

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

Original Application No. 158 of 2023

V. Ayyasamy,
S/o. Venkatachala Gounder,
No. 4/83, near Mahalakshmi Bakery,
Othakkalmandapam to Chettipalayam Road,
Okkilipalayam Village, Othakkalmandapam (Post),
Madukkarai Taluk, Coimbatore District.

... Applicant

Vs

District Collector, Coimbatore,
Collectorate Building,
Coimbatore-641018 & 7 others.

... Respondents

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**Advocate
Thiru.S. Sai Sathya Jith,
Advocate, Chennai.**

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Okkilipalayam Village,
Othakkalmandapam (Post),
Madukkarai Taluk,
Coimbatore District.

... Applicant

Vs

1. District Collector, Coimbatore,
Collectorate Building,
Coimbatore-641018,
Email- collrcbe[at]nic[dot]in
Landline No- 0422-2301114
2. The Chairman,
Central Pollution Control Board,
PariveshBhawan, East Arjun Nagar,
New Delhi-110032,
Email- ccb.cpcb@nic.in.
Landline No-91-11-43102030.
3. The Chairman,
Tamil Nadu Pollution Control Board,
76, Anna Salai, Guindy,
Chennai-600032.
Email- Unknown.
Landline No-044-22353076.
4. District Environmental Engineer, Coimbatore (South),
Tamil Nadu Pollution Control Board,
Plot No. E.55A, SIDCO Industrial Estate,
Pollachi Main Road, Kurichi,
Coimbatore- 651 021.
Email-deecbs@tnpcb.gov.in
Landline No - 0422-2675608
5. The Joint Director,
Director of Town and Country Planning,

Sheela
19/12/2023
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI-600 032.

Corporation Commercial Complex,
Dr. Nanjappa Road, Coimbatore- 641 018,
Email- kovaidisttcp@gmail.com
Landline No - 0422-2380243.

6. Joint Chief Controller of Explosives,
Petroleum & Explosives Safety Organization (PESO),
South Circle, A and D- Wing, Block 1-8, Second Floor,
ShastriBhavan, 26 Haddows Road,
Nungambakkam, Chennai-600006.
Email- [jtccechennai \[at\] explosives\[dot\]gov\[dot\]in](mailto:jtccechennai[at]explosives[dot]gov[dot]in)
Landline No - (044) 28281023.
7. M/s. Indian Oil Corporation Ltd.,
Indian Oil Bhavan,
8/1079, Avinashi Road,
Coimbatore- 18.
Email- Unknown
Mob-9195859585785.
8. R. Gayathiri Devi,
S.F. No. 520/1, Otthakkalmandapam,
MadukaraiTaluk, Coimbatore District.
Email- Unknown
Mob- Unknown

...Respondents

**REPORT FILED ON BEHALF OF THE THIRD AND FOURTH
RESPONDENTS- TAMIL NADU POLLUTION CONTROL BOARD.**

I, S. Malarvizhi Daughter of Thiru K.Subburam, aged about 58 years, having my office at No.76, Mount Salai, Guindy, Chennai-32, do hereby solemnly affirm and sincerely states as follows:

1. I submit that I am the Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai – 600 032 and I am authorised to file this Report on behalf of the third and fourth respondents (TNPCB) and as such I am well acquainted with the facts of the case from the records available in this office.
2. It is respectfully submitted that the applicant has filed with a prayer “to issue direction to the 1st to 4th Respondents to take action against the respondents 7 and 8 for illegally setting up the fuel station at

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S.F.No.520/1, Othakalmandapam Village, Madukkarai Taluk, Coimbatore District, which is in violation of the 2nd respondent office Memorandum dated 07.01.2020 and the addendum dated 16.08.2021”.

