

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI.**

**Original Application No. 186 of 2020 (SZ)**

Tribunal on its own motion-SUO MOTU  
Based on the News item in The New  
Sunday Express Newspaper Dated:  
20.07.2020, "Ranipet Residents health  
at risk due to Pollution; Chromium waste  
killing agriculture in Ranipet Poses long-term  
health risks."

**Vs**

Union of India,  
Rep. by its Secretary,  
Ministry of Environment and  
Forests and Climate Change  
Indira ParavaranBhawan,  
Jorbagh Road,  
New Delhi- 110 003 And Others.

...Respondents

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**Advocate for the Respondent: TNPCB**  
Shanmugavalli Sekar Advocate



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**REPORT FILED ON BEHALF OF THE RESPONDENT**  
**TAMILNADU POLLUTION CONTROL BOARD**

I, R. Rajamanickam, Son of P.M.Ramasamy, Hindu, aged about 57 years, having office at No.76, Mount Road, Guindy, Chennai-600 032, do hereby solemnly affirm and sincerely state as follows:-

1. I am the Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai - 600 032 and I am filing this Report on behalf of the Respondents -TNPC Board and as such I am well acquainted with the facts of the case from the records.

2. It is submitted that the Hon'ble NGT has passed an order dated 17.05.2022 and directed inter alia as follows: -

*"Para 6. The State Pollution Control Board is also directed to file a detailed report regarding the remediation measures taken by them on the basis of the direction given by the Central Pollution Control Board in respect of restoration of Chromium contaminated sites.*

*R. Rajamanickam*  
31/5/22  
JOINT CHIEF ENVIRONMENTAL ENGINEER  
TAMIL NADU POLLUTION CONTROL BOARD  
No.76, MOUNT SALAI, GUINDY,  
CHENNAI-600 032.

*Para 7. They are directed to file their respective reports to this Tribunal on or before 31.05.2022.*

3. It is respectfully submitted following detailed status report regarding the remediation of chromium contaminated area at M/s Tamil Nadu Chromates and Chemicals Ltd (TCCL), Ranipet, in compliance of aforesaid order of the Hon'ble National Green Tribunal.

(3.1) M/s Tamil Nadu Chromates and Chemicals Ltd (TCCL) is a defunct unit located at Plot No. 25, SIPCOT Industrial Estate, Ranipet, Tamil Nadu. The unit was operated between the period 1975 – 1995 and manufactured products such as (i) sodium bichromate, (ii) basic chromium sulphate and (iii) sodium sulphate using chromate ore as main raw material. The unit was operated as joint venture with TIDCO from the year 1975 to 1988 and thereafter as a Private Limited Company from the year 1989 – 1995 under different managements. The unit stopped its operation in the year 1995 due to closure direction issued by TNPCB vide Proc No. T7/TNPCB/F-191/NAA/95-2 dated 7.5.1995, based on the frequent complaints received regarding water pollution and contamination of ground water sources.

(3.2) About 2.2 Lakh Tonnes of chromium bearing hazardous waste generated during process activity was stocked at the backyard of the premises on open land over an area of 2 hectares in a varying heights of 3 to 5 meters. The leachate generation from the chromium bearing hazardous waste of stockpile is causing chromium contamination of land, ground water in that area.

(3.3) TNPCB has initiated a series of legal actions against the unit, which includes issue of show cause notices, direction for closure, direction under section (5) of Environment (Protection) Act, 1986, filing of cases in the Hon'ble High Court of Judicature at Madras and so on. However, no progress on remediation could be achieved as there was change in the company management and difficulties being encountered in tracing the whereabouts of the present and erstwhile directors for recovery of the funds for implementing the remediation work at the site.

  
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(3.4) The MOEF & CC, GOI, New Delhi had initiated the project on remediation of hazardous waste contaminated areas in the country with CPCB, Delhi as an executing agency under the National Clean Energy Fund (NCEF) during the year 2011 which includes chromium contaminated area at TCCL, Ranipet as one among them. For meeting remediation cost, initially, it was proposed for contribution of 40% centre share and 30% state share and 30% recovery from polluters. If polluters could not be traced or collected, TNPCB would have to bear the balance remediation cost. (i.e 40% centre share & 60% state share)

