

BEFORE THE NATIONAL GREEN TRIBUNAL,

WESTERN ZONE, PUNE BENCH

OA No. 181 of 2023 (WZ)

**IN THE MATTER OF-**

**HRIDAYNATH YASAHWANT TAWANDE**

**.... PETITIONER(s)**

**VERSUS**

**THE UNION OF INDIA & ORS.**

**...RESPONDENT(s)**

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| 1.      | <b>Reply Affidavit</b> on behalf of the Ministry of Environment, Forest & Climate Change, Respondent no. 1 |         |
| 2.      | <b>Annexure-I:</b> Copy of the CPCB guidelines for setting up of new petrol pumps dated 07.01.2020         |         |
| 3.      | <b>Annexure-II:</b> The copy of the Office Memorandum dated 16.08.2021 issued by CPCB                      |         |

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**...RESPONDENT(s)**

**REPLY AFFIDAVIT ON BEHALF OF THE MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE, RESPONDENT No. 1.**

I, E. Thirunavukkarasu S/o Shri. M. Elangovan, aged about 56 years, working as Scientist 'E' in the Regional Office of the Ministry of Environment, Forest and Climate Change (MoEF&CC), at Nagpur, I do hereby solemnly affirm and declare as under:

1. That I am duly authorized by the Ministry of Environment, Forest and Climate Change, respondent no. 1 to swear this affidavit and competent to depose as under:



2. That the present application has been filed for seeking direction to the respondents to take effective action to call/withdraw tender process initiated by Respondent no. 3-City and Industrial Development Corporation of Maharashtra Ltd in CIDCO zones of Navi Mumbai. It is *inter alia* alleged that R-3 failed to follow the guidelines established from time to time by the R-1, 2 and 4 to set up such fuel pumps and there is a huge gap in implementation of the environmental legislation.
3. That the answering Respondent no. 1 is primarily engaged in, *inter alia*, policy formulation for abatement, control and prevention of pollution, prescribing environmental standards which are implemented through the Central Pollution Control Board (CPCB) and State Pollution Control Boards (SPCBs)/ Pollution Control Committees (PCCs). The SPCBs/PCCs are required to enforce these standards and monitor the compliance by industries.

Besides, the concerned State Pollution Control Boards/ Pollution Control Committees are empowered to take all such measures as are deemed necessary or expedient for the purpose of protection and improving the quality of environment as well as prevention, control and abatement of environmental pollution, including issue involve in the instant matter.



4. That CPCB has formulated the guidelines for setting up of new petrol pumps and were subsequently circulated on January 07, 2020 to State Pollution Control Boards (SPCBs) /Pollution Control Committees (PCCs) for ensuring implementation by the concerned stakeholders. Copy of the CPCB guidelines for setting up of new petrol pumps dated 07.01.2020 is enclosed as **Annexure-I**.
5. That it is submitted that an addendum to the Guidelines for setting up of new petrol pump was issued on August 16, 2021 indicating siting criteria to be adopted w.r.t water bodies. Further it was clarified that the siting criterion is to be implemented for all petrol pumps where construction by OMCs starts post the issuance of these guidelines, i.e. 16.08.2021. The copy of the Office Memorandum dated 16.08.2021 issued by CPCB is enclosed as **Annexure-II**.
8. That in view of the aforementioned facts and circumstances, it is most respectfully prayed that this Hon'ble Tribunal may graciously be pleased to pass such other order and further order(s) as this Hon'ble Tribunal may deem fit and necessary in the interest of justice.



  
**DEPONENT**  
 (ई. थिरुनावुक्करसु)  
 (E. Thirunavukkarasu)  
 वैज्ञानिक 'ई' / Scientist 'E'  
 पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
 Ministry of Environment, Forest & Climate Change  
 क्षेत्रीय कार्यालय  
 Regional Office, Nagpur-440001

**VERIFICATION:**

Verified at Nagpur on this the 10<sup>th</sup> day of May 2024 that the contents of this reply affidavit based on official record(s) maintained and information available in the office are correct to my knowledge and belief. No part of it is false and nothing has been concealed there from.

**NOTARIAL REG**  
ENTRY No. 13235  
DATE 10/5/2024

**SEAL OF NOTARY**  
Mrs KHURANA  
NAGPUR  
DISTT. (M.S.)  
REG. No. 6386  
**GOVT. OF INDIA**

**NOTARY**  
CHANCHAL KHURANA  
Nagpur Dist.  
(M.S.) INDIA  
Regd. No.  
6386  
**GOVT. OF INDIA**

**DEPONENT**  
(E. Thirunavukkarasu)  
वैज्ञानिक 'ई' / Scientist 'E'  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
Ministry of Environment, Forest & Climate Change  
क्षेत्रीय कार्यालय, नागपुर-479001  
Regional Office, Nagpur-479001

SWORN BEFORE ME ON THIS 10<sup>th</sup>  
DAY OF May 2024 AT NAGPUR BY  
SHRI / SMT/ K. E. Thirunavukkarasu M. Elangovan  
R/o NAGPUR WHO HAS BEEN IDENTIFIED BY  
SHRI / SMT. Adv. Arundhati Roy  
ADVOCATE, NAGPUR

**NOTARY**  
**GOVT. OF INDIA**  
Nagpur (M S ) INDIA



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## 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<br>ii. Toluene- 300µg/l<br>iii. Xylenes-<br>a. o-xylene- 350µg/l<br>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.*

B-13011/1/2019-20/AQM 4969-5020

August 16, 2021

## OFFICE MEMORANDUM

Sub: Addendum to the Guidelines for Setting Up of New Petrol Pumps issued on January 07, 2020 -regarding.

