

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI.  
ORIGINAL APPLICATION NO. 408/2023**

**HARVINDER SINGH**

**APPLICANT**

**VERSUS**

**STATE OF HARYANA & ORS.**

**RESPONDENTS**

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2.	<b>Annexure-A:</b> Copy of the Guidelines for setting up of new petrol pumps.	
3.	<b>Annexure-B:</b> Copy of Minutes of Expert Committee meeting held on 05.04.2019 and 01.10.2019.	
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**(Pankaj Agarwal)**

Scientist F

Central Pollution Control Board

Delhi-110032

Dated: 02.02.2024

Place: Delhi

**BEFORE THE NATIONAL GREEN TRIBUNAL  
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ORIGINAL APPLICATION NO. 408/2023**

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**REPLY ON BEHALF OF RESPONDENT NO. 6 i.e. CENTRAL  
POLLUTION CONTROL BOARD (CPCB)**

**MOST RESPECTFULLY SHEWETH:-**

**PRELIMINARY SUBMISSIONS:-**

I, Pankaj Agarwal s/o Late Shri Jagdish Saran Agarwal, aged about 49 years working as Scientist 'F' in the Central Pollution Control Board (hereinafter referred as CPCB) Delhi, do hereby solemnly affirm and declare as under:

A. That the present Original Application (hereinafter referred as OA) was registered as letter petition vide OA No.408/2023 before the Hon'ble NGT, PB, New Delhi and the same was listed on 20-12-2023 for hearing. That while hearing the present OA the Hon'ble Tribunal has passed the following order on 20-12-2023:-

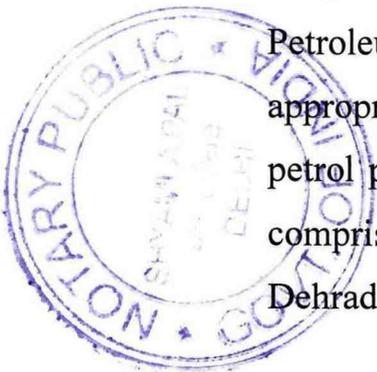
1. Letters have been received from the District Magistrate, Yamuna Nagar and the applicant vide email dated 30.11.2023.



2. In his letter the District Magistrate, Yamuna Nagar has mentioned that reference has been made to CPCB for clarification as to inclusion of word 'colleges' in the word 'schools' as mentioned in guidelines dated 07.01.2020 issued by CPCB.
  3. In view of the facts and circumstances of the case, we consider presence of CPCB to be essential for just and proper adjudication of the questions involved in the case. Accordingly, CPCB is impleaded as respondent no. 6.
- B. That the Hon'ble NGT vide order dated 20.12.2023 in OA has sought reply/response of CPCB on the matter for clarification as to inclusion of word 'colleges' in the word 'schools' as mentioned in guidelines dated 07.01.2020 issued by CPCB.
- C. That in compliance of the notice received by the CPCB, the CPCB herein craves leave to the Hon'ble Tribunal to file the present reply with additional prayer to file further reply if needed in future.

**REPLY ON MERIT:-**

1. It is humbly submitted that the issue of setting up of large number of petrol pumps without any environmental concern was considered by the Hon'ble NGT in OA No. 86 of 2019 titled as Gyanprakash @ Pappu Singh vs UoI & Others. Thereby, Hon'ble NGT directed the Ministry of Petroleum and Natural Gas and CPCB to review the matter and issue appropriate guidelines. Accordingly, the guidelines for setting up of new petrol pumps were framed under the guidance of the Expert Committee comprising of officials from MoPNG, NEERI, IIT-Kanpur, IIP-Dehradun, TERI & CPCB and were subsequently circulated on 07-01-



2020 to concerned stakeholders for implementation. The copy of guidelines is annexed herewith as **ANNEXURE-A**.

2. It is humbly submitted that the Expert Committee while framing the guidelines, had discussed the applicability of the siting criteria, and it was decided that siting criteria should be applied for sensitive locations.