3. It is respectfully submitted that a RTI petition dated 27.06.2023 has been received from Thiru. A. Sundararaj, Advocate, Pollachi on behalf of Thiru. V. Ayyasamy, Coimbatore dated 27.06.2023 to the O/o. DEE, TNPCB, Coimbatore South, seeking the details regarding the no-objection certificate issued to the Indian Oil Corporation for setting up a petrol pump station in Othakalmandapam Village, Madukkarai Taluk, Coimbatore District.
4. It is respectfully submitted that the reply has been sent to the applicant vide O/o. DEE, TNPCB, Coimbatore South letter dated 24.07.2023 stating that “No records are available in this office”.
5. It is respectfully submitted that the Tamil Nadu Pollution Control Board has not issued any Consent / NOC to the Indian Oil Corporation Ltd for setting up a petrol pump station in Othakalmandapam Village, Madukkarai Taluk, Coimbatore District.
6. It is respectfully submitted that the Central Pollution Control Board has issued guidelines dated 07.01.2020, 29.01.2021 and addendum dated 16.08.2021 for setting up of the New Petrol Pumps in compliance of the Hon’ble National Green Tribunal (PB) order dated 18.01.2019 in OA No. 86 of 2019.
7. It is respectfully submitted that, the Hon’ble NGT vide order dated 23.12.2021 in OA 138 of 2020, filed regarding non-installation of Vapour Recovery Systems (VRS) in the petroleum outlets by the oil marking companies, inter alia has ordered has follows:
“(iii)The Central Pollution Control Board (CPCB) as well as the State Pollution Control Boards are directed to issue direction under Section 5 of the Environment (Protection) Act, 1986 and Section 18 of the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981 to make it mandatory to obtain Consent

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to Establish and Consent to Operate for new petroleum outlets to be established in future and even to those which are Page 48 of 49 under the preparation of establishment, but not started construction as has been done by the State Pollution Control Board, Kerala and such a direction should be issued within a period of 3 (Three) months and till then, all the new Retail Petroleum Outlets are directed to apply for Consent to Establish and Consent to Operate before its establishment.

(iv.) We also direct all the existing Retail Petroleum Outlets irrespective of its turnover to obtain Consent to Operate for the existing outlets within a period of 6 (Six) Months. If it is not obtained, then the concerned State Pollution Control Board is directed to take appropriate action against such petrol pumps in accordance with law."

8. It is respectfully submitted that, subsequently, the Hon'ble Supreme Court of India vide order dated 14.03.2023 in CIVIL APPEAL NO. 421 OF 2022, set aside the above orders of the Hon'ble NGT and directed as follows:

(a) The CPCB shall ensure that all the retail petroleum outlets located in different cities having population of more than 10 lakh and having turnover of more than 300 KL/Month shall install the VRS mechanism within the fresh timeline as prescribed in its Circular dated 04.06.2021. To put it in other words, the CPCB shall ensure that the directions issued by the NGT as contained in para 69(i) and (ii) of the impugned order is fully complied with. It shall be the legal obligation of all the State Pollution Control Boards to ensure that the directions issued by the NGT in regard to the installation of the VRS mechanism is complied with within the fresh timeline as prescribed by the CPCB.

(b) We set aside the directions issued by the NGT in the impugned order as contained in para 69(iii) and (iv). Instead, we direct the CPCB to instruct all the State Pollution Control Boards to ensure that the guidelines issued by it vide the Office Memorandum dated 07.01.2020

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are strictly adhered to. If there is breach of any of the guidelines issued by the CPCB vide Office Memorandum dated 07.01.2020, then the concerned State Pollution Control Board shall proceed against the erring outlet in accordance with law at the earliest.

9. It is respectfully submitted that, as per the above orders of the Hon'ble Supreme Court of India dated 14.03.2023 in Civil Appeal No.421 of 2022 the petrol pump stations / petrol retail outlets does not come under the consent mechanism of TNPCB.

10. It is respectfully submitted that the Compliance of the said CPCB guidelines for setting up of New petrol Pumps by M/s. Indian Oil Corporation Ltd are as follows:

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

Sl. No.	Guidelines	Compliance
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.	As per the letter furnished by the IOCL dated 04.11.2024 (Copy enclosed), it is informed that, even though area is not located in high ground water table location, tank is installed with brick masonry wall for the tank pit
2.	All new retail outlets shall have underground tanks/ above ground tank and its ancillary components such as pipes, flexible connectors,	As per the letter furnished by the IOCL dated 04.11.2024 (Copy enclosed), it is informed that, Complied- HDPE and leak

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	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.	detection system is in place.
3.	<p>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.</p> <p>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.</p> <p>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.</p>	During the inspection of the petrol pump retail outlet by the TNPCB officials on 07.08.2024 it was observed that it has started commissioning its operation. It has been instructed to comply with the CPCB conditions during leakage/spilling. No leakage or spillage is noted.
4.	All DUs shall have Auto Cut off Nozzles which shuts dispensation of fuel if its level in customer fuel tank reaches full capacity.	As per the letter furnished by the IOCL dated 04.11.2024 (Copy enclosed), it is informed that, auto Cut off Nozzles have been provided.

