

(vii) As far as possible, the ships should be raised to the dry land for cutting operation. The coastal water area opposite to the plot of cutting operation should cordoned off with appropriate floating boundary to prevent escape of any floating material from ship breaking process and to prevent pollution of Coastal waters.

(viii) The proponent shall ensure that the manpower engaged for ship breaking should have undergone adequate training in handling of

hazardous wastes like asbestos etc.

(ix) The steel cutting operation/ activity shall be undertaken only by welders approved for such processes.

(x) All cables/PVC should be sent/sold to approved recyclers only.

(xi) All tanks and vessels should be degasified before allowing breaking to prevent any explosion/fire accident.

(xii) *The committee constituted for assessment of hazardous waste or a* committee with similar composition should monitor the ship breaking activity and ensure that all waste is disposed off as per guidelines developed by Central Pollution Control Board.

(xiii) Proponent must ensure that all workers engaged for this work must wear adequately approved personal protective devices specific to their nature of job at breaking site.

(xiv) Removal of asbestos from ships, its collection, transport and disposal should be monitored by the proponent.

(xv) Asbestos shall be solidified by way of mixing with concrete mixture to ensure that asbestos does not get released after its disposal.

(xvi) Proper record of inventory of waste and its disposal shall be kept with the proponent and a copy shall be provided to this ministry.

6. **GENERAL CONDITIONS:**

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

(ii) Full support shall be extended to the officers of this Ministry/Regional Office at Bhubaneshwar 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.

(iii) A six-Monthly monitoring report shall need to be submitted by the project proponents to the Regional Office of this Ministry at Bhubaneshwar regarding the implementation of the stipulated conditions.

(iv) 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.

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

(vi) 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.

(vii) 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.

(viii) A copy of the clearance letter shall be marked to concerned Panchayat/local NGO, if any, from whom any suggestion/ representation has been made received while processing the proposal.

(ix) State 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.

7. *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.

8. 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.

9. 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 State Pollution Control Board and may also be seen on the website of the Ministry of Environment and Forests at http://www.envfor.nic.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 Bhubaneshwar.

10. The 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.

11. Status of compliance to the various stipulated environmental conditions and environmental safeguards will be uploaded by the project proponent in its website.

12. A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zilla Parisad/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.

13. 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.

14. 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.

(Lalit Kapur)
Director (IA-III)

Copy to:
Copy to:

1. The Chief Engineer & Administrator, Andaman Lakshadweep harbour Works, *Office of the Chief Engineer* & Administrator, Port Blair – 744 101.
2. The Member Secretary, Andaman Pollution Control Committee, Dollyganj, Port Blair.
3. The Chairman, Central Pollution Control Board, Parivesh Bhavan, CBD-cum-Office Complex, East Arjun Nagar, Delhi – 110 032.
4. The Chief Conservator of Forests (C), Ministry of Environment and Forests, Regional Office(EZ), A/3, Bhubaneswar – 751 023.
5. Director (EI), Ministry of Environment and Forests.
6. Guard File.
7. Monitoring File.

(Lalit Kapur)
Director (IA-III)