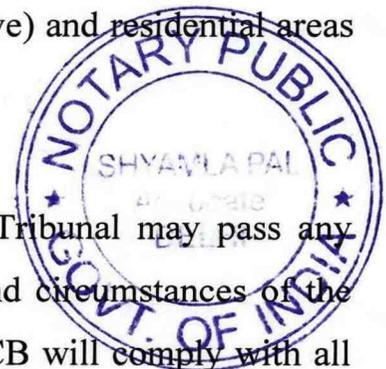
Subsequently, Expert Committee in its meeting held on 01.10.2019, decided that siting criteria may be prescribed only w.r.t. schools and hospitals (10 beds and above), considering these as sensitive locations.

The copy of minutes of Expert Committee meeting held on 5.4.2019 and 01.10.2019 are annexed herewith as **ANNEXURE-B**.

3. That the issue of prescribing siting criteria w.r.t. certain locations/buildings have already been deliberated by the expert committee and colleges have not been included considering schools and hospitals (10 beds and above), as sensitive locations.

4. That in response to letter dated 29-11-2023 of DM, Yamuna Nagar, Haryana, seeking clarification from CPCB whether college is exempted from prescribed criteria, CPCB vide letter dated 18-12-2023 had provided its response to DM, Yamuna Nagar, informing that CPCB guidelines dated 07-01-2020 for setting up of new petrol pumps prescribe siting criteria w.r.t. schools, hospitals (10 beds and above) and residential areas designated as per local laws.

5. That, CPCB humbly submits that this Hon'ble Tribunal may pass any order as may deem fit and proper in the facts and circumstances of the matter. Additionally, it is also submitted that CPCB will comply with all



the orders and directions of the Hon'ble Tribunal passed in the instant OA, in the interest of justice.



**DEPONENT**



**पंकज अग्रवाल / Pankaj Agarwal**  
**वैज्ञानिक 'एफ' / Scientist 'F'**  
**केंद्रीय प्रदूषण नियंत्रण बोर्ड**  
**Central Pollution Control Board**  
(पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)  
(M/o Environment, Forest & Climate Change, Govt. of India)  
परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032  
Parivesh Bhawan, East Arjun Nagar, Delhi-110032

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI.  
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**HARVINDER SINGH**

**APPLICANT**

**VERSUS**

**STATE OF HARYANA & ORS.**

**RESPONDENTS**

**AFFIDAVIT**

I, Pankaj Agarwal s/o Late Shri Jagdish Saran Agarwal, aged about 49 years working as Scientist 'F', Central Pollution Control Board (CPCB), Delhi office at Parivesh Bhawan, East Arjun Nagar, Delhi- 1100321 do hereby take oath and state as under:-

1. That the accompanying reply may be read part and parcel of the present affidavit as I am competent to swear this affidavit.
2. That the accompanying reply has been drafted and filed under my instructions and authority the contents thereof are true and correct on the basis of the record maintained during ordinary course of business of CPCB and available records and documents and the contents of the same are read over and explained to me and are not repeated herein for the sake of brevity.



*[Handwritten Signature]*

**DEPONENT**

**पंकज अग्रवाल / Pankaj Agarwal**  
**वैज्ञानिक 'एफ' / Scientist 'F'**  
**केंद्रीय प्रदूषण नियंत्रण बोर्ड**  
**Central Pollution Control Board**  
 (पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)  
 (M/o Environment, Forest & Climate Change, Govt. of India)  
 परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली- 110032  
 Parivesh Bhawan, East Arjun Nagar, Delhi- 110032

## VERIFICATION

Verified at Delhi on this 2<sup>nd</sup> FEB 2024 day of February, 2024 that the contents of above affidavit are true and correct to my knowledge. No part of it is false and nothing material has been concealed there from.



DEPONENT



पंकज अग्रवाल / Pankaj Agarwal  
 वैज्ञानिक 'एफ' / Scientist 'F'  
 केंद्रीय प्रदूषण नियंत्रण बोर्ड  
 Central Pollution Control Board  
 (पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)  
 (M/o Environment, Forest & Climate Change, Govt. of India)  
 परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032  
 Parivesh Bhawan, East Arjun Nagar, Delhi-110032

**ATTESTED**

  
 NOTARY PUBLIC DELHI  
 GOVT. INDIA

- 2 FEB 2024

पंकज अग्रवाल / Pankaj Agarwal  
 वैज्ञानिक 'एफ' / Scientist 'F'  
 केंद्रीय प्रदूषण नियंत्रण बोर्ड  
 Central Pollution Control Board  
 (पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)  
 (M/o Environment, Forest & Climate Change, Govt. of India)  
 परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032  
 Parivesh Bhawan, East Arjun Nagar, Delhi-110032



