

**LOCAL AREA ENVIRONMENT COMMITTEE
(LAEC) – CUDDALORE**

Interim Report

February 2005 to June 2005

Submitted to:

**The Supreme Court Monitoring Committee on
Hazardous Wastes**

July 2005

Local Area Environment Committee for Cuddalore

In September 2004, the SIPCOT Area Community Environment Monitors (SACEM) presented the Supreme Court Monitoring Committee with a report on the ambient air quality in SIPCOT Industrial Estate, Cuddalore. SACEM reportedly found 22 Volatile Organic compounds (VOCs) in the air, many of which were in violation of USEPA safety levels, though no national standards for these gases exist in India.

In response, the SCMC via letter to Tamilnadu Pollution Control Board dated 24 January, 2005, set up the Cuddalore Local Area Environment Committee whose members and Terms of Reference are provided below. Importantly, the SCMC issued directions to the TNPCB to bring air quality in SIPCOT to normalcy and sought to involve the CPCB in evolving national standards for VOCs in ambient air.

The following people were nominated to the LAEC

T. Mohan, (Chairperson)
Mohan & Devika Advocates
Old no 6, New No. 11,
III rd Avenue, Besant Nagar,
Chennai – 600 090

Mr. R. Rajamanickam, (TNPCB
representative, Convenor)
Assistant Engineer,
Tamil Nadu Pollution Control Board,
76, Mount Salai, Guindy,
Chennai – 600 032

Mr. S. Ramanathan, (Member)
SIPOCT Area Community Environmental
Monitoring (SACEM)
South Street, Semmankuppam Village,
Cuddalore – 607 005

Mr. S. Pugazhenthii, (Member)
Fisherman, Sangolikuppam,
SIPCOT Area,
Cuddalore – 607 005

Mr. Senthamarai Kannan, (Member)
President, Kudikadu Panchayat,
Cuddalore – 607 005

Mr. M. Nizamudeen, (Member)
Consumer Activist
27, Abdul Khader Street,
Manjakuppam,
Cuddalore – 607 001

Prof. V. Ramamurthi, (Member)
Head of Department of Chemical
Engineering
A.C. College of Technology,
Anna University,
Chennai – 600 025

Mr. PRV Jagannathan (Member)
President,
Semmankuppam Panchayat,
Cuddalore – 607 005

Mr. A. Bhuvanenthiran alias Raja, (Member)
President, Pachaiyankuppam Village,
Cuddalore – 607 005

The Terms of Reference of the LAEC are as follows

1. Verify compliance with the Apex Court order dated 14.10.2003 requiring the erection of display boards (6x4ft) with relevant and updated information in Tamil and English at the main gate of all industries visible to all members of the public in the vicinity, and cite violations. The display information should include the Consent for Operating (CFO) and data on air emission, water discharges and solid waste.

2. Verify compliance of industries under various pollution control enactments having relevance to hazardous wastes, and recommend measures to reduce or eliminate air pollution hazards -- particularly, volatile organics and sulphur compounds. If the LAEC feels that if any unit is unwilling or does not have the capacity to minimise the discharge of hazardous air pollutants, it is free to recommend its closure.
3. The Committee can, among other sources, draw on the trained SIPCOT Area Community Environmental Monitors for identifying, monitoring and reporting environmental problems in and around the industrial estate, and associate their experience/expertise in sampling air pollution incidents.
4. Carry out or cause to carry out environmental audit (Third party audit) of industries within and in the vicinity of SIPCOT, Cuddalore. The environmental audit may cover raw materials, products, production processes, waste generation, compliance with environmental laws, waste disposal practices, illegal discharges into air, water or land etc. This exercise may take into account already existing/on-going studies on pollution and health impacts in SIPCOT, Cuddalore, with a view to a) developing an initial (baseline) occupational and community health study, as a forerunner for a comprehensive long-term -- time-series study and b) assessing the carrying capacity of the industrial estate, especially with reference to new proposals including expansion. This audit should commence immediately with the five industries that are believed to be major sources of air pollution and establish baseline data.
5. Suggest ways to detect violations of environmental laws by opening channels of communication with communities and workers, and promoting community environmental monitoring as per the directions of the apex court at para 55 of its order dated 14.10.2003.
6. Interact with TNPCB and SIPCOT in addressing the problem of existing hazardous wastes and recommend time-bound systems and programs of clean production to reduce quantum and toxicity of hazardous waste generation in terms of 8(ii) of the HW Rules, 1989, as amended.

Rules of Business

1. The LAEC shall observe/consider the basic principles of natural justice, transparency, relevant scientific data, various pollution prevention and control measures, and objections from affected parties/stakeholders particularly workers and communities before arriving at findings/conclusions.
2. The Committee shall be assisted by the TNPCB to procure from any employer/establishment/competent officer therein such information or access to samples for analysis as may be required by it for performing its functions. Requests for such information from the LAEC should be treated as if they have been made by the SCMC.
3. The scope of the Committee shall extend to the industries in SIPCOT and in the immediate vicinity.