(3.5) As per the work order issued by CPCB, M/s ERM India Pvt. Ltd Bangalore had conducted a detailed study at chromium contaminated site at TCCL, Ranipet and submitted Detailed Project Report (DPR) to CPCB who in turn vide letter dated: 11.01.2019 has forwarded the same to TNPCB for implementation of remediation of chromium contaminated site at M/s TCCL, Ranipet, stating that the DPR has been accepted by the Project Steering Committee headed by Chairman, CPCB. TNPCB appraised the project of remediation at TCCL, Ranipet to Chief Secretary to Government of Tamil Nadu during the meeting held on 14.10.2019 and it was decided during the meeting to revise the DPR incorporating (i) Cost for Phase – I, (ii) Cost for Phase – II, (iii) Cost for remediation of contaminated buildings & machineries, (iv) Operating cost ( OPEX), (v) Project management cost and also to address the revised DPR to MoEF& CC, Delhi for further approval, requesting for 100% funding provisions for the execution of the project. Later, CPCB vide letter dated 24.02.2020 has furnished details on break up cost of full scale remediation with total estimate of Rs. 556.05 Crores after obtaining from M/s. ERM India Private Limited, Bangalore. Break up cost for full scale remediation is attached at **Annexure-I**.

(3.6) The Detailed Project Report (DPR) of M/s.ERM India Pvt Limited for remediation of Chromium Contaminated site at M/s TCCL. Ranipet consists of

(i) “Complete Remediation Proposal” involving treatment of Chromium Waste & Contaminated Soil at site and disposal of treated materials in the onsite Secured Landfill Facility (SLF) including

  
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treatment of contaminated ground water at site with a cost estimate of Rs. 556.05 Crores and

(ii) "Interim Remediation Proposal" involving capping/covering of existing Chromium Waste & Contaminated Soil at site along with providing storm water drainage system with a cost estimate of Rs. 12 Crores.

(3.7) The Hon'ble National Green Tribunal, Principal Bench, New Delhi, in the matter of OA No. 804/2017: Rajiv Narayan & Anr. Vs Union of India & Ors has passed various directions pertaining to "contaminated sites" & some of them are reproduced below:-

- (i) In its orders dated 26.08.2019, it is directed that ".... (iv) 126 sites which have already been identified as contaminated may be cleared of the hazardous waste within six months so that remediation process may start." ".....The cost of removal of waste may be first paid out of the environment funds/consent funds available with the State PCBs/PCCs and thereafter recovered from the persons concerned....."
- (ii) In its orders dated 07.07.2020, it is recorded that ".....there is no funding for execution of remediation works, since NCEF scheme has been discontinued by Govt. of India. The DPRs along with templates of bidding have been forwarded to concerned State Governments and SPCBs with request to implement remediation works..."
- (iii) In its orders dated 29.01.2021, it is directed that ".....SPCBs/PCCs direct all responsible parties to immediately lift the waste and dump at common TSDFs. In case of orphan sites, this work may be carried out by respective State Government to protect public health....".

  
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(3.8) The chromium contaminated area at TCCL, Ranipet is one among the identified contaminated site in the country and in compliance of aforesaid orders of the Hon'ble NGT (PB), New Delhi in OA No. 804/2017, TNPCB had initiated action to evaluate economical option by shifting chrome bearing waste lying at TCCL, Ranipet for scientific disposal in the Secured Landfill Facility at common TSDF of TNWML, Gummudipoondi to stop further contamination in that area. In this regard, TNWML was addressed vide TNPCB Letter No: T2/ TNPCB / HWM/F.32554/TCCL/VLR/2021 dated 08.03.2021 to furnish detailed proposal with budget estimate and time schedule for shifting the waste material at TCCL site, Ranipet and obtained the details for examination.

(3.9) Meanwhile CPCB had conducted a meeting on 16.3.2021 thro'VC regarding review on compliance of the directions of Hon'ble NGT order dated 29.1.2021 in O.A No. 804 of 2017 with respect to contaminated site. During the meeting, TNPCB informed that since the cost of actual remediation as per DPR is very high, it is proposed to lift the waste and disposal through common TSDF, Gummudipoondi. It also informed about the cost constraint in implementing the complete remediation proposal as per DPR in view of no funding under the NCEF from Central Government. CPCB conveyed that interim measures also proposed in DPR as per the request of TNPCB/Government of TN for capping of waste and contaminated soil along with storm water drainage system with a cost about Rs.12 Crores. While preparing DPR cost of transferring to TSDF was discussed however, it was deferred due to cost consideration. It is suggested that once DPR is accepted by Project Steering Committee headed by Chairman, CPCB, remediation work needs to be executed within the timelines stipulated in DPR. Subsequently, CPCB vide letter dated 23.03.2021 has enclosed the minutes of meeting and informed to arrange for initiating necessary action to implement remediation work as per the DPR.

