

Brief Note on Development of Treatment, Storage and Disposal Facility (TSDF) for Hazardous Waste at Bawana, Delhi

DSI IDC has awarded the work of development of Treatment, Storage and Disposal Facility (TSDF) for Hazardous Waste at Bawana, Delhi to M/s Tamil Nadu Waste Management Limited (M/s TNWML) and Letter of Acceptance was issued on 30.11.2019 & Letter of Commencement was issued on 18.12.2019. As informed by DSI IDC, the project is to be completed in 15 months time however M/s TNWML has been requested by DSI IDC to start operation of facility from June, 2020 as per the directions of Hon'ble NGT.

MoEF & CC vide letter dated 06.01.2020 has given Terms of Reference (TOR) for Environmental Clearance for the said project. The Project Proponent (M/s TNWML) vide letter dated 25.02.2020 (received on 26.02.2020) has submitted Draft EIA report to DPCC for conducting Public Hearing for the Project "Treatment, Storage and Disposal Facility (TSDF) for Hazardous Waste at Bawana, Delhi-110039 by M/s Tamil Nadu Waste Management Limited". Vide said letter dated 25.02.2020 it has also been informed that DSI IDC vide letter dated 24.02.2020 has confirmed approval on the said EIA Report.

Public Hearing for Environmental Clearance for the said Project was scheduled on 09.04.2020 between 11.00 A.M to 1.00 P.M at the TSDF Site and a Public Notice was issued in this regard on 06.03.2020 in Times of India (in English) and Dainik Jagran (in Hindi).

Draft EIA Report (in English) and Executive Summary EIA Report (in English and Hindi) in hard copy and soft copy (in CD) were sent to various Departments vide letter dated 05.03.2020 for wide publicity and requesting the interested persons to send their comments to DPCC within 30 days from the date of publication of said Public Notice. Departments were also requested to make available the Draft EIA Report for inspection electronically or otherwise during normal office hours. This was done for the purpose of public consultation as per the EIA Notification Dated 14.09.2006.

District Magistrate (North) , GNCTD vide note dated 02.04.2020 informed that in view of the orders dated 24.03.2020 issued by National Disaster Management Authority (NDMA) & Ministry of Home Affairs (MHA), Govt. of India, regarding effective measures to be taken for ensuring social distancing so as to prevent the spread of COVID-19 in all parts of the country, for a period of 21 days with effect from 25.03.2020, Public Hearing for Environmental Clearance for the said Project which was scheduled to be held on 09.04.2020 between 11.00 A.M to 1.00 P.M at the TSDF Site, can not be held.

Hon'ble National Green Tribunal vide order dated 20.03.2020 in OA No. 159/2013 in the matter of All India Lokadhikar Sangathan Vs Govt. of NCT of Delhi & Ors. and OA No. 77/2016 in the matter of M/s Ashok Vihar Mitra Mandel Vs Govt. of NCT of Delhi & Ors. has given various directions including the following :

"Having regard to the continuing damage to the environment, we direct MoEF & CC to adopt a shortened timeline for grant of EC by using a special mechanism for dealing with the emergency situation so as to ensure that grant of EC is not delayed beyond 15.04.2020 which is the date fixed for public hearing".

In view of the above, Public Hearing scheduled on 09.04.2020 was cancelled and MoEF&CC was informed in this regard vide letter dated 03.04.2020 sent through email on 05.04.2020 (Copy enclosed). Vide said letter, MoEF & CC was requested to convey the decision whether another date of public hearing is required to be given after the lock down period as notified is over, or forward the suggestions / objections so received by

DPCC upto 09.04.2020 in response to the public notice and letters sent to various departments / authorities, to the Regulatory Authority i.e. MoEF&CC. If MoEF&CC decides that another date of Public Hearing is to be given, then it is suggested that the MoEF&CC may approach the Hon'ble National Green Tribunal for extension of the time for completing the process.