4. The Central Pollution Control Board will keep the LAEC abreast of its air monitoring programs in the area and consult it where necessary.
5. Deliberations of the Committee shall be held in Tamil and English with due attention paid to ensuring that non-English speaking members are fully involved in the discussions. Translator assistance may be provided by TNPCB as required.
6. All the expenses of the LAEC (including travel of its members) will be met by the TN Pollution Control Board raising additional resources with contributions from the industry on Polluter Pays principle.
7. Copies of consents and authorisations issued to the units in the subject area as well as a complete list of authorised industries of the area shall be provided to the LAEC by TNPCB as required.
8. Any report, minutes etc of any previous committee that was set up by the TNPCB for the purpose after the visit of the SCMC will form a part of the record of the LAEC.
9. Term of the LAEC will be till July 31, 2005. . .

Activity Report -- February 2005 to June 2005

The Local Area Environment Committee (LAEC) has, from the time of its constitution, held three meetings and has conducted two field visits to the SIPCOT industrial complex.

The LAEC has also met with the trade unions of the SIPCOT industries and the representatives of the industries, and inspected seven units and one CUSECS pump in SIPCOT.

LAEC members from Cuddalore and volunteers from the SIPCOT Area Community Environmental Monitoring (SACEM) have kept the LAEC and TNPCB informed about various pollution-related developments in SIPCOT. Other residents too have been more alert in recording and reporting pollution incidents or violations to the TNPCB and the LAEC. Till date, the LAEC has received 12 letters from various residents and other members of the LAEC relating to issues in SIPCOT. Details of these letters alongwith action taken by the LAEC are tabled in Annexure 2.

First meeting of LAEC – 28 February 2005

The first meeting of the LAEC was a “get to know each other” meeting , and to discuss the terms of reference and role of the LAEC. Dr. Claude Alvares, member SCMC was also present at the meeting.

The main points discussed in the meeting were regarding obtaining detailed information about the raw material, products and haz-waste generated in the SIPCOT industries. The LAEC also discussed the issue of illegal expansion of Tagros Chemicals in SIPCOT. The details of the discussion and the follow up action taken on them are presented in Table 1 below.

Table: 1 – Action Taken By TNPCB on Decisions Taken at LAEC Meeting on 28 February, 2005.

Decisions	Action taken
<p>Industries in SIPCOT should not go in for expansion without getting consent of the Board and in violation of the EIA notification.</p> <p>TNPCB was instructed to take action, including prosecution, against Tagros Chemicals for operating at expanded capacity without consent.</p> <p>TNPCB’s communications on this matter was requested by the LAEC.</p>	<p>Not Known</p> <p>TNPCB is said to have issued show-cause notice to Tagros with directions to revert production to the originally consented capacity. However, Tagros’ application for post-facto clearance came up for review at the Ministry of Environment & Forests on 30 June, 2005. Status of prosecution not known.</p> <p>Copy of the TNPCB’s letter to Tagros Chemicals has not been provided to LAEC.</p>
<p>DEE Cuddalore should inform LAEC Chairman about any incidents in SIPCOT Complex.</p>	<p>Complied.</p>
<p>A record of the empty chemical drums sold by the industries should be available with the TNPCB, and the drums and bags should be disposed by the units only after prior notice to the Board.</p>	<p>Not Complied.</p> <p>No response on action taken by TNPCB</p>

<p>A complaints register has to be maintained at the TNPCB office to record grievances of the public. Complaints should be immediately attended to.</p> <p>A 24 hour telephone complaint facility should be set up at the DEE office to receive the complaints. The telephone number for the complaints should be widely publicised along with the numbers of the LAEC members.</p>	<p>Complied A complaints register has been maintained. The DEE responds to people's complaints, although the quality and substance of the response has to be improved.</p> <p>Not Complied</p>
<p>Sale of spent acid by the industries should be monitored by the Board and details of such transactions should be available with the Board.</p>	<p>Not Complied</p>
<p>Hazardous material stock in the defunct units shall be removed so as to avoid any hazard.</p>	<p>Not Complied</p>
<p>TNPCB to conduct detailed survey alongwith SACEM of hazardous wastes in units that are closed or under closure.</p>	<p>Partially Complied A survey was conducted without the involvement of SACEM, and the report was submitted.</p>
<p>Detailed information regarding industries requested.</p> <p>Additionally, each company was requested to submit one month's data with respect to daily raw material consumption, production, hazardous waste generation.</p>	<p>Partially Complied Data with respect to 6 industries has been provided by the TNPCB. Clarifications sought based on information provided has not been given.</p> <p>This has not been provided as yet.</p>

Submissions to LAEC

During the first meeting, SACEM submitted two detailed reports to the LAEC; one was a report on the status of hazardous waste in SIPCOT complex, titled – **“Groundtruths: Status of Hazardous Wastes and Pollution in SIPCOT Chemical Estate, Cuddalore.”** Based on this submission, the chairman of the committee via a letter dated 18 May 2005 instructed the DEE, TNPCB to conduct a detailed investigation along with SACEM members of the stockpile of hazardous wastes in the defunct units of SIPCOT.

