

Mr. Bijoy Chatterjee
Secretary
Department of Chemical and Petrochemicals
Shastri Bhawan
Dr. Rajendra Prasad Road
New Delhi 110001

Dear Mr. Chatterjee,

At the very outset, let me thank you for giving my colleague Chandra Bhushan and me time in your office last week. Thank you also for sending us the minutes of the Task Force as well as the report of the DRDE, Gwalior on the test done on waste from the factory. As you will see from the attached fact sheet, we have gone through the DRDE report very carefully. Unfortunately the DRDE has looked at acute toxicity. The issue in Bhopal is chronic exposure of a large number of people in the city, because of persistent pesticides.

The point that we have made in our study is that, firstly, the sludge that we have tested in the factory both in the shed as well as outside in certain places is extremely toxic—has very high levels of pesticides and chemicals. Two, we have found the same pesticides in the groundwater almost 3 km from the factory site. Thirdly, the pesticides and chemicals that we have found in our test are the very same pesticides and chemicals that were being manufactured in the factory.

Therefore, according to us there is clearly large-scale contamination of the site; this stock (dump) of chemicals is leaching into groundwater which is unacceptable. These are issues, as you will agree, of extreme concern and require urgent action.

We have also gone through the minutes of the Task Force that you had sent us. Please see the attached fact sheet (No. 2) which details the steps that are being taken for waste disposal. We believe the way ahead is as follows:

1. To move quickly to dispose off the collected and stored waste at the UCC factory. The pilot project being done in the cement plant should be completed urgently so that decisions can be taken for disposal of this waste.
2. The study being done by NEERI, NGRI and IICT on a comprehensive remediation plan should be expedited. The current schedule that the minutes record is June 2010. This must be expedited, so that details of the extent of contamination as well as the cost of clean up can be ascertained.

3. The issue of cost of clean-up is absolutely critical because our study clearly suggests that the extent of contamination is much larger than what had been earlier suggested. This does mean that very serious and effective steps will have to be taken for remediation of the site including decontamination of the site - its soil and water. The cost for this clean up are difficult to say but could well be in the range of Rs.1,000 crore. This raises the issue of budgetary considerations of the government and if the Indian tax payer should bear this expense.
4. It is for this reason also that the issue of liability of Dow Chemicals needs to be established. It is very clear from the study that we have done that the chemicals that were being produced in the UCIL/ UCC plant are the same that we have found both in the factory site as well as the groundwater. This clearly suggests responsibility of the company as far as the waste is concerned and its health implications. As I mentioned to you there is a similar case in the US where Dow Chemicals has taken on the full liability of UCC—US\$ 2.2 billion of asbestos claims. The court must be informed of these issues and a position taken.

We hope that you will find the material of interest. I am also sending you a copy of our magazine *Down to Earth* as well as the fact sheets that I have indicated in my letter. A full copy of our laboratory report is available on our website www.cseindia.org.

I look forward to hearing from you.

With my very best wishes,

Yours cordially,

Sunita Narain

Encl: As above

Smt. Vini Mahajan, Joint Secretary to PM, PMO