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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.	As per the letter furnished by the IOCL dated 04.11.2024 (Copy enclosed), it is informed that, all nozzles are connected via breakaway coupling
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.	As per the letter furnished by the IOCL dated 04.11.2024 (Copy enclosed), it is informed that, the unit has complied with the condition.
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.	As per the letter furnished by the IOCL dated 04.11.2024 (Copy enclosed), it is informed that, the unit has complied with the condition.
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.	As per the letter furnished by the IOCL dated 04.11.2024 (Copy enclosed), it is informed that, Submersible Turbine Pumps (STPs) with leak detection system is installed in all two tanks
9.	Emergency stop button switch shall be provided on the Multi-Product Dispenser (WO) to stop the dispensation in case of emergency.	As per the letter furnished by the IOCL dated 04.11.2024 (Copy enclosed), it is informed that, the unit has complied with the condition.
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	As per the letter furnished by the IOCL dated 04.11.2024 (Copy enclosed), it is informed that, the unit has complied with the condition.
11.	All Retail Outlets shall provide overfill alarm through automation	As per the letter furnished by the IOCL dated 04.11.2024 (Copy enclosed), it is informed that, the unit has complied with the condition.
12.	Measures for spill containment in fill point chambers and forecourt area shall be implemented as	As per the letter furnished by the IOCL dated 04.11.2024 (Copy enclosed), it is informed that, the

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prescribed by PESO.	unit has complied with the condition.
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B. Check on leakages (Leakage Detection System) from underground storage tanks so as to prevent groundwater and soil contamination

Sl. No.	Guidelines	Compliance
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.	As per the letter furnished by the IOCL dated 04.11.2024 (Copy enclosed), it is informed that, 100% automation system is provided at the retail outlet.
2.	Manual gauging shall be done once in a month and compare the same with Automatic Tank Gauging for accuracy.	As per the letter furnished by the IOCL dated 04.11.2024 (Copy enclosed), it is informed that, manual gauging is done on a daily basis
3.	<p>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:</p> <p>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.</p> <p>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.</p> <p>c. OMCs will be held liable for Environmental Compensation (imposed by SPCBs/PCCs) and</p>	During the inspection of the petrol pump station on 07.08.2024 it was observed that it has started commissioning its operation. It has been instructed to comply with the CPCB conditions during leakage/spilling resulting in soil / groundwater contamination.

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	<p>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,</p> <p>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.</p>	
4.	All underground tanks and pipelines shall be subjected to test for leaks every 7 years.	Not applicable. It is a new retail outlet.

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

Sl. No.	Guidelines	Compliance
1.	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.	Not applicable. It is a new retail outlet.

D. Installation, Operation and maintenance of Vapour Recovery System

Sl. No	Guidelines	Compliance
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/	<p>The location of M/s Indian Oil Corporation Limited, is at SF No. 520/1, Othakkalmandapam village, Madukkarai Taluk, Coimbatore District. The population of the village is less than 1 lakh.</p> <p>As per the letter furnished by the IOCL</p>