SACEM also submitted a report titled – “**Status of Groundwater in Villages Around SIPCOT Chemical Estate, Cuddalore**” -- about the groundwater situation in SIPCOT villages. SACEM had requested the LAEC to issue instructions to ensure delivery of clean water to the pollution-impacted villages.

SACEM also submitted evidence to show that M/s Tagros Chemicals had violated the EIA notification and expanded its production without proper consent from requisite authorities.

The TNPCB provided the LAEC with the detailed information of the following units via letter dated 28 March, 2005:

- M/s Asian Paints India Ltd.
- M/s SPIC Pharmaceuticals Division
- M/s Shasun Chemicals & Drugs Ltd.
- M/s Tagros Chemicals India Ltd.
- M/s TANFAC Industries Ltd., AIF3 Plant
- M/s Tantech Agrochemicals Ltd.
- Details about the closed units in SIPCOT

Second meeting of LAEC – 1 April 2005:

The LAEC conducted its second meeting on 1 April 2005, to take stock of the situation in SIPCOT Cuddalore and also review the implementation of its previous orders.

The main points of discussion included –

- Expansion of industries in SIPCOT complex and proposals for new chemical industries or expansion of existing industries. The LAEC recommended the Board to inform the LAEC about all proposals for expansion or new proposals.
- Clarifications on the information provided by industries via TNPCB.
- SACEM's report on Groundwater in SIPCOT villages.

The various details discussed in the meeting and action taken on them by the Board is provided in Table 2 below.

Table: 2 – Action Taken By TNPCB on Decisions Taken at LAEC Meeting on 1 April, 2005

Decisions	Action taken
LAEC recommended the Board to get opinion/consent of the village panchayat while granting consent to the new industries in SIPCOT industrial complex.	Not Known
The Board was asked to also intimate the LAEC about new industrial proposals in the SIPCOT estate.	Not Complied The Board issued NOC for a new industrial proposal without informing or consulting the LAEC despite repeated requests to do so.
The Board was asked to instruct CUSECS to ensure that there would not be any leakage/ overflows in the pumping systems. The Board was also asked to closely monitor the quality of effluent pumped into sea by CUSECS No 6.	Not Complied No report submitted by the Board

<p>LAEC requested the Board to furnish the following information:</p> <ol style="list-style-type: none"> i. Copy of the health study report furnished by the Director of Public Health & Preventive Medicine. ii. Copy of the study conducted by Fisheries Department. iii. Copy of air quality study conducted by SIPCOT Industries Association. iv. Copy of environmental statement furnished by the industries 	<p>Not Complied</p> <p>The air quality study results have been shared. However, this was after the LAEC received a leaked copy of the report. Till date, no official copy of the report has been sent to the LAEC by the TNPCB.</p>
<p>LAEC requested the Board to expedite the setting up of a local office at SIPCOT, Cuddalore.</p>	<p>Not Complied</p> <p>No progress report.</p>
<p>List of authorized agencies for purchasing empty barrels/bags from the industries should be furnished to LAEC.</p>	<p>Not Complied</p>
<p>TNPCB to furnish to LAEC addresses of the industries purchasing spent acid from SIPCOT industries.</p>	<p>Not Complied</p>
<p>TNPCB to furnish copies of letters addressed to industry by TNPCB in response to public complaints or on matters of pollution.</p>	<p>Not Complied</p> <p>Two action-taken reports, dated 8 March, 2005, and 22 April, 2005, have been furnished to LAEC. However, no copies of TNPCB's communications or show-cause notices issued to the industries have been provided.</p>
<p>M/s. Loyal Super Fabrics and M/s Omni Cast Industries have constructed additional buildings. DEE asked to furnish report on whether or not these companies have gone for expansion.</p>	<p>No action taken</p>
<p>LAEC requested the Board to furnish action taken report and report of AAQ continuous monitoring station for the date 15.2.2005 & 16.2.2005 when a complaint was received about odour emission from Tantech Agro Chemicals</p>	<p>Partially Complied</p> <p>Action Taken Report was submitted. Ambient Air Quality report not provided.</p>
<p>LAEC requested the Board to address M/s TANFAC industries for proper disposal of their hazardous waste.</p>	<p>No report submitted by the Board, hence unaware of any action taken.</p>

