

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI

Original Application No 19 of 2021 (SZ)

IN THE MATTER OF:

Ahammed Kutty T

Applicant

Versus

Central Pollution Control Board and others

Respondent (s)

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S. Suresh
30/3/2021
DEPONENT

Place: Bengaluru

Date: 30.03.2021



S. SURESH
REGIONAL DIRECTOR
CENTRAL POLLUTION CONTROL BOARD
REGIONAL DIRECTORATE (SOUTH)
MIN. OF ENV, FORESTS & CC, GOVT. OF INDIA
BENGALURU - 560 079. MOB : 9480672128

**BEFORE THE NATIONAL GREEN TRIBUNAL SOUTHERN BENCH
CHENNAI**

APPLICATION NO. 19 OF 2021 (SZ)

IN THE MATTER OF:

Ahammed Kutty T

..APPLICANT

VERSUS

Central Pollution Control Board and others

.. RESPONDENTS

**REPLY AFFIDAVIT ON BEHALF OF THE 1st RESPONDENT CENTRAL
POLLUTION CONTROL BOARD (CPCB)**

I, S. Suresh, S/o S. R. Sathyanarayana, aged about 58 years, working as Scientist 'E' and Regional Director in the Regional Directorate(South) Bengaluru, Central Pollution Control Board, do hereby solemnly affirm and declare as under:

That I am working as Scientist 'E' in the Central Pollution Control Board (CPCB). I am well conversant with the facts of the application from the records maintained by the offices of the CPCB. I am competent to swear this independent response on behalf of the CPCB. That I have carefully perused a copy of the original application served on the CPCB and have understood the contents therein.



S. Suresh
S. SURESH 30/3/2021
REGIONAL DIRECTOR
CENTRAL POLLUTION CONTROL BOARD
REGIONAL DIRECTORATE (SOUTH)
MIN. OF ENV, FORESTS & CC, GOVT. OF INDIA
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1) It is submitted that, the petitioner is raising objection against two proposed petrol pumps/ retail outlets (ROs) in Vazhikkadavu Village, Nilambur Taluk, Malappuram District in Kerala. The state highway 28 (SH-28) or the Nilambur-Gudalur interstate road passes through the Vazhikkadavu village and is the gateway to the ghat roads leading to Gudalur, Tamil Nadu. Vazhikkadavu is the last town in Kerala side for interstate travellers towards Tamil Nadu and Karnataka.

2) It is submitted that, a joint committee has been constituted in this matter and Kerala State Pollution Control Board (KSPCB) is the Nodal agency. CPCB representative as a part of the joint committee visited the location of proposed petrol pumps/ ROs in Vazhikkadavu, Nilambur Taluk, Malappuram District on 18-02-2021. The joint committee inspected the site/ locations and interacted with the proponents / land owners. The locations of the proposed petrol pumps are on the left side of the State Highway 28 (SH 28) towards Gudalur and a river/ rivulet is flowing close to the proposed sites/ locations.

3) No comments to offer on the alleged violations raised by the petitioner with respect to the fact that the proposed petrol pumps/ ROs are adjacent to the river. During the site visit, it was observed that the proposed sites are near to river/ rivulet and the existing petrol pump (M/s. Indian Oil Corporation Ltd.) in the area is also located on the left side of SH-28 toward Gudalur, close to the river.



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4) It is submitted that the petitioner is drawing attention to the honourable Tribunal order in the matter of OA 147/2016 (Aditya N Prasad Vs. Union of India & Others), directing oil companies to ensure installation of vapour recovery system/ device (VRS/ VRD) in petrol pumps selling more than 300 KL per month in the National Capital Territory of Delhi. No further comments to offer in this regard.

5) It is humbly submitted that, CPCB issued guidelines for setting up new petrol pumps in compliance of Honourable National Green Tribunal (NGT) order dated January 18, 2019 in the matter of OA No. 86/2019. The guidelines issued is based on the specific directions to prepare appropriate guidelines for setting up new petrol pumps in the country. The expert committee constituted for this purpose framed the guidelines, which consists of specific criteria for siting of petrol pumps/ retail outlets (RO), measures to be adopted for pollution prevention/control and spillage/ leak management. The draft guideline was placed in public domain for comments/ suggestions/ objections, and after reviewing the inputs received, the guideline was finalized, circulated to concerned stakeholders for implementation and placed in public domain on 7th January, 2020.