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	PCCs equivalent to the cost of VRS and this will further increase proportionate to the period of non-compliance.	dated 04.11.2024 (Copy enclosed), it is informed that, the sales potential is less than 300KL MS Hence, installation of VRS is not applicable.
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. <i>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.</i>	The location of M/s Indian Oil Corporation Limited, is at SF No. 520/1, Othakkalmandapam village, Madukkarai Taluk, Coimbatore District. The population of the village is less than 1 lakh. As per the letter furnished by the IOCL dated 04.11.2024 (Copy enclosed), it is informed that, the sales potential is less than 300KL MS Hence, installation of VRS is not applicable.
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.	The location of M/s Indian Oil Corporation Limited, is at SF No. 520/1, Othakkalmandapam village, Madukkarai Taluk, Coimbatore District. The population of the village is less than 1 lakh. As per the letter furnished by the IOCL dated 04.11.2024 (Copy enclosed), it is informed that, the sales potential is less than 300KL MS Hence, installation of VRS is not applicable.
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	The location of M/s Indian Oil Corporation Limited, is at SF No. 520/1, Othakkalmandapam village, Madukkarai Taluk, Coimbatore District. The population of the village is less than 1 lakh. As per the letter furnished by the IOCL dated 04.11.2024 (Copy enclosed), it is informed that, the sales potential is less than 300KL MS Hence, installation of VRS is not applicable.

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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.	<p>The location of M/s Indian Oil Corporation Limited, is at SF No. 520/1, Othakkalmandapam village, Madukkarai Taluk, Coimbatore District. The population of the village is less than 1 lakh.</p> <p>As per the letter furnished by the IOCL dated 04.11.2024 (Copy enclosed), it is informed that, the sales potential is less than 300KL MS Hence, installation of VRS is not applicable.</p>
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	<p>The location of M/s Indian Oil Corporation Limited, is at SF No. 520/1, Othakkalmandapam village, Madukkarai Taluk, Coimbatore District. The population of the village is less than 1 lakh.</p> <p>As per the letter furnished by the IOCL dated 04.11.2024 (Copy enclosed), it is informed that, the sales potential is less than 300KL MS Hence, installation of VRS is not applicable.</p>

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

Sl. No	Guidelines			Compliance						
1.	<table border="1"> <thead> <tr> <th data-bbox="212 2080 305 2198">Sl. No.</th> <th data-bbox="305 2080 578 2198">Parameter</th> <th data-bbox="578 2080 889 2198">Permissible Limit</th> </tr> </thead> <tbody> <tr> <td data-bbox="212 2198 305 2290">1.</td> <td data-bbox="305 2198 578 2290">Total petroleum hydrocarbons</td> <td data-bbox="578 2198 889 2290">600 µg/l</td> </tr> </tbody> </table>			Sl. No.	Parameter	Permissible Limit	1.	Total petroleum hydrocarbons	600 µg/l	<p>The location of M/s Indian Oil Corporation Limited, is at SF No. 520/1, Othakkalmandapam village, Madukkarai Taluk, Coimbatore District. The population of the village is less than 1 lakh.</p>
Sl. No.	Parameter	Permissible Limit								
1.	Total petroleum hydrocarbons	600 µg/l								


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		As per the letter furnished by the IOCL dated 04.11.2024 (Copy enclosed), it is informed that, the sales potential is less than 300KL MS Hence not applicable.
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2.	2.	BTEX	i. Benzene – 950 µg/l ii. Toluene – 300 µg/l iii. Xylenes – a) o-xylene – 350 µg/l b) m & p-xylene-200 µg/l	The location of M/s Indian Oil Corporation Limited, is at SF No. 520/1, Othakkalmandapam village, Madukkarai Taluk, Coimbatore District. The population of the village is less than 1 lakh. As per the letter furnished by the IOCL dated 04.11.2024 (Copy enclosed), it is informed that, the sales potential is less than 300KL MS Hence not applicable.
	3.	Ethanol	1400 µg/l	
	4.	Methyl Tertiary Butyl Ether	13 µg/l	
	5.	PAH	0.0001 µg/l	
	Enforcement agencies including SPCB can collect samples in and around petrol pump to check contamination.			

F. Measures for protection of Worker's Health

Sl. No.	Guidelines	Compliance
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.	As per the letter furnished by the IOCL dated 04.11.2024 (Copy enclosed), it is informed that the total workers engaged is less than 10, hence ESI for workers is not applicable. PPEs are available.
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.	As per the letter furnished by the IOCL dated 04.11.2024 (Copy enclosed), it is informed that, the unit has complied with the condition.