<p>Based on information provided by the Board on 6 industries, the LAEC recommended that the Board should issue show-cause notices to the 6 units, all of whom had by their own admission violated effluent quality parameters. TNPCB to furnish LAEC with copies of show-cause notices.</p>	<p>Not Complied. No action taken report.</p>
<p>LAEC requested the Board to provide information regarding other industries in and around SIPCOT in the format previously prepared.</p>	<p>Not Complied</p>
<p>After reviewing the analysis of the information provided by the TPCB on 6 industries the committee requested the TNPCB to provide:</p> <ul style="list-style-type: none"> a) Information related to all Companies. b) Provide additional company specific information requested in the various sections of the review report (refer to letter dt/1 April, 2005 from Nityanand Jayaraman, researcher, to Chairman, Cuddalore Local Area Environment Committee) (Annexure 3) 	<p>Not Complied</p>
<p>LAEC recommended that a health study of the people in and around SIPCOT should be conducted by an independent agency under the supervision of TNPCB and the LAEC, and the cost to be paid by the industry.</p>	<p>No Action taken so far</p>
<p>LAEC sought information about the details of ground water drawal by the industries from the Board.</p>	<p>Not Complied</p>
<p>LAEC recommended that SIPCOT should provide water to the villages in and around the SIPCOT Industrial Complex for all their requirements as per WHO norms and collect payment from the Industries association on polluter pay principle.</p>	<p>Not Complied</p>

Visit to SIPCOT Industrial Complex and Observations

Visit on 23 – 24 April 2005

The LAEC made a surprise visit to SIPCOT complex around mid-night of 23 April 2005. The LAEC visited the following units on 24 April.

- M/s Victory Chemicals
- M/s Tagros Chemicals India Ltd.
- M/s Shasun Chemicals
- M/s TANFAC Industries
- CUSECS pump house no. 6

The LAEC inspected the following in the units

- General upkeep of the factory with regard to pollution and haz waste
- The information boards and information display
- Compliance of industries under various pollution control enactments
- Conditions of hazardous waste management in the units.

The Committee observed that the conditions in SIPCOT Cuddalore were not satisfactory. The chemical odour in the night was very intense, and caused discomfort. Smoke emissions from one unit were so intense that the visibility in the area was affected immensely.

The LAEC in its inspection of the units also found that:

1. Tagros Chemicals had expanded its production capacity without requisite consents and in violation of the EIA Notification.
2. The hazardous waste in Victory Chemicals was very poorly maintained and most of it was strewn around in piles. The LAEC recommended the Board to issue show cause notice for closure of the unit and also directed the DEE to take samples of the waste.
3. The LAEC expressed its concern about the poor management of HF waste in TANFAC and directed the DEE to take samples as well as find a better means of management of the waste.
4. The LAEC observed persistent malodours from Shasun Chemicals, particularly near the mercaptan incineration unit.

The observations of the committee were communicated with recommendations of actions to the Board through a letter dated 25 April 2005. Please refer to Annexure 1 for the letter.

Visit on 17 June 2005

The LAEC made its second visit to SIPCOT complex on 17 June, 2005. The committee visited industries at random with the main intention of inspecting their house keeping conditions and maintenance of hazardous waste in their facility. The LAEC observed that there was some improvement in the house keeping conditions of the units since its last visit. It was also reported to the LAEC that the frequency of chemical odour incidences in the area has come down in the last one month though there was no change in the intensity of the odours. In other words, the odourous emissions were concentrated over a shorter duration of time.

During this visit the LAEC inspected the following units:

- a) Victory Chemicals,
- b) Tantech Agro Chemicals Ltd.,
- c) SPIC Pharma Chem Ltd. and
- d) Pioneer Miyagi Chemicals.

The Committee also went around the various service roads around the units in the complex.

It was observed that Victory Chemicals had made improvements in their housekeeping, though the LAEC also felt that a lot more needed to be done. The LAEC members also visited Tantech Agro Chemicals and the conditions inside Tantech shocked the LAEC members. There were old drums lying around, most of the equipment were old and rusted, leaky joints and an overall impression of a run down unit. Considering the fact that the unit was purchased during the pendency of proceedings before the BIFR, this impression does not appear to be misplaced. LAEC felt that the housekeeping in the unit needed serious improvement.

On its visit to SPIC, LAEC members found a chemical odour inside the unit which smell increased in intensity close to the decanter and solar pans.. When the staff was queried about the odour, they said they couldn't smell anything. The LAEC suspects that workers and staff in the unit may have lost their ability to recognise odours due to constant exposure in the unit. LAEC has expressed its concern on the occupational health conditions inside the factories of SIPCOT.

During an interaction amongst LAEC members a request was passed on to the TNPCB to furnish details about the NOC given to Chemplast Sanmar and about the toxicity and hazards of Pandian Chemicals product, ammonium perchlorate.

The LAEC held two meetings – one with the trade unions and another with the representatives of the industries, during this visit.

Meeting with the Trade Union representatives

The LAEC explained to the unions about its mandate and responsibilities and sought the help of the unions to fulfil them. The meeting helped in clarifying the doubts and misunderstandings among the union representatives about the role of LAEC.

Meeting with the Industry representative

The LAEC met with the industries representatives and discussed the problems of chemical odour, hazardous waste management and compliances with different pollution control regulations. The LAEC discussed with the industries the results of air sampling conducted by SACEM; and the results of new report by Shiva Analyticals (India) Limited, this sampling was commissioned by the Cuddalore SIPCOT Industries Association. The Chairperson of the LAEC informed the industries that the report of Shiva Analyticals indicated the presence of VOCs in high levels in SIPCOT air and asked the industries about their proposed plan to reduce the levels of VOCs in the air.

