

October 28, 2010

Shri Rakesh Nath
Chairman,
Expert Appraisal Committee on River Valley & Hydroelectric projects,

Sub: 2000 MW Lower Subansiri requires fresh environmental clearance; existing clearance should be withdrawn and work stopped till fresh appraisal is done

Dear Shri Nath,

We understand that the EAC will discuss the 2000 MW Lower Subansiri project in its meeting on November 12th – 13th, 2010. In this respect we would like to bring to your notice evidence which makes it clear that the project requires fresh environmental clearance as per law.

The Lower Subansiri project was granted environmental clearance (letter attached as Annexure 1) on the condition that:

“ 6. In case of change in the scope of the project, project would require a fresh appraisal.”

Major changes in the scope and design of the project since grant of environmental clearance were brought to light during the public consultation on NE dams held by the Environment Minister, Shri Jairam Ramesh, on September 10th in Guwahati. We are now bringing this to the notice of the EAC in writing, since your committee plays a critical role in environmental decision-making on dams.

The changes in design and scope of project after grant of environmental clearance include:

a) Reduction in depth of foundation of dam from 17 metres to 9 metres

NHPC in its reply to the Expert Committee report has clearly stated that the height of the dam has changed from 133 metres from the deepest foundation (116 metres above the river bed) to 125 metres (116 metres above the river bed). This clearly indicates that the foundation has been reduced from 17 metres to 9 metres. This is a major change in design and amounts to a change of scope in project.

b) Change of powerhouse from underground to surface powerhouse

The project was granted environmental clearance based on a design of an underground powerhouse, which has been changed to a surface powerhouse. The fact that the powerhouse is now a surface powerhouse is also stated on the NHPC website.

c) Change of surge shaft to surge tunnels

The CEA status report on hydropower projects under execution dated 31.08.2010 (Annexure 2) also reports “change of surge shaft to surge tunnels.” The energy sector news portal infraline.com has also reported on the status review of Lower Subansiri by the CEA on 3.3.2009 (Annexure 3) in which it is stated:

“Surge Tunnel: The change in design from Surge Chamber to 8 nos. inclined surge tunnels which will add about 5000 running meter of tunnel length.”

Since the surge tunnels will be of 9.5 metre diameter, this added 5000 running metre of tunnel length involves additional excavation of over 3.5 lakh cubic metres of muck (and its disposal) on the right bank of the river leading to additional environmental impacts.

We would like to emphasize that NHPC operating with these major changes in design and scope without fresh environmental clearance is a serious violation of the conditions of environmental clearance and the Environment (Protection) Act, 1980. In light of the EAC being the key expert body conducting the environmental appraisal of hydel projects, we urge you to ask for a withdrawal of environmental clearance and ask work to be stopped in light of this clear violation. NHPC should be asked to apply afresh for environmental clearance as per law. As part of the legally mandatory fresh environmental clearance in this case, we also urge you to ask for a fresh

public hearing in Assam. The design of the project (and resulting impacts) discussed with the people in the earlier hearing, has since changed. This logically requires a fresh public consultation process.

We hope you can take urgent action in this respect.

Thanking you,

Sincerely,

Akhil Gogoi