It is submitted that, as per the CPCB guidelines, new petrol pumps/ ROs shall not be located within a radial distance of 50m (from fill point/ dispensing unit/ vent pipe whichever is nearest) from schools, hospitals (10 beds and above) and residential areas designates as per the local laws. It is also mandated that, in case of constraints in complying with 50m distance criteria, the petrol pump/ RO shall



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implement additional safety measures as prescribed by Petroleum Explosive Safety Organization (PESO). The guideline further insists at least 30m distance criteria between new petrol pump/ RO and schools/ hospitals/ residential areas designated by local laws. It was learnt that, KSPCB further issued circular clarifying that the new petrol pumps/ ROs shall be at a minimum 30m distance from residential buildings.

It is submitted that, during the joint committee visit on 18-02-2021, as per the site plans/ layouts provided by the proponents / land owners, distance between the proposed petrol pump/ retail outlet (RO) (from the approximate location of fill point/ dispensing unit/ vent pipe) and the residences neighbouring the site are less than mandated minimum 30m as stipulated in the CPCB guidelines for setting up new petrol pump. The guidelines issued as per the CPCB office memorandum No. B-13011/1/2019-20/AQM/0814 dated 07-01-2020 is annexed as ANNEXURE R1-1.

It is submitted that, subsequent to several references/ cases received regarding the applicability of CPCB siting criteria dated 07-01-2020 with respect to new petrol pumps/ ROs where letter of intents (LoI) have been issued or applications have been made for obtaining NOC or prior/ initial approval has been obtained from Petroleum Explosive Safety Organization (PESO); CPCB issued clarification dated 29-01-2021 (ANNEXURE R1-2), that the above guidelines is applicable for petrol pumps/ ROs, where construction commenced on or after 07-01-2020. CPCB office memorandum dated 29-01-2021 made it clear that the siting criteria specified in the



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guideline dated 07-01-2021 is not applicable to petrol pumps/ ROs where prior clearance/ initial approval has been obtained from PESO and construction started before 07-01-2020 subsequent to the approval. However, the proposed petrol pumps/ ROs inspected in this matter are not entitled to avail the siting criteria exemption as they have secured the approvals from PESO only after the cut-off date of 07-01-2020. The PESO approvals for the two proposed petrol pumps were issued after 07-01-2020.

It is submitted that the PESO approvals accorded for the proposed pumps, overlooked the CPCB guidelines for setting up new petrol pumps. The proposed layout of the petrol pumps inspected were not meeting the requisite 30m distance criteria between fill point/ dispensing unit/ vent pipe and the nearby residences. No relaxation on the above siting criteria is available for them as the PESO approvals were secured after the cut-off date of 07-01-2020. The proponents and Oil Marketing Companies (OMCs) have to relook into the site plan and layout of petrol pump/ RO, so that 30m distance criteria could be maintained from the nearby residences.

6) It is alleged that the proponents have not approached KSPCB for consent to establish/ operate for the proposed petrol pumps. This is the subject matter of KSPCB and no further comments to offer in this respect. However, CPCB on 20.08.2019 has issued an advisory to SPCBs/PCCs that petrol pumps may be exempted from obtaining consent (ANNEXURE R1-3).



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30/3/2021
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PRAYER

In view of above, it is respectfully prayed that this answering Respondent No.1, the Central Pollution Control Board shall abide by any order/ direction passed by the Tribunal.

S. Suresh
30/13/2021
DEPONENT

S. SURESH
REGIONAL DIRECTOR
CENTRAL POLLUTION CONTROL BOARD
REGIONAL DIRECTORATE (SOUTH)
MIN. OF ENV, FORESTS & CC, GOVT. OF INDIA
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VERIFICATION

It is verified that the content of this Reply Affidavit which is based on official record and information available in the office are true and correct. Nothing has been concealed therein.

Signed and verified on this 30 Day of March, 2021 at Bengaluru

**COUNSEL FOR
1st RESPONDENT**

S. Suresh
30/13/2021
DEPONENT

S. SURESH
REGIONAL DIRECTOR
CENTRAL POLLUTION CONTROL BOARD
REGIONAL DIRECTORATE (SOUTH)
MIN. OF ENV, FORESTS & CC, GOVT. OF INDIA
BENGALURU - 560 079. MOB : 9480672128



Item No.03:

ANNEXURE R1-0

BEFORE THE NATIONAL GREEN TRIBUNAL**SOUTHERN ZONE, CHENNAI****Original Application No. 19 of 2021 (SZ)***(Through Video Conference)***IN THE MATTER OF:**

Mr. Ahammed Kutty. T,
Malappuram District.