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

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Sl. No.	Guidelines	Compliance
1.	PESO shall conduct audit of tanks and fuel equipment including pipes, overfill protection equipment and alarm system on annual basis and maintain records.	As per the letter furnished by the IOCL dated 04.11.2024 (Copy enclosed), it is informed that, PESO has given final grant for operating the Retail outlet

H. Siting criteria of Retail Outlets:

Sl. No.	Guidelines	Compliance
1.	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.	<p>As per the letter furnished by the IOCL dated 04.11.2024 (Copy enclosed), it is informed that, there is no schools, hospitals (10 beds and above) and residential areas designated as per local laws is located within a radial distance of 50 meters from the petrol pump station located at SF No. 520/1, Othakkalmandapam village, Madukkarai Taluk, Coimbatore District.</p> <p>The same was confirmed by the TNPCB officials during inspection on 07.08.2024.</p> <p>The RDO, South, Coimbatore vide letter dated 30.10.2024 (Copy enclosed) stated that a private school is located at a distance of 380.2 m from the north side of the petrol pump</p>

ADDENDUM TO GUIDELINES FOR SETTING UP OF NEW PETROL PUMPS DATED 16.08.2021

Sl. No.	Guidelines	Compliance
1.	a) All the surface water bodies irrespective of utility shall be protected from any possible contamination. These include	A dry canal is seen near the petrol pump station located at SF No. 520/1, Othakkalmandapam village,


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	<p>lakes, ponds, streams, rivers, wetlands, canals and creeks, as per revenue records. Retail Outlets shall not be located within a distance of 50 meters from the nearest point of water bodies. In case of streams and rivers, the distance shall be considered from floodway. In case floodway is not defined, the distance shall be considered from firm banks/ edge of river. The siting criterion is to be implemented for all new petrol pumps where construction by OMCs starts post the issuance of these guidelines.</p>	<p>Madukkarai Taluk, Coimbatore District. However, the banks of the canal was not readily recognized in the field. Hence, the RDO, Coimbatore South has been requested vide this office letters dated 12.08.2024 and 04.10.2024 to furnish the details regarding the exact distance of surface water body located near the petrol pump station.</p> <p>In this regard, RDO, Coimbatore South in his letter dated 30.10.2024 informed the following.</p> <ol style="list-style-type: none"> 1. Odai is located at the SF No. 519/2 and is located at a distance of 35m from the north side wall of the petrol pump and 23m from the south side wall of the petrol pump. 2. Odai is located at a distance of 42 m from one distribution point and 40.8 m from another distribution point of the petrol pump. 3. Odai is located at a distance of 59.5 m and 54.2 m from the storage area of the petrol pump.
2.	<p>b) Retail outlets coming within 50 meter to 100 meter from the nearest point of surface water body shall have secondary containment by way of double walled tanks or concrete protection walls around Underground Storage Tank (UST).</p>	<p>As per the letter furnished by the IOCL dated 04.11.2024 (Copy enclosed), it is informed that, Outlet tank is protected with brick masonry with plastered inner wall with concrete top slab.</p>
3.	<p>c) Groundwater and soil quality monitoring near the premises of fuel retail outlets shall be conducted by OMCs once a year through E (P) Act, 1986 approved labs or labs with national/international accreditation. The monitoring shall be done for those Fuel Retail Outlets which are located within 100 meter from the nearest point of surface water bodies. These shall be applicable to all petrol</p>	<p>A dry canal is seen near the petrol pump station located at SF No. 520/1, Othakkalmandapam village, Madukkarai Taluk, Coimbatore District. However, the banks of the canal was not readily recognized in the field. Hence, the RDO, Coimbatore South has been requested vide this office letters dated 12.08.2024 and 04.10.2024 to furnish the details</p>

Sushil
13/12/2024

JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI-600 032.