(3.10) State Government vide Letter No. 18115/EC.2/2011-56 dated 17.8.2021 has informed TNPCB to re examine the interim plan as suggested in the DPR for remediation of contaminated site at M/s TCCL, Ranipet and work out a plan of interim remedial measures in consultation with suitable

  
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expert agencies and send the proposal to the Government.

(3.11) As per the DPR the interim remediation proposal involving capping of waste stock and contaminated soil along with providing storm water drainage system will prevent infiltration of chromium pollutant from waste to ground water during rain events, reduce amount of leaching to surface water runoff during monsoons and limit direct exposure to people and animals in the surroundings area.

(3.12) The subject of implementing the interim plan as suggested in the DPR for remediation of chromium contaminated site at M/s TCCL, Ranipet was placed before the Board in the meeting held on 30.11.2021. The Board after detailed discussion and has taken into consideration of urgent need for implementation of remedial measures to stop further pollution from waste dump site at TCCL, Ranipet and resolved to approve the implementation of interim remedial measures as per the DPR. Accordingly, the Board has issued the B.P No. 46 dt. 09.12.2021 for implementing interim remediation measures proposal for Soil and Waste remediation at Chrome Contaminated site of M/s Tamil Nadu Chemical and Chromates Ltd., (TCCL), Ranipet with budget cost of Rs. 12 crores to meet from Environment Compensation Fund available with TNPCB.

(3.13) Based on the approval, TNPCB has conducted various meeting with representatives of M/s ERM India Pvt Ltd, Bangalore who had prepared the DPR to proceed further for the implementation of the interim remediation measure at TCCL site, Ranipet. But, due to lack of required details of technical work specification in the DPR, subsequent preparation of Tender Document could not be done and M/s ERM India Pvt Ltd, Bangalore is not extending its support in the preparation of Technical Document & subsequent Tender Document for selecting competent agency for execution of remediation work. TNPCB has now taking action to identify suitable competent agency by "Open Tender Process" for preparing "Technical Document & Tender Document" based on DPR of M/s ERM India Pvt Ltd, Bangalore. TNPCB has set a target of implementing the interim remediation measures at TCCL site, Ranipet as per the DPR forwarded by CPCB within a

  
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time limit of 6 months, after identifying suitable competent implementing agency through Open Tender Process, following Government Norms. TNPCB is taking action to strengthen the existing internal committee constituted to oversee remediation project at TCCL site on technical matters & execution & monitoring by including external expert agencies like NEERI, NPC and officials of CPCB for effective implementation of remediation project.

4. It is respectfully submitted that TNPCB has made several attempts over a period of time, to find out a permanent solution for the de-contamination of TCCL site. However, as the cost of such proposals on the higher side, the funding source could not be identified. Meanwhile, the contamination continues to spread over a larger area. In order to prevent further contamination to the extent possible, it was decided to go ahead with the interim measure approved by CPCB. This could only be a temporary arrangement, till the implementation of permanent remedial measures and identifying the source of funding, to minimize further contamination.

Under the above circumstances, it is humbly prayed that this Hon'ble National Green Tribunal (Southern Zone) may be pleased to pass such further or other orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of this case and thus render justice.

  
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JOINT CHIEF ENVIRONMENTAL ENGINEER  
TAMIL NADU POLLUTION CONTROL BOARD  
No.76, MOUNT SALAI, GUINDY,  
CHENNAI-600 032  
**BEFORE ME**

#### VERIFICATION

I, R. Rajamanickam, Son of P.M.Ramasamy, working as Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai-600 032 do hereby submit that the contents of above report are true to the best of my knowledge through records.

  
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**REPORT FILED ON BEHALF OF THE  
RESPONDENT - TAMIL NADU  
POLLUTION CONTROL BOARD**

Advocate for Respondent: TNPCB  
Mrs. Shanmugavalli Sekar Advocate  
BSC, Chennai.

Dated: 31.05.2022

Date of hearing: 01.07.2022