...Applicant(s)

Verses

The Central Pollution Control Board,
Rep., by its Chairman,
New Delhi and others.

....Respondent(s)

Date of hearing: 25.01.2021.**CORAM:****HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER****HON'BLE MR. SAIBAL DASGUPTA, EXPERT MEMBER****For Applicant(s):**

Mr. Kamalesh Kannan

For Respondent(s):

Smt. P.Jeyalakshmi for R1
Sri. E. K. Kumaresan for R2
Smt. V. K. Rema Smrithi for R3

ORDER

1. The grievance in this application is regarding the setting up a petrol pump by the respondents 4 and 5 in a residential area

against the norms fixed by the Central Pollution Control Board for that purpose.

2. It is alleged in the application that respondents 4 and 5 are now attempting to establish a Fuel Station in Re-Survey No. 1087/1C and 1100/1 of Vazhikkadavu, Nilambur Taluk, Malappuram District against the objections raised by the public regarding the possible environmental issues that is likely to arise on account of the establishments of such units.
3. It is also alleged in the application that the unit is going to be established in violation of the existing norms issued by the 1st and 3rd respondent. Further it is also proposed to be established adjacent to the river "Karakkodan Puzha" which is one of the main sources of drinking water to the villages.
4. It is also against the directions issued by the Principal Bench of National Green Tribunal in O. A. No 147 of 2016 and other related matters. The authorities have not considered the question of volatile organic compounds that is likely to be emitted during the operation of this unit which has got vital impact on the health of the people in the locality. So, the applicant filed this application seeking the following reliefs:-

"The applicant most respectfully prays that this Hon'ble Tribunal may be pleased to pass an order to permanently forebear the 4th and 5th respondents from establishing a Fuel

Station at Re-Survey Nos. 1087/1C and 1100/1 of Vazhikkadavu Grma Panchayat, in Malapuoram District, respectively, which is in violation of the existing laws, and pass such further orders in the interest of justice.”

5. When the matter came up for hearing for admission today through Video Conference, Sri. Kamalesh Kannan represented the applicant. Smt. P. Jeyalakshmi represented 1st respondent, Sri. E. K. Kumaresan represented 2nd respondent and Smt. V. K. Rema Smrithi represented 3rd respondent.
6. On going through the allegations in the application, we are satisfied that there arises a substantial question of environment which requires the interference of this Tribunal and also such similar issues are pending before this Tribunal and those matters have been admitted. So the application is also admitted.
7. Issue notice to respondents by Registered post with acknowledgement due, by e-mail and also by dusthi if possible and produce necessary proof of service on them by filing an affidavit as per rules.
8. The applicant is also directed to serve copy of the application along with the documents produced to the standing counsel appearing for respondents 1 to 3 within a week and produce proof of such service by filing proper affidavit as per rules.

9. The applicant is also directed to produce necessary requisites along with postal cover and necessary postal stamps before this Tribunal within a week, so as to enable this Tribunal to send notice to all the respondents through Tribunal, to ensure service on them so as to enable this Tribunal to proceed against them, if they did not appear in their absence in accordance with law.
10. In order to ascertain the genuineness of the allegations made in the application and the alleged violations said to have been committed for the establishment of petrol pump as alleged by the applicant, we feel it to appropriate to appoint a joint committee comprising of **(1)** The District Collector, Malappuram District or a Senior Officer not below the rank of Assistant Collector or Revenue Divisional Officer to be deputed by the District Collector, **(2)** a Senior Officer from the Central Pollution Control Board, Regional Office, Bangalore **(3)** a Senior Officer from the Kerala State Pollution Control Board (KSPCB) as nominated by its Chairman to inspect the area in question and submit a factual as well as action taken report, if there is any violation found.
11. The committee is directed to ascertain as to whether the establishment of the proposed petrol pump fuel station is in accordance with the guidelines issued by the Central Pollution Control Board (CPCB) in this regard after obtaining permission and other consents if any required from the authorities, complying with

the pollution norms. If there is any violation found, the proposed action to be taken and if any damage caused to the environment to assess the environmental compensation to be recovered from the respondents 4 and 5.

12. The Kerala State Pollution Control Board (KSPCB) will be the nodal agency for co-ordination and for providing necessary logistics for this purpose.
13. The committee is directed to submit the report to this Tribunal on or before 25.02.2021, by e-filing in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF along with necessary hard copies to be produced as per rules.
14. The applicant is also directed to submit a set of papers to the members of committee within a week, so as to avoid the delay in submitting the report.
15. The Registry is directed to communicate this order to the members of the committee as well as the official respondents immediately through e-mail, so as to enable them to comply with the direction and for filing their independent response to the allegations made in the application and also for filing their independent report as directed by this Tribunal.