	<p>pumps, regardless of the date of establishment. In case of any clarification and/or difficulty in obtaining samples for groundwater and soil quality monitoring, OMCs may seek assistance of local administration/SPCB/PCC/CGWB. Protocol for soil and groundwater monitoring is annexed as Annexure-I.</p>	<p>regarding the exact distance of surface water body located near the petrol pump station.</p> <p>In this regard, RDO, Coimbatore South in his letter dated 30.10.2024 informed the following.</p> <ol style="list-style-type: none"> 1. Odai is located at the SF No. 519/2 and is located at a distance of 35m from the north side wall of the petrol pump and 23m from the south side wall of the petrol pump. 2. Odai is located at a distance of 42 m from one distribution point and 40.8 m from another distribution point of the petrol pump. 3. Odai is located at a distance of 59.5 m and 54.2 m from the storage area of the petrol pump. <p>The unit has not conducted any Groundwater and soil quality monitoring so far. The unit was instructed to comply vide DEE, TNPCB, CBS letter dated 04.11.2024</p>
4.	<p>d) Groundwater and soil quality monitoring shall also be conducted by OMCs before installation of the new fuel retail outlet, for those retail outlets coming up within 100 meter from the nearest point of surface water bodies.</p>	<p>A dry canal is seen near the petrol pump station located at SF No. 520/1, Othakkalmandapam village, Madukkarai Taluk, Coimbatore District. However, the banks of the canal was not readily recognized in the field. Hence, the RDO, Coimbatore South has been requested vide this office letters dated 12.08.2024 and 04.10.2024 to furnish the details regarding the exact distance of surface water body located near the petrol pump station.</p> <p>In this regard, RDO, Coimbatore South in his letter dated 30.10.2024 informed the following.</p> <ol style="list-style-type: none"> 1. Odai is located at the SF No.

Sreedhar
29/10/2024

JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI-600 032.

		<p>519/2 and is located at a distance of 35m from the north side wall of the petrol pump and 23m from the south side wall of the petrol pump.</p> <p>2. Odai is located at a distance of 42 m from one distribution point and 40.8 m from another distribution point of the petrol pump.</p> <p>3. Odai is located at a distance of 59.5 m and 54.2 m from the storage area of the petrol pump.</p> <p>The unit has not conducted any Groundwater quality monitoring and soil quality monitoring before installation. The unit was instructed to comply vide DEE, TNPCB, CBS letter dated 04.11.2024</p>
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In the above circumstances, it is humbly prayed that this Hon'ble National Green Tribunal (Southern Zone) may be pleased to pass such order or further other orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of this case and thus render justice.


 09/12/2024
 JOINT CHIEF ENVIRONMENTAL ENGINEER
 TAMIL NADU POLLUTION CONTROL BOARD
 No.76, MOUNT SALAI, GUINDY,
 CHENNAI-600 032.

VERIFICATION

I, S. Malarvizhi Daughter of Thiru Subburam, working as the Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai – 600 032, having office at No.76, Mount Salai, Guindy, Chennai – 32, do hereby verify that the contents of above report are true to the best of my knowledge through records.


 09/12/2024
 JOINT CHIEF ENVIRONMENTAL ENGINEER
 TAMIL NADU POLLUTION CONTROL BOARD
 No.76, MOUNT SALAI, GUINDY,
 CHENNAI-600 032.



इंडियन ऑयल कॉर्पोरेशन लिमिटेड

विपणन प्रभाग : इंडियन ऑयल भवन,
8/1079, अविनाशी रोड, कोयंबटूर - 641018.

Indian Oil Corporation Limited

Marketing Division : Indian Oil Bhavan
8/1079, Avinashi Road, Coimbatore - 641 018,
Tel : 0422 - 2245903, 2245904
Website : www.iocl.com



IndianOil

विपणन प्रभाग
Marketing Division

Date: 04.11.2024

To,

Dr.R. Chandrasekaran, M.E.,M.B.A.,Ph.D.,
District Environmental Engineer,
Tamilnadu Pollution Control Board,
Coimbatore South,
Plot No.E 55A, SIDCO Industrial Estate,
Poliachi Main Road, Kerichi,
Coimbatore- 641 021.



Sir,

Ref.1 : Letter No. DEE/TNPCB/CBS/PetrolPumps /2024-2 Dt.04.10.2024

Ref.2: Our letter dated 18.10.2024

We had received NOC vide ref.R.Dis.No.16929/2021/J1 Dt:10.03.2023 for setting petroleum retail outlet at S.F No.520/1, Othakkalmandapam Village, Madukkarai Taluk Coimbatore District.

We have given compliance letter for the above vide letter dated 18.10.2023 and hereby attaching point by point compliance for your kind perusal.