The LAEC Chairperson was informed that industries had conducted waste audits and were in consultation with the Board. However, the LAEC was not informed about this exercise by the Board. The Chairperson also discussed the issue of valid licences of the units with the industries representatives.

On 11 May 2005, SACEM submitted its second air quality report of SIPCOT Cuddalore titled – **“Gas Trouble II - Air Quality Status and Assessment of TNPCB’s Compliance to Supreme Court Monitoring Committee Order”**. The report highlighted the results of the air samples taken from October 2004 till March 2005. The results of the report clearly indicate that the levels of VOCs remain at the levels far higher than the levels of concern, in SIPCOT air despite the SCMC order to TNPCB and industries to take steps to bring down the levels.

The LAEC also received a leaked copy of a report in June 2005, on Air quality analysis conducted by Shiva Analyticals (India) Limited. The report was commissioned by the Cuddalore SIPCOT Industries Association (CSIA). The results confirmed the claims of the communities about the presence of VOCs in the air, and record high levels of chemicals such as chloroform, Methylene chloride and Acrylonitrile in SIPCOT air. According to the report, 13 VOCs were found in SIPCOT air, and 8 of which exceeded the Reference Concentration levels (RfC) of USEPA as mentioned in the report. Acetonitrile was found in 8 out of ten samples taken while Chloroform was present in 6 samples. (Refer to the Annexure 4, SACEM’s Critique of the Report)

This report confirms the findings of the bucket samples conducted by SACEM. Eleven chemicals found in this report were also found during the bucket samplings. In fact this report does not test for more than ten VOCs identified through the bucket samples. The Bucket results are far more exhaustive and analysed for twenty four VOCs in SIPCOT air.

Observations and Comments

There have been some positive changes observed at the ground level in SIPCOT, for instance,

- Until a few months back, the response of the TNPCB local office to the complaints had become more prompt and usually the complaints are addressed by a visit of the DEE to the spot of the incident. However, the DEE's responses and explanations of why and how incidents happened need to be improved. Responses and explanations must be complete in ruling out other causes for the incident; scientific bases should be provided; and specific recommendations to fix the problem should be issued.
- The TNPCB has also started to maintain a complaints register with records of the complaints in it that can be inspected any time, the complaints register had 16 complaints when last inspected on 17 June 2005. These needs to be publicised among the communities resident around the estate, and a similar complaints register should be located in SIPCOT at a place friendly enough to allow residents to file their complaints.
- Information about incidents is promptly conveyed to the LAEC by the DEE. However, the TNPCB has failed to furnish copies of its communications, including notices, with the industries regarding violations or suggested improvements. This communication gap has to be addressed.
- The LAEC has also observed a marked improvement in the house keeping of various units in SIPCOT and it has also been reported that the incidences of chemical odours in the area have reduced in the last month.

Though these minor changes have occurred, a lot more is to be achieved in the future.

The contamination of groundwater has placed the local communities under severe stress. The scarcity of clean water has added its own burden on the health of the people. Provision of clean water at WHO recommended per capita levels is of immense urgency.

So are interventions to understand the health problems that residents attribute to pollution, even while providing them access to better health care. Particular attention should be paid to children's health care, because according to residents, persistent air pollution has left most of their children with chronic symptoms targeting the upper respiratory tract. Time and again residents have expressed the need for a well-equipped hospital in the area given the high incidences of what appears to be pollution related ailments the demand for such a hospital is not only justified but must be addressed without delay.

The LAEC has also observed frequent overflow of effluents from the CUSECS. It has recommended an increase in the capacity of the pipelines to CUSECS in order to prevent further leakages (Refer to annexure 2, Complaints sent to TNPCB since October

1 2004); this has to be implemented without delay. Even defective flow meters are not replaced for several months and in the absence of measurement, there is no information on the outflow from CUSECS. Moreover, CUSECS appears to be functioning very autonomously and even at the meeting on 17/06/05, it was clear that there was no obligation felt by CUSECS managers to report upset conditions in CUSECS and about samples drawn from CUSECS inflows which did not meet parameters to the TNPCB. The nature of CUSEC's obligation needs to be clearly defined. The LAEC has also not been provided consents given to CUSECS and how far the location of CUSECS and its discharge is in compliance with the CRZ Notification (which is of relevance to the entire estate)

The LAEC is also concerned that none of the industries which are presently in the process of setting up on line monitors seem keen on providing on line access of these monitors to the Board. In the opinion of the LAEC, it is imperative that the DEE be able to access all the monitors on line and be alerted automatically whenever there is an upset condition in the facility

The LAEC also felt that there were a few stumbling blocks that hampered the execution of its tasks. The rules of business of LAEC clearly mention that the TNPCB would assist the committee access information regarding the industries and also provide copies of consents and authorisations issued to all the units in the area. TNPCB's cooperation, and promptness with sharing information, has been less than optimal and an impression. Given that all LAEC members are volunteers – with otherwise busy schedules – TNPCB may be advised to respond promptly and without requiring reminders, and exhibit a more cooperative attitude so that the mandate of the LAEC and the SCMC are fulfilled.