## 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

o/c

केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
निर्गत. Singh  
दिनांक 08/01/2020

**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.*

SPEED POST

April 16, 2019

B-13011/1/2019-20/AQM

To,

The list enclosed

Sub.: Minutes of the meeting held on 05.04.2019 at CPCB regarding in compliance of the Hon'ble NGT order dated 18.1.2019 in OA No. 86/2019: Gyanprakash @ Pappu Singh vs Uol & Ors. - reg.

Sir,

Please find attached herewith the minutes of meeting held on 05.04.2019 at CPCB regarding compliance of the Hon'ble NGT order dated 18.1.2019 in OA No. 86/2019: Gyanprakash @ Pappu Singh vs Uol & Ors, for necessary action/ perusal.

Yours faithfully

(V.K. Shukla)

Additional Director  
AQM Div.

Minutes of the meeting held on 05.04.2019 at CPCB, in compliance of the Hon' ble NGT order dated 18.1.2019 in OA No. 86/2019: Gyanprakash @ Pappu Singh vs UoI & Ors,

Sh. V.K. Shukla, Scientist 'E', AQM Division, CPCB welcomed the Member Secretary, CPCB and the Committee members and briefed about the orders passed by the Hon' ble NGT on 18.01.2019 for preparation of siting and other necessary guidelines in reference to the OA No. 86 of 2019 filed on the issue of setting up of 80,000 petrol pumps in the country. The list of participants is annexed.

Sh. V.K. Shukla further informed that first meeting in the matter was convened between CPCB and MoPNG on 08.02.2019 wherein MoPNG was requested to share detailed information about the proposed petrol pumps and guidelines followed for setting up of petrol pumps including siting criteria and information on clearances obtained from different departments. However, the information is still not received. During the said meeting, it was also decided that a Committee comprising of officials from MoPNG and CPCB, and, experts from NEERI, IIT, Indian Institute of Petroleum, Dehradun and TERI may be constituted for suggesting necessary guidelines and accordingly the present committee has been constituted. The minutes of the said meeting were circulated to the committee members.

Member Secretary, CPCB expressed that the main objective of convening this meeting is to finalize the various environment related issues that needs to be addressed under the proposed guidelines to be finalized by the said Committee.

Committee members discussed the various issues related to environment protection and suggested following aspects should be considered while framing the draft guidelines:

#### A. Siting of petrol pumps

1. Siting criteria for petrol pumps to be setup in urban, rural areas and on highways considering population and land use pattern.
2. Siting distance from sensitive locations such as schools, hospitals, play grounds and electric substations etc. should be prescribed.

#### B. Measures for air and ground water protection

1. Containment and treatment of spillages from fuel filling operations at petrol pumps.
2. Check on leakages (Leakage Detection System) from underground storage tanks so as to prevent groundwater contamination. Treatment and disposal of sludge removed from underground tanks during cleaning.
3. Protocol for proper operation and maintenance of Vapor Recovery System, and, to monitor performance and check efficiency of Vapor Recovery System.
4. Requirement of additional pollution control systems (air purification systems) needed to be installed for control of VOCs at petrol pumps located in areas having high population density in order to minimize exposure, if any.
5. Monitoring mechanism (procedure, parameters and frequency) to check air and ground water quality in and around petrol pump depending upon location of petrol pump (Urban, Rural and Highways).

#### C. Measures for protection of worker's health

Member Secretary, CPCB expressed that MoPNG being the concerned parent ministry may come out with draft guidelines in association with oil marketing companies. International practices being followed in this regard may be referred. The draft guidelines so prepared may be subsequently discussed, reviewed and finalized by this committee. It was agreed that draft guidelines to be prepared in two weeks and these be discussed by the Committee in the next meeting scheduled on April 22, 2019.

Meeting ended with thanks to chair.

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

E-MAIL

B-13011/1/2018-19/AQM

November 14, 2019

List enclosed

Sub.: Minutes of the meeting held on 01.10.2019 at CPCB regarding finalization of Guidelines for siting of Petrol Pumps - Reg.