Yours faithfully,

For Indian Oil Corporation Ltd.,

[Handwritten Signature]
+11/11/2024
For Divisional Retail Head



18

CPCB's guidelines for setting up new petrol pumps dated: 07.01.2020

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

Sl. No.	Guidelines	Compliance
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.	Even though area is not located in high ground water table location tank is installed with brick masonry wall for the tank pit
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.	Complied- HDPE and leak detection system is in place.
3.	<p>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.</p> <p>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.</p> <p>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</p>	Not applicable




	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.	Complied- All nozzle having auto cut off
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.	Complied- All nozzles are connected via breakaway coupling
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.	Complied
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.	Complied
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.	Complied- STP with leak detection system installed in all two tanks
9.	Emergency stop button switch shall be provided on the Multi-Product Dispenser (WO) to stop the dispensation in case of emergency.	Complied
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	Complied
11.	All Retail Outlets shall provide overfill alarm through automation	Complied
12.	Measures for spill containment in fill point chambers and forecourt area shall be implemented as prescribed by PESO.	Complied

B. Check on leakages (Leakage Detection System) from underground storage tanks so as to prevent groundwater and soil contamination

Sl. No.	Guidelines	Compliance
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.	Complied- 100% automated outlet
2.	Manual gauging shall be done once in a month and compare the same with Automatic Tank Gauging for accuracy.	Complied- Manual gauging done in daily basis
3.	Daily MS and HSD loss shall not exceed	Complied- Shall report as per SOP incase of



<p>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:</p> <p>a. Concerned OMC shall report to State Pollution Control Board, PESO and District Administration under intimation to CFCB within 24 hours of occurrence. Operation of such underground storage tank (UST) and its ancillary components shall be stopped immediately.</p> <p>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.</p> <p>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.</p> <p>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.</p>	<p>leakage</p>
<p>4. All underground tanks and pipelines shall be subjected to test for leaks every 7 years.</p>	<p>Not applicable currently as new RO</p>

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

Sl. No.	Guidelines	Compliance
1.	Sludge shall be collected, stored and disposed as per Rule 8 of Hazardous Waste (Management and	Not applicable currently due to new RO- will be following SOP as per Rule 8 of Hazardous




Transboundary) Rules, 2916 and amendments thereof and records shall be maintained.	Waste (Management and Transboundary) Rules
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D. Installation, Operation and maintenance of Vapour Recovery System

Sl. No.	Guidelines	Compliance
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.	Not applicable as the sales potential is less than 300KL MS
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.	Not applicable as population criteria is not applicable
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.	Not applicable as the sales potential is less than 300KL MS
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	Not applicable as the sales potential is less than 300KL MS
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.	Not applicable as the sales potential is less than 300KL MS
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,	Not applicable as the sales potential is less than 300KL MS

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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

Sl. No.	Guidelines		Compliance												
1.	<table border="1"> <thead> <tr> <th>Sl. No.</th> <th>Parameter</th> <th>Permissible Limit</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>Total petroleum hydrocarbons</td> <td>600 µg/l</td> </tr> </tbody> </table>		Sl. No.	Parameter	Permissible Limit	1.	Total petroleum hydrocarbons	600 µg/l	Not applicable as the sales potential is less than 300KL/month						
Sl. No.	Parameter	Permissible Limit													
1.	Total petroleum hydrocarbons	600 µg/l													
2.	<table border="1"> <tbody> <tr> <td>2.</td> <td>BTEX</td> <td>i. Benzene – 950 µg/l ii. Toluene – 300 µg/l iii. Xylenes – a) o-xylene – 350 µg/l b) m & p-xylene-200 µg/l</td> </tr> <tr> <td>3.</td> <td>Ethanol</td> <td>1400 µg/l</td> </tr> <tr> <td>4.</td> <td>Methyl Tertiary Butyl Ether</td> <td>13 µg/l</td> </tr> <tr> <td>5.</td> <td>PAH</td> <td>0.0001 µg/l</td> </tr> </tbody> </table> <p>Enforcement agencies including SPCB can collect samples in and around petrol pump to check contamination.</p>		2.	BTEX	i. Benzene – 950 µg/l ii. Toluene – 300 µg/l iii. Xylenes – a) o-xylene – 350 µg/l b) m & p-xylene-200 µg/l	3.	Ethanol	1400 µg/l	4.	Methyl Tertiary Butyl Ether	13 µg/l	5.	PAH	0.0001 µg/l	Not applicable as the sales potential is less than 300KL/month
2.	BTEX	i. Benzene – 950 µg/l ii. Toluene – 300 µg/l iii. Xylenes – a) o-xylene – 350 µg/l b) m & p-xylene-200 µg/l													
3.	Ethanol	1400 µg/l													
4.	Methyl Tertiary Butyl Ether	13 µg/l													
5.	PAH	0.0001 µg/l													

