

Annexure-R-3

Minutes of the eighteenth meeting of the Task Force – set up in compliance with the Orders of the High Court of Madhya Pradesh at Jabalpur dated 30th March, 2005, 13th May, 2005 and 15th March, 2007 respectively – held on 20th July, 2009 at 12.00 Noon in Room No.501-A, Wing, Shastri Bhavan, New Delhi.

The eighteenth meeting of the Task Force was held on 20th July, 2009 at New Delhi, to review the progress of removal/remediation of toxic waste from the Union Carbide India Ltd. (UCIL) plant site at Bhopal. A list of the officials of the Government of India, Government of Madhya Pradesh(M.P.) and other organizations, who attended the meeting, is at **Annexure-I**.

2. After a brief introduction, the Chairman briefly explained the developments that have taken place relating to the SLP filed by the Government of Gujarat in the Supreme Court against the Order of the High Court of M.P. dated 16.12.2008. The Supreme Court heard the matter on 13th April, 2009. On behalf of the Government of Gujarat, it was indicated to the Court that in response to the affidavit filed by the Union of India on 4th April, 2009, an affidavit was being filed on the same day. The affidavit subsequently filed by the Government of Gujarat on 13.4.2009 raised certain legal and technical issues on the readiness of the BEIL incinerator at Ankleshwar for incinerating the approx. 350 MT of toxic waste of UCIL plant at Bhopal. The Supreme Court was requested by the Union of India on 24.4.2009 to grant eight weeks' time in order to examine the issues raised in the affidavit of the Government of Gujarat. The Hon'ble Court granted two months' time and directed to list the matter in the last week of July, 2009.

3. A meeting was convened by Secretary(C&PC) with the Secretary, M/o Environment and Forests and the Chairman, Central Pollution Control Board (CPCB) on 22nd May, 2009 and the CPCB was asked to give a status report on the two facilities at the TSDF, Pithampur, MP and the BEIL incinerator at Ankleshwar, Gujarat. The CPCB submitted its report on the status of these two incinerators, however, no clear course of action emerged from the report. In this context, MOEF separately suggested that the matter may be deliberated in a meeting of the Task Force. It is in the light of these developments that the meeting of the Task Force had been convened.

4. After detailed deliberations, the Task Force decided to set up an Expert Group with the following composition:-

- | | | | |
|----|---|---|----------|
| 1. | Dr. S.P. Gautam, Chairman, CPCB | - | Convenor |
| 2. | Shri R.K. Jain, Member Secretary, MPPCB | - | Member |
| 3. | Dr. Tapan Chakrabarti, Acting Director, NEERI | - | Member |
| 4. | Dr. A. Krishna Reddy, Scientist E.II, IICT | - | Member |
| 5. | Dr. (Ms.) Chhanda Chowdhury, Director, M/o E&F | - | Member |
| 6. | Shri Jasbir Singh, Industrial Advisor, D/o C&PC | - | Member |

5. The Expert Group will have the following Terms of Reference:-

(i) Having regard to the inputs provided by CPCB in their report on the two incinerators at Ankleshwar, Gujarat and Pithampur, Madhya Pradesh, the Group will reassess the technical capabilities, readiness and feasibility of incinerating/disposing

of the toxic wastes of the UCIL at either of these two facilities or at any other facility/incinerator which may be available for carrying out this task, and to make clear recommendation on the most suitable facilities for this purpose keeping in view the practical aspects such as the distance of each incinerator/facility from Bhopal, etc.

(ii) To rank at least five facilities in order of preference.

6. Since the Expert Group would need to visit several potential incineration plants to assess their state of readiness and capabilities, it was decided that the Group must submit its report to the Task Force within a period of 3 months.

7. On the progress made by the three institutes viz., NEERI, NGRI and the IICT in regard to the studies assigned to them for remediation of ground water and soil and decommissioning and dismantling of the structures respectively, the representative of NEERI informed that the preliminary site investigation is over. The hotspots identified by NEERI in their earlier report of 1996 may not be sufficient, hence, more hotspots would be identified after the drilling of wells is done by NGRI. The Chairman stated that the copies of the DRDO reports on the toxicity of the UCIL waste would be provided to NEERI for reference.

8. NGRI was requested to furnish to the State Govt. of MP the Utilization Certificates of funds released earlier in the standard format.

9. IICT was requested to visit CBI office in Bhopal on 30.7.2009 to get copies of relevant drawings of the Plant. IICT assured that they would give their report by the end of August, 2009 subject to availability of the drawings from CBI.

10. The following decisions were taken by the Task Force:

- (i) An Expert Group to be set up under the convenorship of Chairman, CPCB.
- (ii) The Terms of Reference of the Expert Group would be as given in para 5 above.
- (iii) The time frame of the Expert Group to give its clear recommendations would be 3 months.

11. The meeting ended with a vote of thanks.

Annexure-1

List of officials of the Government of India, Government of M.P. and other organizations present in the eighteenth meeting of the Task Force held on 20th July, 2009 at 12.00 Noon in Room No. 501, 'A' Wing, Shastri Bhavan, New Delhi.

Department of Chemicals and Petrochemicals:

- (i) Shri Bijoy Chatterjee, Secretary.
- (ii) Shri B.P.Pandey, Joint Secretary.
- (iii) Shri Yashvir Singh, Deputy Secretary.
- (iv) Ms. Bandana Banerjee, Under Secretary.

Government of Madhya Pradesh:

- (v) Shri R.C. Sahni, Chief Secretary.
- (vi) Shri J.T. Ekka, Commissioner, BGTR&R Department.
- (vii) Shri A.K. Jain, Special Commissioner.
- (viii) Shri K.K. Dubey, Deputy Secretary, BGTR&R Department.

Ministry of Environment and Forests:

- (ix) Dr. (Ms.) Chhanda Chowdhury, Director

Central Pollution Control Board (CPCB):

- (x) Dr. S.P. Gautam, Chairman.

Madhya Pradesh Pollution Control Board (MPPCB):

- (xi) Shri R.K. Jain, Member Secretary.

Council of Scientific and Industrial Research (CSIR):

- (xii) Shri V.K. Gupta, Director's Grade Scientist.

National Environmental Engineering Research Institute (NEERI):

- (xiii) Dr. Tapan Chakrabarti, Acting Director.
- (xiv) Shri M.P. Patil, Scientist.
- (xv) Dr. A.N. Vaidya, Scientist-E.II.

National Geophysical Research Institute(NGRI), Hyderabad:

- (xvi) Dr. V.S. Singh, Emeritus Scientist.

Indian Institute of Chemical Technology (IICT):

- (xvii) Dr. A. Krishna Reddy, Scientist-E.II
- (xviii) Shri Pradeep Kumar, Scientist-F.