M/s TamilNadu Waste Management Limited (TNWML) (Project Proponent) vide letter dated 31.03.2020 requested for permission to initiate the work relating to development of TSDF for Hazardous Waste at Bawana, Delhi and issuance of necessary permissions , Environment Clearance (EC) & Consent to Establish (CTE).The Project Proponent (M/s TNWML) was informed vide letter dated 03.04.2020 sent through email on 04.04.2020 , that Consent to Establish (CTE) under the Air & Water Acts can be issued only after obtaining the Environmental Clearance from the concerned Regulatory Authority i.e. Ministry of Environment, Forest and Climate Change (MoEF&CC), Govt. of India. The Project Proponent may approach MoEF&CC for grant / issuance of the Environmental Clearance for the said project.

Public Notice regarding cancellation of said Public Hearing was published in Times of India (in English) and Dainik Jagran (in Hindi) on 06.04.2020 and also uploaded on the website of DPCC. Said Public Notices were also sent to MoEF&CC and other Departments vide email Dated 06.05.2020.

DSIIDC vide letter dated 06.04.2020 also requested MoEF&CC to take appropriate decision for the compliance of Hon'ble NGT Directions.

M/s TNWML vide email dated 07.05.2020 requested DPCC for grant of necessary permissions to TNWML so that construction work can be initiated at the site. Reply through Email has been sent to TNWML on 11.05.2020 referring the earlier letter of DPCC dated 03.04.2020 that Consent to Establish (CTE) in respect of said Project can be issued only after obtaining the Environmental Clearance from the concerned Regulatory Authority i.e. MoEF&CC, and Project Proponent may approach MoEF&CC for grant / issuance of the Environmental Clearance for the said project.

Since Reply / Response w.r.t the letter dated 03.04.2020 of DPCC sent to MoEF&CC was not received a Reminder was sent to MoEF&CC vide letter dated 13.05.2020 (Copy enclosed) (Emailed on 14.05.2020) alongwith Objections/ Clarifications/ Representations received w.r.t. said project / Public Notice earlier issued by DPCC on 06.03.2020, in the period of 06.03.2020 to 09.04.2020 and Reply / Clarifications given by the Project Proponent (M/s TamilNadu Waste Management Limited).

Another Terms of Reference (TOR) in respect of said Project has been issued by MoEF&CC vide letter dated 19.03.2020 received in DPCC on 04.06.2020.

Another Reminder Letter was sent to MoEF&CC on 11.06.2020 with request to explore the possibility of Exclusion of public hearing for the above mentioned project due to spread of COVID-19 epidemic in NCT of Delhi, considering the importance of the project for Delhi and orders passed by Hon'ble NGT in the said matter.

MoEF&CC vide letter dated 23.06.2020 has informed that DPCC should notify another date for conduct of public hearing expeditiously and in a manner that ensure the conduct of such hearing with adequate social distancing and other safe guards issued by the Government of India from time to time.

In view of the above **Public Hearing for the aforementioned Project was rescheduled and held on 14.07.2020 at 11 AM to 1 PM at the TSDF site.** In this regard a Public Notice was published on 26.06.2020 in Times of India (in English) and Dainik Jagran (in Hindi) & the same was also placed on the website of DPCC and sent to concerned Departments, District Magistrate & Project Proponent (M/s Tamil Nadu Waste Management Limited) informing them to take necessary action. 15 Days time was given to the Public vide said Public Notice issued on 26.06.2020 for submitting their Suggestions / Views / Comments / Objections / Responses, if any, with respect to the above mentioned Project from the date of publication of Public Notice .

Proceedings of Public Hearing for Environmental Clearance for the Project “Treatment, Storage and Disposal Facility (TSDF) for Hazardous Waste at Bawana, Delhi by M/s TamilNadu Waste Management Limited” held on 14.07.2020 at the TSDF Project Site at Bawana (adjacent to Waste to Energy Plant & Pragati Power Plant), Delhi-110039 has been sent to MoEF&CC vide letter dated 20.07.2020.