The lack of cooperation from TNPCB has been particularly noticeable over the last few months. Of particular concern is the manner in which NOC was granted by TNPCB/Govt. of Tamil Nadu for a PVC proposal by M/s Chemplast Sanmar without any reference to the LAEC and without awaiting the outcome of the Third Party audits. Based on little information at hand by LAEC, numerous technical questions related to the project remain unaddressed. The LAEC has also been kept in the dark about the fact that consents appear to have been granted to other new units in the recent past. Table 3 has a compilation of various letters of requests sent to TNPCB and other authorities and the responses to them so far.

Table 3 – Letters sent to various authorities (other than Chairperson/Member Secretary/District Env't. Engineer TNPCB) by LAEC and the responses received

S No	Date of the Letter	Letter addressed to	Subject of the letter	Response from the addressed authorities
1.	25.02.05	Member Secretary, National Coastal Zone Management Authority,	Alleged violation of the Coastal Regulation Zone by Pandian Chemicals in SIPCOT Cuddalore	TNPCB along with the state department and SACEM members conducted a verification of the distance of Pandian Chemicals from the river Uppanar.

		Director of Environment, TNPCB		Final report awaited.
2.	28.02.05	LAEC Convenor	TNPCB to intimate LAEC Chairman of accidents in SIPCOT Cuddalore.	The TNPCB provided an action taken report on 08.03.05, that enlisted the action taken on incidents reported in the months of February 2005, The information also included action taken on Victory Chemicals, CUSECS and Pandian Chemicals.
3.	25.05.05	Inspector of Factories	Requesting information about industrial accident in Tagros Chemicals on 19.05.05 and also requesting that LAEC should be informed about all the accidents in SIPCOT Cuddalore	No response received so far

Key areas of focus for LAEC

The LAEC intends to execute the following in SIPCOT Cuddalore as its next steps towards fulfilling its terms of reference:

1. Supply of clean piped water to the residents of SIPCOT at the cost of industries under the polluter pays principle.
2. Long-term monitoring of VOCs in the SIPCOT air
3. Identification of major and minor sources of pollution within industries – particularly with respect to addressing the issue of fugitive emissions. Put in time-bound systems of pollution reporting and reduction.
4. Comprehensive health study of the workers and the community residents by independent authorities.
5. A survey of the existing hazardous waste in the defunct units of SIPCOT Cuddalore, and initiate of containment of such waste.
6. Consultations with industry, and recommendation of industry-specific changes to address toxic gas emissions.

ANNEXURE 1

Letter from Adv. T. Mohan, Chairman of the Cuddalore Local Area Environment Committee to Chairperson, Tamilnadu Pollution Control Board

25th April 2005
L. No. 89-04/05

The Chairperson,
Tamil Nadu Pollution Control Board,
Chennai - 600 032

Dear Ms.Vaidyanathan,

I visited the SIPCOT Industrial Estate, Cuddalore on 21st and 22nd April 2005. On 22nd April 2005, along with the District Environmental Engineer (DEE) and members of the LAEC, I visited Tagros, Victory Chemicals, CUSECS6, TANFAC and Shasun Drugs and Chemicals Ltd.

On my night visit to the estate on 21st April 2005, I was assailed by a cocktail of malodours. It is clear that these industries are yet to address the odour problem effectively.

1. My visit to Victory Chemicals left me entirely frustrated at the lack of progress. Their house keeping is of the poorest order and the hazardous waste from the factory lies not only strewn around but is also piled in a mound at the rear end of the facility, while the Company claims that the bottom of the dump/ mound is a lined one, I am not sure whether this is true and even if so whether the run off can be addressed by the bottom lining with no containment on the sides.

Alongside the compound wall, there is a storm water drain which from its coloration and location clearly collects run off from the hazardous waste site. Please have the DEE draw samples from the drain and issue a show cause notice to the unit for closure.

2. As far as Tagros is concerned the unit claims to be producing 360 metric tonnes of product a year and has sought clearance for expansion which application has been forwarded to the MoEF.

We have received complaints that the unit has expanded production without clearance from the MoEF/ consent from you. I understand that the unit had originally denied these reports. Even at the last LAEC meeting held on 01/04/05, we had asked the DEE to conduct further investigation in the matter. We now understand that the unit has now "confessed" to have expanded without clearance/consent. I have handed over to the DEE photocopies of the Company's annual report which prove that the unit has been producing more than the approved quantity even in the year 2000-2001 and had steadily expanded both the installed capacity and actual production.

3. It is clear that the unit has confirmed its transgression of the law after it was made clear at the last LAEC meeting that we had documentary proof of the expansion without permission.