16. For appearance of parties and consideration of report and also for filing their independent responses, post on 25.02.2021.

.....J.M.
(Justice K. Ramakrishnan)

.....E.M.
Shri. Saibal Dasgupta)

**O. A. No.18/2021, (SZ)
25th January, 2021. Sr.**





ANNEXURE R1-1

CENTRAL POLLUTION CONTROL BOARD

DELHI 110 032

January 07, 2020

B-13011/1/2019-20/AQM 10802-10847
OFFICE MEMORANDUM

Sub: Guidelines for Setting Up of New Petrol Pumps in Compliance of Hon'ble NGT order dated January 18, 2019 in OA No. 86/2019: Gyanprakash@ Pappu Singh vs Gol & Ors -regarding.

Hon'ble National Green Tribunal, vide order dated January 18, 2019 in OA No. 86/2019: Gyanprakash@ Pappu Singh vs Gol & Ors directed Central Pollution Control Board and MoPNG to look into the issue of setting up of large number of petrol pumps in the country and directed that appropriate guidelines be issued by the Central Pollution Control Board in exercise of statutory power.

An Expert Committee comprising of members from IIT Kanpur, NEERI, IIP, TERI, MoPNG and CPCB was constituted to frame Guidelines for setting up of new Petrol Pumps including siting criteria and pollution prevention and control measures

The guidelines were placed in public domain and comments/suggestions/objections were invited from public and concern stakeholder and these were reviewed and guideline have been finalised.

The final Guidelines prepared by Expert Committee are hereby circulated for implementation by concerned stakeholders. These guidelines are hereby issued with the approval of the Competent Authority.

(V.K. Shukla)

Additional Director, AQM Div.

Encl.: As Above

To.

1. As per List Enclosed

Copy to:

1. Joint Secretary
CP Division
Ministry of Environment, Forest and Climate Change
Indira Paryavaran Bhavan,
Jorbagh Road, New Delhi - 110 003
2. PS to CCB

3. PS to MS

GUIDELINES FOR SETTING UP OF NEW PETROL PUMPS

A. Containment and treatment of spillages from fuel filling operations at petrol pumps:

1. Petrol pumps located in areas with high groundwater table i.e. groundwater levels less than 04 meters shall have secondary containment by way of double walled tanks or concrete protection walls so as to minimize groundwater and soil contamination. It shall be the responsibility of OMC to properly get measured groundwater level at the site of proposed petrol pump and ensure implementation of these adequate protection measures for such sites. Details of measures taken by Oil Marketing Company shall be placed in public domain and in case of contradictory view, view of State/ Central Ground Water Board/ Authority will prevail.
2. All new retail outlets shall have underground tanks/ above ground tank and its ancillary components such as pipes, flexible connectors, pumps, fittings etc. protected from leaks due to corrosion by adopting materials (HDPE/ Mild Steel etc.) with required protective coating, as applicable, duly approved by PESO.
3. Any major leakage/ spillage of Petrol, Diesel, Lube Oil (more than 1 barrel-165 litres) occurs at fueling station, concerned OMC shall report to State Pollution Control Board, PESO and District Administration under intimation to CPCB within 24 hours of occurrence.

Operation of concerned underground storage tank (UST) and its ancillary components shall be stopped immediately and not be resumed till corrective measures to contain and stop leakage/ spillages are implemented to the satisfaction of PESO and concerned SPCB.

OMCs will be held liable for Environmental Compensation (imposed by SPCBs/PCCs) and assessment of environmental damage (depending on extent of contamination in soil and groundwater) and site remediation. Consultant/ Expert agency appointed by OMCs for damage assessment and site remediation shall have minimum national/ international experience of 5 years in this field. Various approved methods shall be considered for cleaning underground contaminants.

4. All DUs shall have Auto Cut off Nozzles which shuts dispensation of fuel if its level in customer fuel tank reaches full capacity.
5. Breakaways to be installed for all the hoses of dispensing units to reduce spillage in the event of customer vehicles moves away with nozzle still in the fueling position.

