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Citizen consumer and civic Action Group

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To,
EAC (Thermal) members

March 26, 2019

Dear Members,

I write to you from Citizen consumer and civic Action Group (CAG), a 33 year old non-profit, non-political and professional organisation that works towards protecting citizens' rights in consumer, civic and environmental issues, and promoting good governance processes including transparency, accountability, and participatory decision-making.

This is with reference to the proposal by TANGEDCO seeking amendment in the Terms of Reference issued for the 660 MW Ennore Expansion Thermal Power Station, which has been listed for the upcoming EAC meeting on March 27, 2019.

According to the EIA Notification, it is imperative for the application for a project seeking prior environmental clearance to be accompanied with the Pre Feasibility Report for the project. Such a feasibility report, as enshrined in the [guidelines](#) issued by the MoEFCC in 2010, should specify the need for such a project and its importance to the region it is being set up in, and/or to the country in general. In this case, TANGEDCO has not furnished the pre feasibility report. This has been rightly pointed out by the Expert Appraisal Committee in its 23rd [meeting](#) held on November 30, 2018. What has been submitted as a [summary](#) of the Detailed Project Report, and has been uploaded as the PFR, is in fact a dated document, and refers to the older units of 450 MW, which were decommissioned in March 2017, as continuing to be operational. *Submitting such dated data, when the EAC has asked for the project to be considered 'De Novo', makes a mockery of the EIA process, and calls for an outright disqualification of the application.*

Besides, such a feasibility study is imperative now as a lot has changed since the project was originally conceived in 2008. In the past decade, Tamil Nadu has engineered a turnaround in its electricity generation capacity, from being power deficit to becoming power surplus. Today, Tamil Nadu is said to operate one of the country's most diversified electricity generation fleets, including coal, solar, hydel, and wind power. According to a recent [report](#), Tamil Nadu's installed coal capacity is 18,000 MW (including centre's share), while renewable capacity is 11,000 MW. The state's peak demand- in the past few years- has been between 15,300 MW and 15,500 MW.

With the growth of the renewable energy sector, Coal-power plants are making lesser economical sense too, besides causing a huge environmental burden. A 2017 [report](#) on the electricity generation scenario in Tamil Nadu by the IEEFA, observed that new non-pithead thermal coal-fired capacity would require a tariff of Rs 5.50/kWh, entirely failing to deliver cost-effective solutions for TN customers. In the meantime, tariff for renewable power has been reducing, and will be in the range of Rs 2-4/kWh, the report noted. Recently, the Tamil Nadu Electricity Regulatory Commission [proposed](#) a solar tariff of Rs 3.04/kWh for 2019-2020. The proposed project, on the other hand, mentions a levelised tariff of Rs 4.42/ kWh in the summary of the Detailed Project Report. It is therefore of utmost importance that a feasibility study is prepared afresh, to understand the economic rationale for such a project.

Trustees

Mr. Sriram Panchu (Senior Advocate)
Dr. Arjun Rajagopalan (Surgeon)
Dr. R. Hema (Associate Professor)

Dr. Suchitra Ramkumar (Doctor and Teacher)
Dr. George Thomas (Orthopaedic Surgeon)
Dr. C. Rammanohar Reddy (Economist and Editor)
Mr. Keshav Desiraju (IAS, ret'd.)

Advisors

Ms. Tara Murali (Architect)
Mr. N.L. Rajah (Senior Advocate)



As the project progress in the past decade has only been 17 percent (disclosed in the covering letter), the argument of a fait accompli cannot be used to justify its continual, as its environmental impacts will far override its anticipated benefits. The cost incurred so far (Rs 703 crore- Summary of DPR) cannot also be used as a reason to justify the cost that will be incurred in all for the project (Rs 5,421 crore). The proponent's outrageous request to allow construction even as the project is going through the Environmental Clearance process is against the letter and spirit of the EIA Notification 2006, which requires 'prior' environmental clearance for projects listed in its schedule. It then makes the EC process a mere formality, which it shouldn't be. *We request that the EAC insist on the Project Feasibility Report, explaining the need for such a project, and scrutinise it to understand the need for the project, before allowing the application to be discussed further, or for allowing any work to be undertaken.*

The Project proponent had, while submitting the Form 1 for the project, requested an exemption from conducting the Public Hearing, citing that such an exercise was conducted in 2017, for the replacement power plant proposed in the same site. With this request being rightfully disregarded by the EAC while issuing the ToR, the proponent has now requested that the ToR be amended for the same reasons. By making such a request, the proponent is clearly disregarding the EIA process- which mandates public consultation. Such a step is especially important for a project to be located in an already polluted area, and cannot be done away with, for the convenience of the project proponent. *We request for this request to be rejected by the EAC.*

The proponent's request to be exempted from air quality monitoring is also contentious, especially since TANGEDCO has not abided by the conditions related to air quality monitoring imposed in the Environmental Clearance, due to expire in June 2019. A monitoring [report](#) submitted after a sub-committee visit of the plant site in October 2017 noted that the proponent has not done the following (among other violations):

1. Proponent did not carry out the ambient air quality monitoring to be carried out during the construction phase
2. Proponent did not submit periodic monitoring reports to the Regional Office of the MoEFCC
3. Proponent did not submit the 6-monthly compliance reports along with environmental monitored data to the Zonal office of the CPCB and the TNPCB and the Regional Office of the MoEFCC
4. Proponent did not submit the annual Environmental Statement for each financial year to the TNPCB.

Besides ignoring the conditions of compliance, the report mentions that the project proponent went a step ahead and undertook activities without seeking prior permission. "M/s. TANGEDCO has encroached upon and blocked the backwaters of Ennore Creek beneath Ennore Highway bridge by establishing a approach road no.2 of 350 m length and 6 m width for the construction of external coal conveyor system without obtaining the prior approval from MoEF&CC, New Delhi and Tamil Nadu Coastal Zone Management Authority (TNCZMA)."



With such blatant transgressions of the Environmental Clearance process and conditions laid as part of it, the project proponent's requests for exemption from air quality monitoring ought not to be encouraged. We therefore request the esteemed committee to disregard the Project Proponent's request for amendment of the Terms of Reference, and evaluate the need for the project de novo, which should be spelt out in a feasibility report. TANGEDCO should be urged to consider the feasibility of setting up a solar plant in the same location, as part of its commitment under the Tamil Nadu Solar Energy policy 2019 to initiate, design and facilitate solar energy projects.

Regards,
Sharadha Narayanan
Senior Researcher