This state of affairs is unfortunate, to say the least. Industries must respect pollution control and environmental law and not deal with institutions and laws as something merely to be tolerated.

Please address the MoEF to reject Tagros' clearance application as the same is false in material particulars. The Board should prosecute the Company and its Directors (past and present) for operating at a capacity in excess of what was permitted. The MoEF and the State Government may be requested to prosecute the unit and its Directors for violation of the Environmental Impact Assessment Notification S.O.60[E] dated 27/01/1994. Could you please direct the D.E.E to send us copies of the correspondence between Tagros and the Board in this regard, especially the letters from Tagros dated 22/03/05 and 07/04/05. We also need to place on record in the Supreme Court in W.P.(Civil) No.460/04, the fact that Tagros has violated the EIA Notification. A copy of the Tagros' letter dated 07/04/05 may be sent to the SCMC also.

4. As regards TANFAC we saw HF waste lying in the open as well as gypsum waste. During my night visit around the precincts, I noticed that the waste was being loaded onto trucks and there was lot of particulate matter flying around.

I am also concerned about the HF waste polluting ground water. The D.E.E informed me that ground water samples had been drawn in close proximity to the dumpsite.

I would recommend that samples be drawn again in the presence of the LAEC. As for the present condition of the HF waste, it has to be addressed urgently.

5. On my visit to Shasun, I did notice persistent odour especially near the mercaptan incinerator. I however did not have enough time to do justice to my visit and I hope to redress that in the near future.

Over all, my assessment is that a lot of work needs to be done to redress the grievances of the communities living around the plant and this itself is a huge task. At the last LAEC meeting, we had articulated concern over this and directed that all applications for establishment / operation/ renewal/ expansion be refused to the LAEC.

However, to our consternation we learn that a new unit has been accorded consent to establish as also MoEF clearance viz Shasank Chemicals and Drugs Pvt. Ltd. Please forward necessary papers to the LAEC and intimate the applicant that the matter is being looked into by the LAEC. I am also concerned that in spite of the SHRC report, the NEERI report and the IPT report recommending no new industries in Cuddalore, plans are afoot for a textile park in Cuddalore.

We also learn that phase II of SIPCOT is generating interest hitherto dormant. We are concerned about these developments. As resolved at the last LAEC, please refer all applications for expansion/ establishment/ operation/ renewal to the LAEC. Please let us know if the TNPCB has taken any policy decision on locating the new industries in Phase I / Phase II/ Phase III of SIPCOT and whether it has corresponded with the State / Central Government in this regard. I enclose representations from villagers and a SACEM member against new industries in SIPCOT.

Another issue which troubles the LAEC is the grim drinking water situation. Ground water contamination has rendered the water unpotable. Industries must be saddled with

the responsibility of paying for supply of drinking water to the villages around SIPCOT. SIPCOT may be asked to provide an estimate of the costs of ensuring piped water supply to the villages both capital and operational and we may address industries on paying these costs.

The Board has furnished us a filled up questionnaire giving us details of 6 industries as well as some shutdown industries. I have referred the report to an independent researcher, whose comments I enclose. He points out that the ROA reveals effluent parameters exceeding threshold standards by any extremely high degree.

Please let us know what steps have been taken in respect of this situation.

Yours sincerely,
(T.MOHAN)

ANNEXURE 2

Letters of complaints received by LAEC from community members and other LAEC members and action taken on them

S No.	Date of the letter	Sender	Subject	Action taken
1.	10.02.05	SACEM	Leak of HCl from	Details of the incident

			a tanker outside M/s Tagros Chemicals (P) Ltd. of SIPCOT Cuddalore	and action taken was provided to the LAEC in the TNPCB action taken report dated 8.03.05
2.	14.02.05	SACEM	Industrial Accident in M/s Tagros Chemicals (P) Ltd.	Details of the incident and action taken was provided to the LAEC in the TNPCB action taken report dated 8.03.05
3.	28.02.05	SACEM	Submission of Tagros Documents to the LAEC that indicated that the industry had expanded without permissions	LAEC instructed the TNPCB to investigate into the matter and take action against the unit.
4.	28.02.05	SACEM	Requesting for an inspection into the distance of M/s Pandian Chemicals from River Uppanar	The LAEC directed the TNPCB/ DEE to inspect the distance and report to LAEC.
5.	14.03.05	M. Nizamudeen Member LAEC	Action on the Ground water report submitted by SACEM	The LAEC in its meeting on 1 April directed the TNPCB to provide piped clean water to the villages of SIPCOT at the cost of the industries.
6.	29.03.05	Residents of Semmankuppam village	Expressing their opposition to the new industry M/s Pandian Chemicals in their area.	--
7.	29.03.05	S. Ramanathan Member LAEC	Letter opposing all new industries planned in SIPCOT Phase II	The LAEC requested the Board to intimate the LAEC about new proposals of industries in the SIPCOT or