6. Single/ double plane swivel with breakaway coupling shall be installed for all the dispensing units for better positioning of nozzle while refueling so that it does not fall off accidentally.
 7. In pressurized dispensation, all dispensing units shall be installed with shear valves to cut the fuel flow from pipe line immediately upon accidental knocking of dispensing units from its position.
 8. In pressurized system all Submersible Turbine Pumps (STPs) are to installed with line leak detectors and in the event of pipeline leaks STPs shall stop pumping fuel from underground tanks.
 9. Emergency stop button switch shall be provided on the Multi-Product Dispenser (MPD) to stop the dispensation in case of emergency.
 10. Automation system shall be installed at all new retail outlets to alert in case of tank leak by way of auto gauging system approved by PESO.
 11. All Retail Outlets shall provide overfill alarm through automation.
 12. Measures for spill containment in fill point chambers and forecourt area shall be implemented as prescribed by PESO.
- B. Check on leakages (Leakage Detection System) from underground storage tanks so as to prevent groundwater and soil contamination:**
1. All new retail outlets will have automation system installed which will provide reports on volume balance after every day operation and records shall be maintained.
 2. Manual gauging shall be done once in a month and compare the same with Automatic Tank Gauging for accuracy.
 3. Daily MS and HSD loss shall not exceed MoPNG prescribed limits. In case of leakage beyond such limits, matter shall be got analyzed by OMCs and further action shall be taken for ascertaining the reasons of losses. In case of leakage resulting in soil / groundwater contamination:
 - a. Concerned OMC shall report to State Pollution Control Board, PESO and District Administration under intimation to CPCB within 24 hours of occurrence. Operation of such underground storage tank (UST) and its ancillary components shall be stopped immediately.
 - b. Fuel shall be removed immediately from underground storage tank to prevent further release to environment. Measures to prevent explosion due to vapors released due to leakage as recommended by PESO shall be implemented immediately.

- c. OMCs will be held liable for Environmental Compensation (imposed by SPCBs/PCCs) and assessment of environmental damage (depending on extent of contamination in soil and groundwater) and site remediation. Consultant/ Expert agency appointed by OMCs for damage assessment and site remediation shall have minimum national/ international experience of 05 years in this field. Various approved methods shall be considered for cleaning underground contaminants.
 - d. Operation of Underground tank and its ancillary components shall not be resumed till corrective measures to contain and stop leakages are implemented to the satisfaction of PESO and concerned SPCB.
4. All underground tanks and pipelines shall be subjected to test for leaks every 7 years.

C. Policy towards Treatment and disposal of sludge removed from underground tanks during cleaning:

Sludge shall be collected, stored and disposed as per Rule 8 of Hazardous Waste (Management and Transboundary) Rules, 2016 and amendments thereof and records shall be maintained.

D. Installation, Operation and maintenance of Vapour Recovery System:

1. All **new retail** outlets set up with sale potential of 300KL MS per month and setting up in cities with population more than 1 lakh will be provided with VRS. VRS should be functional by the time of sale of MS touch 300 KL. In case of failure of installation of VRS, Environment Compensation will be levied by SPCBs/ PCCs equivalent to the cost of VRS and this will further increase proportionate to the period of non-compliance.
2. Any **new retail** outlet set up in cities having population more than 10 lakh and having sale potential of 100 KL MS per month will be provided with VRS. VRS should be installed within a period 03 months from the day of sale of MS touch 100 KL. In case of failure of installation of VRS, Environment Compensation will be levied by SPCBs/ PCCs equivalent to the cost of VRS and this will further increase proportionate to the period of non-compliance.
3. In case of Stage II VRS, nozzle shall be provided with flexible cover flap or other alternative system for proper covering of filling tank and therefore proper recovery of vapors.
4. OMCs are responsible for maintaining installed VRS. They have to maintain periodic inspections for A/L regulator as prescribed by Legal Metrology. Proper record shall be maintained.

5. Working of dispenser shall be interlinked with VRS functioning. Online system shall be developed within 06 months to monitor status of operation of VRS. In case of non-operation of VRS, the same shall be automatically reported to concerned OMC. VRS shall be brought into operation immediately within 24 hrs and in any case within 72 hrs failing which sale of MS shall be stopped from the fueling station. Proper records of operation of VRS shall be maintained.
6. Work zone monitoring for Total VOC and Benzene shall be conducted by OMCs for petrol pumps selling more than 300 KL/ month and more than 10 lakh population (in first phase) by E(P)Act, 1986 approved labs once in a year to check compliance with OSHA norms (Time-Weighted Average) and report shall be submitted to SPCB. In addition, pilot study shall be conducted by OMCs through expert institutions for online monitoring of VOCs.
- E. Ground water and soil quality monitoring within petrol pump selling more than 300 KL/ month and more than 10 lakh population shall be conducted by OMCs once in two years through E(P)Act, 1986 approved labs for the following parameters from the nearest source and report submitted to SPCB:

Permissible Limit

Sr.No.	Parameter	Permissible Limit
1.	Total petroleum hydrocarbons	600µg/l
2.	BTEX	i. Benzene- 950µg/l ii. Toluene- 300µg/l iii. Xylenes- a. o-xylene- 350µg/l b. m & p- xylene- 200µg/l
3.	Ethanol	1400 µg/l
4.	Methyl Tertiary Butyl Ether	13µg/l
5.	PAH	0.0001µg/l

Enforcement agencies including SPCB can collect samples in and around petrol pump to check contamination.

F. Measures for protection of Worker's Health

1. All workers engaged at retail outlets may be covered under ESI. OMC dealers shall implement the personal protective equipment (PPE) as per labor laws.
2. IEC (Information Education Communication) activities should be organized by OMC dealers for workers at regular intervals in order to sensitize them about harmful impacts of VOC emissions.

G. Audit of all protection measures and monitoring system implemented at petrol pumps:

PESO shall conduct audit of tanks and fuel equipment including pipes, overfill protection equipment and alarm system on annual basis and maintain records.

H. Siting criteria of Retail Outlets:

In case of siting criteria for petrol pumps new Retail Outlets shall not be located within a radial distance of 50 meters (from fill point/ dispensing units/ vent pipe whichever is nearest) from schools, hospitals (10 beds and above) and residential areas designated as per local laws. In case of constraints in providing 50 meters distance, the retail outlet shall implement additional safety measures as prescribed by PESO. In no case the distance between new retail outlet from schools, hospitals (10 beds and above) and residential area designated as per local laws shall be less than 30 meters. No high tension line shall pass over the retail outlet.

These guidelines are supplementary to all existing relevant Rules, Guidelines, Orders etc.



CENTRAL POLLUTION CONTROL BOARD

DELHI 110032

B-13011/1/2020-21/AQM

January 29, 2021

OFFICE MEMORANDUM

Sub: Clarification with regard to cut-off date for applicability of siting criteria referred in Guidelines for Setting Up of New Petrol Pumps dated 07.01.2020

This is in reference to guidelines issued by CPCB on 07.01.2020 for setting up of new petrol pumps indicating the siting criteria to be got implemented for new Retail Outlets.

References/cases have been received with regard to applicability of CPCB siting criteria dated 07.01.2020, in case of Retail Outlets where Letter of Intents (LoIs) have been issued or applications have been made for obtaining NOC or prior clearance/ initial approval has been obtained from PESO.

In this regard, it is clarified that the siting criteria for new Retail Outlets is to be complied with in cases where construction of Retail Outlets by Oil Marketing Companies commenced on or after 07.01.2020. In other words, the siting criteria will not apply to those cases where PESO prior clearance/ initial approval has been obtained and subsequently construction has been started by the OMC before 07.01.2020.

This is issued with the approval of Competent Authority.

(P. K. Gupta)
Additional Director and Head
AQM division

To:

1. All SPCBs/PCCs - *With a request to circulate to Commissioner of civil supplies or other similar authorities who look after issues related to fuel Retail Outlets at State level and District Collectors.*
(As per list enclosed)
2. Ministry of Petroleum And Natural Gas
Joint Secretary (Marketing)
Ministry of Petroleum and Natural Gas, Govt. of India
Shastri Bhavan,
New Delhi – 110001

3. Petroleum And Explosives Safety Organisation
Chief Controller of Explosives
Petroleum and Explosive Safety Organization (PESO)
A Block CGO Complex Fifth Floor Seminary Hills
Nagpur-(Maharashtra) -440006
4. The Chairman,
M/s. Bharat Petroleum Corporation Limited
Bharat Bhavan, 4 and 6 Currimbhoy Road
Ballard Estate, Mumbai 400 001
5. The Chairman,
M/s. Hindustan Petroleum Corporation Limited
Petroleum House, 17, Jamshedji Tata Road, Mumbai
Maharashtra 400020
6. The Chairman,
M/s. Indian Oil Corporation Limited
Indian Oil Bhawan, G9, Ali Yavar Jung Marg
Bandra East, Mumbai, Maharashtra 400 051
7. General Manager (International Trade),
Mangalore Refinery and Petrochemicals Limited,
Core - 8, 7th Floor,
Scope Complex, Lodhi Road,
New Delhi - 110003
8. The Chairman and Managing Director,
M/s. Shell India Pvt. Ltd.
Plot No. 7, Bangolore Hardware Park,
Devanahalli Industrial Park
Mahadeva Kodigehalli
Bangalore- 562 149, Karnataka.
9. The Chairman and Managing Director,
M/s Reliance Industries Limited,
Maker Chambers - IV
Nariman Point
Mumbai 400 021
10. Chairman
M/s. Nayara Energy Limited (Formerly Essar Oil Limited)
5th Floor, Jet Airways Godrej BKC,
Plot No. C-68, G Block
Bandra Kurla Complex, Bandra East
Mumbai- 450 051

