

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNSL
SOUTHERN ZONE, CHENNAI**

Original Application No. 138 of 2020 (SZ)

IN THE MATTER OF:

Sh. V.B.R.Menon

Applicant

Vs

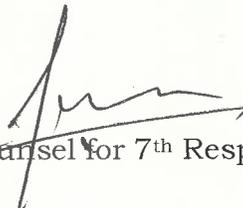
The Chief Secretary to Government of Tamiol Nadu and 7 Ors

.Respondent(s)

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Dated at Chennai on this the 29th day of July, 2021.


Counsel for 7th Respondent



केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

B-33014/30/2013/AQM

July 12, 2021

To,

The Chairman and Managing Director,
M/s. Shell India Private Limited
Level 9A, Two Horizon Centre
Golf Course Road, DLF Phase V
Sector-43, Gurgaon
Haryana- 122 002

Sub.: Modified Direction under Section 5 of Environment (Protection) Act, 1986 for extension of timeline for installation of Vapour Recovery Systems in petrol refueling stations other than Delhi- NCR- reg.

WHEREAS, clean air is a matter of right and it is necessary to take steps towards improvement of Air Quality and for protecting public health, National Ambient Air Quality Standards have been prescribed for 12 pollutants viz. PM_{2.5}, PM₁₀, SO₂, NO₂, CO, Ozone, NH₃, Benzene, Benzo(a)pyrene, Pb, Ni, and As;

WHEREAS, many towns and cities, are not complying with the National Ambient Air Quality Standards, particularly with respect to particulate matter, and NO₂, benzene and Ozone are becoming a matter of concern;

WHEREAS, petroleum refueling stations are a major source of benzene emissions, which is a carcinogenic compound, and the people in the vicinity of these stations including the workers engaged in the dispensing activities may potentially be at risk of benzene exposure;

WHEREAS, petroleum refueling stations are also a source of other volatile organic compounds (VOC), which are emitted from loading/unloading operations, and refueling of individual vehicles and that the VOCs gets converted to secondary organic aerosols which contributes to particulate matter with size less than 2.5µm (PM_{2.5}); therefore, requiring control of VOC emissions from such installations is an important step for improving air quality;

WHEREAS, Hon'ble National Green Tribunal, Principal Bench, New Delhi vide order dated January 29, 2019 in O.A. No. 31/2019: K. Sathyadevan Vs Union of India & Ors directed CPCB to look into the issue of extension of requirement of Vapour Recovery System (VRS) in petrol pumps other than those selling petrol more than 300 KLPM and located in cities with more than one million population;

WHEREAS, CPCB submitted report to Hon'ble NGT and recommended for installation of VRS at retail outlets selling more than 100 KLPM and located in million plus cities and retail outlets selling more than 300 KLPM and located in cities with population between 01 Lakh to 10 Lakh;

WHEREAS, the Hon'ble NGT vide order dated 22.07.2019 directed CPCB to finalize timelines for VRS installation;

WHEREAS, the matter was referred to MoPNG and MoPNG vide letter dated 22.08.2019 informed the timelines for installation of VRS by public sectors OMCs namely IOCL, BPCL and HPCL only;

WHEREAS, CPCB on January 07, 2020 issued guidelines for setting up of new petrol pumps recommending installation of VRS in all such new petrol pumps having sale potential of more than 100 KLPM and located in million plus cities, and, petrol pumps with sale potential of more than 300 KLPM and located in cities with population between 01 Lakh to 10 Lakh

WHEREAS, CPCB on 18.09.2020 issued directions under Section- 5 of the E(P) Act, 1986 to M/s. Shell India Private Ltd. for installation of Vapour recovery system at petrol pumps selling more than 100 KLPM and located in million plus cities, and, those selling more than 300 KLPM and located in cities with population between 01 Lakh to 01 million, by July 2021.

WHEREAS, M/s. Shell India Private Ltd. vide its letter dated 05.11.2020 informed that VRS installation work has been completed at 48 Retail Outlets out of 164 Retail Outlets and further for the remaining ROs, VRS installation is expected by July, 2021.

WHEREAS, M/s. Shell India Private Ltd. vide its letter dated 09.04.2021 requested for extension of timelines for VRS installation in view of second wave of COVID-19 pandemic that affected material supply for VRS installation, and, the limited number of vendors, globally, that made it difficult to make alternate arrangements;

WHEREAS, CPCB vide letter dated 20.05.2021 asked M/s. Shell India Private Ltd. to provide details about progress made for VRS installation since November, 2020;

WHEREAS, M/s. Shell India Private Ltd. vide letter dated 24.05.2021 submitted its response indicating completion of VRS installation at 93 out of 164 ROs, and, for the remaining 71 ROs (70 ROs selling more than 100 KLPM and 1 RO selling more than 300 KLPM) again requested for one more year in view of work affected due to COVID-19 pandemic;

WHEREAS, the request for extension of timeline for VRS installation has been examined and considered by CPCB in view of second wave of COVID-19 pandemic;

Now, THEREFORE, in view of above, and, in exercise of the power vested under section 5 of the E (P) Act, 1986, the direction dated 18.09.2020 issued to M/s. Shell India Private Ltd. are modified with respect to extension of timeline for VRS installation and M/s. Shell India Private Ltd. is hereby directed to install VRS at all existing retail outlets selling more than 100 KL per month and located in million plus cities and retail outlets selling more than 300 KLPM and located in cities with population between 01 lakh to 10 lakh by January 2022.

M/s Shell India Private Limited shall submit monthly progress report of installation of VRS. In case of failure to comply with the above timelines, CPCB reserves the right to levy Environmental Compensation.


(Naresh Pal Gangwar)
Chairman