CPCB in compliance of the Hon'ble National Green Tribunal order dated January 18, 2019 in O.A. No. 86/2019: Gyanprakash @ Pappu Singh Vs Uol & Ors. issued guidelines for Setting Up of New Petrol Pumps vide O.M. No. B-13011/1/2019-20/AQM/10809 dated January 07, 2020.

Hon'ble NGT vide further orders dated 23.07.2020 and 09.10.2020, in the matter of Suresh Mandaloi Vs. State of M.P & Ors. (O.A. No. 61 of 2019 (CZ)), directed MoEF&CC and CPCB to submit a report with regard to the minimum distance from water bodies to the petrol pump.

The matter was referred to the Expert Committee and the draft guidelines for implementation in case of petrol pumps near water bodies were prepared. The guidelines also specify the groundwater and soil sampling protocol, frequency of sample collection and the prescribed parameters and screening values to be adopted. The same monitoring protocol and parameters/ values (except for monitoring frequency) need to be adopted for petrol pumps covered under the guidelines dated January 07, 2020.

These draft guidelines were placed in public domain for seeking comments/suggestions from public and concerned stakeholders. These were reviewed by the Expert Committee and the guidelines have been finalised and are hereby issued as addendum to the earlier CPCB Guidelines dated January 07, 2020 for implementation by concerned stakeholders.

This issues with the approval of the Competent Authority.



(P.K. Gupta)

Additional Director & Divisional Head  
AQM Div.

Encl.: As Above

To

1. All SPCBs/ PCCs  
(As per list enclosed)

*with a request to circulate to Commissioner of civil supplies or other similar authorities who look after issues related to petrol pumps at State/ UT level and District Collectors/ Commissioners /Deputy Commissioners.*

केंद्रीय प्रदूषण नियंत्रण बोर्ड  
दिनांक 19/08/2021  
दिनांक 19/08/2021

## List of Stakeholders

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

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

2. Joint Secretary (Marketing)  
Ministry of Petroleum and Natural Gas, Govt. of India  
Shastri Bhavan,  
New Delhi – 110001
3. Chief Controller of Explosives  
Petroleum and Explosive Safety Organization (PESO)  
A Block CGO Complex Fifth Floor Seminary Hills  
Nagpur-(Maharashtra) -440006
4. Director  
Legal Metrology  
Ministry of Consumer Affairs, Food and Public Distribution Deptt. of Consumer Affairs,  
Room No.461-A, Krishi Bhawan,  
New Delhi - 110 001
5. The Chairman,  
M/s. Bharat Petroleum Corporation Limited  
Bharat Bhavan, 4 and 6 Currimbhoy Road  
Ballard Estate, Mumbai 400 001
6. The Chairman,  
M/s. Hindustan Petroleum Corporation Limited  
Petroleum House, 17, Jamshedji Tata Road, Mumbai  
Maharashtra 400020
7. The Chairman,  
M/s. Indian Oil Corporation Limited  
Indian Oil Bhawan, G9, Ali Yavar Jung Marg  
Bandra East, Mumbai, Maharashtra 400 051
8. The Chairman,  
M/s. Shell India Markets Pvt. Ltd.  
Plot No. 7, Bangalore Hardware Park,  
Devanahalli Industrial Park  
MahadevaKodigehalli  
Bangalore- 562 149, Karnataka.
9. The Chairman,  
M/s Reliance Industries Limited,  
Maker Chambers - IV  
Nariman Point  
Mumbai 400 021, India
10. The Chairman,  
M/s. Nayara Energy Limited (Formerly Essar Oil Limited)  
5th Floor, Jet Airways Godrej BKC,  
Plot No. C-68, G Block  
BandraKurla Complex, Bandra East  
Mumbai- 450 051

Copy to:

1. Joint Secretary  
CP Division  
Ministry of Environment, Forest and Climate Change  
Indira Paryavaran Bhavan,  
Jorbagh Road, New Delhi – 110 003
2. Regional Director  
Regional Directorate, Lucknow  
PICUP Bhawan, Vibhuti Khand, Gomti Nagar,  
Lucknow– 226010
3. Regional Director  
Regional Directorate, Bengaluru  
A-Block, Nisarga Bhavan,  
1st and 2nd Floors, 7th D Cross, Thimmaiah Road, Shivanagar,  
Bengaluru-560079
4. Regional Director  
Regional Directorate, Bhopal  
Parivesh Bhawan, Paryavaran  
Parisar E-5, Arera Colony, Bhopal-462016
5. Regional Director  
Regional Directorate, Vadodara  
Parivesh Bhawan, Opp. Ward No. 10 VMC Office Subhanpura,  
Vadodara –390023
6. Regional Director  
Regional Directorate, Shillong  
"TUM-SIR". Lower Motinagar,  
Near Fire Brigade H.Q., Shillong–793014
7. Regional Director  
Regional Directorate, Kolkata  
'South end Conclave' Block-502, 5th & 6th Floor, 1582,  
Razidanga, Main Road, Kolkata- 700107
8. Regional Director  
Regional Directorate, Tamil Nadu  
Second Floor, No.77-A, South Avenue Road, Ambattur Industrial Estate, Ambattur  
Taluk, Thiruvallur District, Chennai- 600 058, Tamil Nadu.
9. Regional Director  
Regional Directorate, Chandigarh  
e-mail- [gurnamsingh.cpcb@nic.in](mailto:gurnamsingh.cpcb@nic.in)
10. Regional Director  
Regional Directorate, Pune  
e-mail - [bksharma.cpcb@nic.in](mailto:bksharma.cpcb@nic.in)
11. PA to CCB
12. AO to MS
13. IT Division

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## ADDENDUM TO GUIDELINES FOR SETTING UP OF NEW PETROL PUMPS

The Hon'ble NGT vide orders dated 23.07.2020 and 09.10.2020, in the matter of Suresh Mandaloi Vs. State of M. P. & Ors. (O.A. No. 61 of 2019 (CZ)), directed MoEF&CC and CPCB to submit a report with regard to the minimum distance from water bodies to the petrol pump.

The matter was subsequently referred to the Expert Committee constituted by CPCB earlier in the matter of guidelines for setting up of new petrol pumps and the following addendum guidelines (to guidelines dated 07.01.2020) have been finalised for implementation in case of petrol pumps near water bodies:

- 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 implemented for all new petrol pumps where construction by OMCs starts post the issuance of these guidelines.
- 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).
- 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.

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.

*NOTE: These guidelines are supplementary to all existing relevant Rules, Guidelines, Orders, Notifications such as Wetlands (Conservation and Management) Rules, 2017, Coastal Regulation Zone (CRZ) Notification, 2011 etc. The other measures, prescribed in CPCB guidelines for setting up of new petrol pumps dated 07.01.2020, for containment and treatment of spillages, check on leakages from USTs, treatment and disposal of sludge removed from underground tanks during cleaning, measures for protection of workers' health, audit of all protection measures and monitoring system implemented at petrol pumps, shall also apply to the fuel retail outlets falling in the criteria specified above.*

*Monitoring protocol specifying the prescribed parameters and screening values annexed with these guidelines (other than the monitoring frequency), shall also be adopted for those retail outlets where CPCB guidelines dated 07.01.2020 are applicable.*

*These guidelines shall be reviewed from time to time.*

**Protocol for monitoring quality of soil and groundwater near the premises of fuel retail outlets**

Samples of groundwater being used for drinking purposes shall be collected from at least three different directions with reference to the retail outlet. The sampling point should be preferably within 50m distance from the underground storage tank location at the retail outlet. The samples shall be analysed for the following parameters:

*Table 1.*

| Sr. No. | Parameter  | Screening Values  |
|---------|--|---|
| 1.      | Total petroleum hydrocarbons (C <sub>10</sub> -C <sub>40</sub> ) | 0.6mg/L   |
| 2.      | BTEX   | i. Benzene- 0.01mg/L<br>ii. Toluene- 0.7mg/L<br>iii. Xylene-0.5mg/L |
| 3.      | Methyl Tertiary Butyl Ether                                      | 13µg/l  |
| 4.      | Total PAH  | 0.0001mg/l  |

Further, soil sample shall be collected from a borehole within the premises of the fuel retail outlet adjacent to the Underground Storage Tank (UST) pit. The depth of bore hole should be up to 1m below the bottom of the storage tank level. Soil samples shall be analysed for the following parameters:

*Table 2.*

| Sr. No. | Parameter                          | Screening Values(mg/kg) |
|---------|------------------------------------|-------------------------|
| 1.      | Total petroleum hydrocarbons (TPH) | 5000                    |
| 2.      | Benzene                            | 5                       |
| 3.      | Toluene                            | 30                      |
| 4.      | Xylene                             | 50                      |
| 5.      | Methyl Tertiary Butyl Ether        | 100                     |
| 6.      | Total PAH                          | 40                      |

Ground water and soil quality monitoring shall be conducted by OMCs once a year through E (P) Act, 1986 approved labs or labs with national/international accreditation and the reports are to be submitted to SPCB. The soil monitoring shall be done in first six months while groundwater monitoring shall be done in the next six months.

In case of exceedance of screening by any parameter, or in case of leakage resulting in soil/groundwater contamination, the measures/steps as prescribed in the guidelines for setting up of petrol pumps dated 07.01.2020 shall be taken up. Assessment and remediation shall be carried out as per the guidelines issued by MoEF&CC and CPCB.