Copy to:

1. ✓ Regional Director
Regional Directorate, Bhopal
Third Floor Sahkar Bhawan
North T T Nagar
Bhopal 462003
2. Regional Director
Regional Directorate Bengaluru
A-Block, Nisarga Bhavan,
1st and 2nd Floors, 7th D Cross,
Thimmaiah Road, Shivanagar,
Bengaluru-560079
3. Regional Director
Regional Directorate, Chennai
No. 76, Mount Salai,
Guindy, Chennai-600032
4. Regional Director
Regional Directorate Kolkata
South end Conclave Block-502, 5th and 6th Floor,
1582, Razidanga, Main Road,
Kolkata-700107
5. Regional Director
Regional Directorate, Lucknow
PICUP Bhawan
Vibhuti Khand, Gomti Nagar
Lucknow - 226 010
6. Regional Director
Regional Directorate, Shillong
TUM-SIR. Lower Motinagar,
Near Fire Brigade H.Q., Shillong-793014
7. Regional Director
Regional Directorate, Vadodara
Parivesh Bhawan, Opp. Ward No. 10
VMC Office Subhanpura, Vadodara - 390 023
8. Regional Director
Regional Directorate, Pune
Row House No.1, Nisarg Vihar,
Balewadi, Pune -411045

List of SPCBs/ PCCs

1.	The Member Secretary Andhra Pradesh State Pollution Control Board D. No.33-26-14 D/2, Near Sunrise Hospital, Pushpa Hotel Centre, Chalmvari Street, Kasturibaipet, Vijayavada-520010	2.	The Member Secretary Arunachal Pradesh State Pollution Control Board 'Paryavaran Bhavan', Yupla Road, Pappu Nallah, Naharlagun - 791110 Arunachal Pradesh
3.	The Member Secretary Assam State Pollution Control Board Bamunimaidan, Guwahati - 781021 Assam	4.	The Member Secretary Bihar State Pollution Control Board Parivesh Bhawan, Plot No.N-B/2, Patliputra Industrial Area Patna-800023
5.	The Member Secretary Chhattisgarh Environment Conservation Board Paryavas Bhawan, North Block Sector-19 Naya Raipur - 492 099 Chhattisgarh	6.	The Member Secretary Goa State Pollution Control Board Nr. Pilerne Industrial Estate, Opp. Saligao Seminary, Saligao - Bardez Goa - 403511
7.	The Member Secretary Gujarat State Pollution Control Board Sector 10-A, Gandhi Nagar - 382043 Gujarat	8.	The Member Secretary Haryana State Pollution Control Board C-11, Sector 6, Panchkula, Haryana 134109 Haryana
9.	The Member Secretary Himachal Pradesh State Pollution Control Board Paryavaran Bhavan, Phase III, New Shimla - 171009 Himachal Pradesh	10.	The Member Secretary J&K State Pollution Control Board, Parivesh Bhawan, Forest Complex, Gladni, Narwal, transport Nagar, Jammu (J&K)
11.	The Member Secretary Jharkhand State Pollution Control Board T.A Building, HEC Campus, P.O. Dhurwa Ranchi - 834004 Jharkhand	12.	The Member Secretary Karnataka State Pollution Control Board Parisara Bhavan, 4 th & 5 th floors Church Street, Bangalore - 560 001 Karnataka
13.	The Member Secretary Kerala State Pollution Control Board Plamoodu Junction, Pattam Palace P.O. Thiruvananthapuram - 695004 Kerala	14.	The Member Secretary Maharashtra State Pollution Control Board Kalpataru Point, 3 rd & 4 th floors Sion Matunga Scheme Road No. 6 Opp. Cine Planet, Sion Circle, Sion (E), Mumbai 400 022, Maharashtra
15.	The Member Secretary Madhya Pradesh State Pollution Control Board Paryavaran Parisar, E-5 Arera Colony Bhopal - 462016 Madhya Pradesh	16.	The Member Secretary Manipur State Pollution Control Board Lamphelpat, Imphal West D.C. Office Complex - 795004 Manipur
17.	The Member Secretary Meghalaya State Pollution Control Board Arden, Lumpyngngad, Shillong - 793014 Meghalaya	18.	The Member Secretary Mizoram State Pollution Control Board New Secretariat Complex, Khatla, Thlanmual Peng, Aizawl Mizoram 796001
19.	The Member Secretary Nagaland State Pollution Control Board Signal Point, Dimapur, Nagaland - 797112 Nagaland	20.	The Member Secretary Odisha State Pollution Control Board Paribesh Bhawan A-118, Nilakanta Nagar, Unit - VIII, Bhubaneshwar - 751012 Odisha
21.	The Member Secretary Punjab State Pollution Control Board Nabha Road, ITI Rd, Adarsh Nagar, Prem Nagar, Patiala - 147001 Punjab	22.	The Member Secretary Rajasthan State Pollution Control Board A-4 Institutional Area, Jhalane Dungri Jaipur - 302004 Rajasthan