Sir,

Please find attached herewith the minutes of meeting held on 01.10.2019 at CPCB regarding finalization of Guidelines for siting of Petrol Pumps for necessary action/ perusal.

Yours faithfully,

(V. K. Shukla)  
Additional Director,  
AQM Division



List of Committee Members

1. **Sh. K.M. Mahesh, Director (LPG)**  
Ministry of Petroleum & Natural Gas  
E-mail- [mahesh\\_png@gov.in](mailto:mahesh_png@gov.in)
2. **Sh. Mritunajay Jha, Deputy Secretary,**  
Ministry of Petroleum & Natural Gas  
E-mail- [mritunajayjha@nic.in](mailto:mritunajayjha@nic.in)
3. **Director**  
National Environmental Engineering Research Institute  
E-mail- [r\\_kumar@neeri.res.in](mailto:r_kumar@neeri.res.in) and [nk\\_labhsetwar@neeri.res.in](mailto:nk_labhsetwar@neeri.res.in)
4. **Director General**  
The Energy and Resources Institute  
E-mail: [dg@teri.res.in](mailto:dg@teri.res.in) and [meenas@teri.res.in](mailto:meenas@teri.res.in)
5. **Director**  
Indian Institute of Petroleum, Dehradun  
E-mail: [director@iip.res.in](mailto:director@iip.res.in) and [ajay@iip.res.in](mailto:ajay@iip.res.in)
6. **Dr. Mukesh Sharma**  
Professor, Department of Civil Engineering  
Indian Institute of Technology Kanpur Kanpur, India  
E-mail: [mukesh@iitk.ac.in](mailto:mukesh@iitk.ac.in)

Minutes of Expert Committee meeting dated 1.10.2019 on siting guidelines for petrol pumps

Comments received from stakeholders on the guidelines were discussed with the Committee and following decisions were taken:

1. **Groundwater level data available on CGWA website may be limited to a specified area around the monitoring station and that there may be variation in water table within different areas around the monitoring station, hence, requirement of checking online data may be removed.** Expert Committee agreed with the suggestion received and decided that it shall be the responsibility of OMC to properly get measured groundwater level at the site of proposed petrol pump and ensure implementation of adequate protection measures as per guidelines for the sites with groundwater levels less than 04 meters. In case, any deviation is observed in the data reported by OMC, action as per law may be initiated against the OMC.
2. **Ancillary components of storage tanks made of HDPE which is corrosion free may also be permitted in addition to the materials conforming to IS with corrosion protection coatings.** Expert Committee decided that materials approved by PESO shall be considered and that this shall be applicable for underground as well as above ground storage tanks.
3. **In case of leakage/ spillage of lube oil/ fuel in quantity more than 01 barrel, operation of concerned underground storage tank may be stopped instead of the entire petrol pump.** Expert Committee decided that since the release from specific source i.e. tank is required to be controlled; operation of that tank and ancillary components shall be stopped and be not resumed till corrective measures are implemented to the satisfaction of PESO and SPCB. All such incidences be reported to SPCB, PESO, DM within 24 hours of occurrence under intimation to CPCB. Further, EC decided that experience requirement of consultants/ expert agency to be appointed by OMCs for damage assessment due to leakage and its remediation may be reduced to 05 years from 07 years proposed earlier, considering that there may be a limited number of consultants available with an experience of 07 years in this field.
4. **Single plane swivel with breakaway couplings installation at dispensing units may also be permitted as alternative to two plane swivel.** Expert Committee agreed with the suggestion and decided that Single/ double plane swivel with breakaway coupling shall be installed for all the dispensing units for better positioning of nozzle while refuelling so that it does not fall off accidentally.
5. **Automation system approved by EPA shall be allowed to be used for leak detection.** Expert Committee discussed that since PESO is the regulatory authority, automation system to be installed for providing alert on tank leak shall have PESO approved auto gauging system.
6. **Increase the frequency of testing of tank and pipeline leaks from 05 years to 10 years or testing to be done only in cases where the compromise in integrity of the internal monitoring system is observed.** Expert Committee decided that leak tests are needed as preventive measure for protection of environment; however the frequency of testing may be revised to 07 years instead of 05 years considering high design life of these components and very few cases reported in the past with such faults.
7. **VRS installation at petrol pumps to be done within 03 months of achievement of monthly average sale of 100 KL or 300 KL instead of installation by the time petrol pump touches the MS sale of 100 KL or 300 KL.** MoPNG expressed that it is very difficult to procure and install VRS for petrol pumps touching MS sale of 100 since this quantum of sale can be easily achieved by petrol pumps and therefore limited time is available for procurement and installation of VRS. Expert Committee deliberated the issue and decided that time period of 03 months can be given for installation of VRS in case of petrol pumps with sale potential of 100 KL however in case of petrol pumps with sale potential of 300 KL MS per month, VRS shall be made functional by the time of sale of MS touch 300 KL. In case of failure of installation of VRS, Environment Compensation will be levied equivalent to the cost of VRS and this will further increase proportionate to the period of non-compliance.