				expansion of existing industries.
8.	5.04.05	S. Pugazenthi Member LAEC	Pollution patrol report sent to the LAEC	--
9.	9.04.05	SACEM	Submissions of results of the air sample taken down wind of M/s Arkema Peroxides Ltd. in SIPCOT Cuddalore	--
10.	14.04.05	S. Pugazenthi S. Ramanathan Members LAEC	Report of gas leak from TANFAC industries	The LAEC instructed the DEE to issue show cause notice to the unit. The details of the action is also mentioned in the DEE's action taken report dated 22.04.05
11.	15.04.05	SACEM	Attack on the chicken shop of S. Pugazenthi, LAEC member and SACEM monitor	--
12.	11.05.05	SACEM	Submission of the second air quality report titled – 'Gas Trouble II - Air Quality Status and Assessment of TNPCB's Compliance to Supreme Court Monitoring Committee Order"	--
13.	19.05.05	SACEM	Information regarding the industrial accident leading	The LAEC requested the Factories Inspector to provide with the details and also keep

			to death of a contract worker in M/s Tagros Chemicals.	LAEC updated about any accidents in SIPCOT Complex in future.
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Complaints about pollution in SIPCOT reported to the TNPCB – DEE from 1 October 2004 to May 2005

S No.	Date of the complaint / incident	Subject matter	Response from DEE - TNPCB
1.	4 th October 2004	Complaint about the effluent discharge from Victory Chemicals on 3 rd October 2004.	PCB made a site visit on the 5 th October 2004 and reported no problem
2.	13 th October 2004 (morning)	Complaint about the chemical odours in SIPCOT Area and about the biscuit colour effluent discharge from Asian Paints Penta division	PCB made a visit to the site on the same day and reported that the effluent was not from the company and from SIPCOT pipe
3.	1 st November 2004	Complaint by the Eechangadu villagers on the gas leak by SPIC Unit (filed on the village letter head)	PCB – DEE visited the site and reported no problem, calling the incident as mass hysteria
4.	4 th November 2004	Report on the pollution patrol conducted on 29 th October 2004, including the complaint of Tantech Ammonia leak	No action taken by the DEE on the Tantech leak
5.	18 th November 2004	Complaints from the fisher folks about the effluent discharge from Pioneer Miyagi Chemicals in the river Uppanar. The effluent was of biscuit colour.	No problem reported by the PCB.
6.	25 th November 2004	Incident of upset in the CUSECS pump No 2. No complaint made to the authorities	The DEE was present on the spot to look into the matter
7.	6 th December 2004	Complaints about the illegal dumping of hazardous waste by Victory	The PCB Ordered closure of the unit

		chemicals in S.N. Chavadi of New Town Cuddalore on 3 rd December 2004	after the investigation into the unit. It also directed the company to clean up the waste site. The scientific protocol of the clean up has not been disclosed.
	05.01.05	Letter about the effects of tsunami on the SIPCOT industrial estate and an enquiry of the status of the marine outfall of CUSECS	No response from the TNPCB.
	10.02.05	Leak of HCl from a tanker outside M/s Tagros Chemicals (P) Ltd. of SIPCOT Cuddalore	Details of the incident and action taken was provided to the LAEC in the TNPCB action taken report dated 8.03.05
	14.02.05	Industrial Accident in M/s Tagros Chemicals (P) Ltd.	Details of the incident and action taken was provided to the LAEC in the TNPCB action taken report dated 8.03.05
	24.02.05	Effluent overflow from CUSECS pump 2.	No action taken by TNPCB
	28.02.05	Submission of Tagros Documents to the LAEC that indicated that the industry had expanded without permissions	LAEC instructed the TNPCB to investigate into the matter and take action against the unit. TNPCB has not taken any action on the matter.
	23.03.05	Effluent overflow from CUSECS pump 2. (Information sent to DEE over phone)	TNPCB authorities inspected the spot and ensured that there was no effluent outside the CUSECS.
	29.03.05	Letter opposing all new industries planned in SIPCOT Phase II	The LAEC requested the Board

			to intimate the LAEC about new proposals of industries in the SIPCOT or expansion of existing industries. No action taken by the TNPCB
	5.04.04	Letter about the pollution patrol in SIPCOT area and high smell from SPIC	No Action taken by the TNPCB
	9.04.05	Submissions of results of the air sample taken down wind of M/s Arkema Peroxides Ltd. in SIPCOT Cuddalore	No action taken by the TNPCB
	11.04.05	Letter requesting the details of Pondicherry Alum unit in SIPCOT	No response from TNPCB
	14.04.05	Report of gas leak from TANFAC industries	The LAEC instructed the DEE to issue show cause notice to the unit. The details of the action is also mentioned in the DEE's action taken report dated 22.04.05
	11.05.05	Submission of the second air quality report titled – ‘Gas Trouble II - Air Quality Status and Assessment of TNPCB's Compliance to Supreme Court Monitoring Committee Order”	No Action taken by the TNPCB