23.	The Member Secretary Sikkim State Pollution Control Board State land Use & Environment Cell Govt. of Sikkim, Deorali, Gangtok., Sikkim	24.	The Member Secretary Tamil Nadu State Pollution Control Board No. 76, Mount Salai, Guindy, Chennai – 600032, Tamil Nadu
25.	The Member Secretary Telangana State Pollution Control Board Paryavaran Bhavan A-3, Industrial Estate, Sanath Nagar, Hyderabad – 500 018 Telangana	26.	The Member Secretary Tripura State Pollution Control Board Parivesh Bhawan Pt. Nehru Complex, Gorkhabasti P.O., Kunjaban, Agartala, West Tripura - 799 006 Tripura
27.	The Member Secretary Uttarakhand Environment Protection & Pollution Control Board 29/20, Nemi Road, Dehradun – 248001 Uttarakhand	28.	The Member Secretary Uttar Pradesh State Pollution Control Board 3 rd floor, PICUP Bhavan, Vibhuti Khand, Gomti Nagar, Lucknow – 226010 Uttar Pradesh
29.	The Member Secretary West Bengal State Pollution Control Board Paribesh Bhavan Building, No.10-A, Block –LA, Sector 3, Salt Lake City, Kolkata – 700 091, West Bengal	30.	The Member Secretary Delhi Pollution Control Committee, Government of N.C.T. Delhi 4th Floor, ISBT Building, Kashmere Gate, Delhi-110006
31.	The Member Secretary Andaman & Nicobar Islands Pollution Control Committee, Department of Science & Technology, Dollygunj Van Sadan, Haddo P.O., Port Blair – 744102	32.	The Member Secretary Chandigarh Pollution Control Committee, Paryavaran Bhawan, Ground Floor, Sector 19 B Madhya Marg, Chandigarh
33.	Member Secretary Daman, Diu & Dadra Nagar Haveli Pollution Control Committee, Office of the Deputy Conservator of Forests, Moti Daman, Daman – 396220	34.	Member Secretary Lakshadweep Pollution Control Committee, Department of Science, Technology & Environment, Kavarati-682555
35.	Member Secretary Pondicherry Pollution Control Committee, Housing Board Complex, Anna Nagar, Pondicherry-600 005		

Advisory for all SPCBs/ PCCs

Advisory regarding exemption to Retail Outlets from obtaining Consent

Number of representations have been received by Government indicating that SPCBs/ PCCs are insisting to get consent for setting up of new Retail Outlets. As per CPCB Document on 'Revised Classification of Industrial Sectors Under Red, Orange, Green and White Categories' dated February 29, 2016, Automobile fuel outlets (only dispensing) have been kept in separate category and may be exempted from the purview of Consent management in view of minor air pollution due to some fugitive emissions during fuel filling operations.

Further, as per Guidelines prepared by CPCB and MoPNG for 'Setting up of Petrol Pumps', all new retail outlets set up with sale potential of 300KL MS per month in cities with population more than 1 lakh, and, with sale potential of 100 KL MS per month in cities having population more than 10 lakh will be required to install Vapour Recovery System (VRS). Accordingly, the Retail Outlets may be exempted from obtaining consent from SPCBs/ PCCs.

Encl.: CPCB Document on 'Revised Classification of Industrial Sectors Under Red, Orange, Green and White Categories'