8. Stage II VRS nozzle shall be provided with flexible cover flap or other alternate system for proper covering of filling tank and therefore proper recovery of vapors.

9. **Whether, TWA or STEL standards to be considered for Work zone monitoring for Total VOCs.** Expert Committee discussed the matter and decided that TWA standards be applicable being more stringent than STEL standards.

10. Standards for parameters to be analysed during groundwater monitoring be prescribed.

11. 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 and hospitals (10 beds and above) and residential area shall be less than 30 meters designated as per local laws. No high tension line shall pass over the retail outlet.

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**List of Participants:**

1. Dr. Prashant Gargava, Member Secretary, Central Pollution Control Board.
2. Shri Mrityunjay Jha, Deputy Secretary, Ministry of Petroleum and Natural Gas
3. Shri Dr Ajay Kumar Gupta, CSIR- Indian Institute of Petroleum, Dehradun, Uttarakhand
4. Meena Sehgal, Senior Fellow, The Energy and Resources Institute
5. Shri Vivek Kumar Chaudhary, Law Officer, IOCL deputation to Ministry of Petroleum and Natural Gas
6. Shri Sanjeev Agarwal, CGM Engg. RHQ, Mumbai
7. Shri Murali Mohan, DGM, HPCL, Mumbai
8. Shri Subrat Rath, GM, IOCL, Mumbai
9. Shri Mukesh Sharma (through VC), Indian Institute of Technology Kanpur
10. Shri Nitin Labhsetwar (through VC), National Environmental Engineering Research Institute, Nagpur (NEERI), Nagpur
11. Shri V.K Shukla, Head AQM Div., Central Pollution Control Board
12. Shri Ankush Tewani, Sc 'D', Central Pollution Control Board
13. Shri Parul Sahi, Senior Fellow, Central Pollution Control Board

Item No.12

Court No. 2

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI.**

(Through Physical Hearing with Hybrid V.C. Option)

Original Application No.408/2023

Harvinder Singh

Applicant

Versus

State of Haryana &amp; Ors.

Respondents

Date of hearing: 20.12.2023

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER.  
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER.**

Applicant: None for the applicant.

Respondent: Mr. Rahul Khurana, Advocate for Respondents  
No. 1, 2 and 5.  
Mr. Robin Dutt Advocate for Respondent No. 4.  
None for Respondent no. 3.

**Application under the provisions of the National Green Tribunal Act,  
2010.**

**ORDER**

1. Letters have been received from the District Magistrate, Yamuna Nagar and the applicant vide email dated 30.11.2023.
2. In his letter the District Magistrate, Yamuna Nagar has mentioned that reference has been made to CPCB for clarification as to inclusion of word 'colleges' in the word 'schools' as mentioned in guidelines dated 07.01.2020 issued by CPCB.
3. In view of the facts and circumstances of the case, we consider presence of CPCB to be essential for just and proper adjudication of the

questions involved in the case. Accordingly, CPCB is impleaded as respondent no. 6.

4. The Registry is directed to amend the memo of parties and to issue notice to respondent no. 6 requiring it to file its reply/response within one month by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.

5. List for further consideration on 09.02.2024.

6. The applicant be informed about the date of hearing fixed and VC link be sent to him for joining the proceedings.

7. Interim order dated 17.08.2023 shall operate till further orders to the contrary.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

December 20<sup>th</sup>, 2023  
N