F. Measures for protection of Worker's Health

Sl. No.	Guidelines	Compliance
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.	Complied- Total workers engaged currently less than 10 hence not applicable. PPEs available
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.	Complied



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

Sl. No.	Guidelines	Compliance
1.	PESO shall conduct audit of tanks and fuel equipment including pipes, overflow protection equipment and alarm system on annual basis and maintain records.	PESO has given final grant for operating the Retail outlet

H. Siting criteria of Retail Outlets:

Sl. No.	Guidelines	Compliance
1.	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.	Complied- No schools, hospitals (10 beds and above) and residential areas designated as per local laws in 50m radius.

ADDENDUM TO GUIDELINES FOR SETTING UP OF NEW PETROL PUMPS DATED 16.08.2021

Sl. No.	Guidelines	Compliance
1.	a) All the surface water bodies irrespective of utility shall be protected from any possible contamination. These include lakes, ponds, streams, rivers, wetlands, canals and creeks, as per revenue records. Retail Outlets shall not be located within a distance of 50 meters from the nearest point of water bodies. In case of streams and rivers, the distance shall be considered from floodway. In case floodway is not defined, the distance shall be considered from firm banks/ edge of river. The siting criterion is to be	Complied- vent pipe, Dispensing unit, fill pipe, unloading point of the outlet is not located with in 50m from water bodies

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	implemented for all new petrol pumps where construction by OMCs starts post the issuance of these guidelines.	
2.	b) Retail outlets coming within 50 meter to 100 meter from the nearest point of surface water body shall have secondary containment by way of double walled tanks or concrete protection walls around Underground Storage Tank (UST).	Complied- Outlet tank is protected with brick masonry with plastered inner wall with concrete top slab
3.	c) Groundwater and soil quality monitoring near the premises of fuel retail outlets shall be conducted by OMCs once a year through E (P) Act, 1986 approved labs or labs with national/international accreditation. The monitoring shall be done for those Fuel Retail Outlets which are located within 100 meter from the nearest point of surface water bodies. These shall be applicable to all petrol pumps, regardless of the date of establishment. In case of any clarification and/or difficulty in obtaining samples for groundwater and soil quality monitoring, OMCs may seek assistance of local administration/SPCB/PCC/CGWB. Protocol for soil and groundwater monitoring is annexed as Annexure-I.	There is a culvert available above 50m and below 100m range, but no water available during commissioning and soil/water testing not conducted but shall be complied
4.	d) Groundwater and soil quality monitoring shall also be conducted by OMCs before installation of the new fuel retail outlet, for those retail outlets coming up within 100 meter from the nearest point of surface water bodies.	There is a culvert available above 50m and below 100m range, but no water available during commissioning and soil/water testing not conducted but shall be complied.




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

Original Application No. 158 of 2023

V. Ayyasamy,
S/o. Venkatachala Gounder,
No. 4/83, near Mahalakshmi Bakery,
Othakkalmandapam to Chettipalayam
Road,
Okkilipalayam Village,
Othakkalmandapam (Post),
Madukkarai Taluk, Coimbatore District.

... Applicant

Vs

District Collector, Coimbatore,
Collectorate Building,
Coimbatore-641018 & 7 others.

... Respondents

**REPORT FILED ON BEHALF OF
THE THIRD AND FOURTH
RESPONDENTS- TAMIL NADU
POLLUTION CONTROL BOARD.**

**Advocate for Respondent: TNPCB
Thiru.Sai Sathya Jith,
Advocate, Chennai.**

Date: 20.12.2024

Date of Hearing on: 24.12.2024

