

SPEED POST and E-MAIL

B-33014/30/2013/AQM 12585

November 05, 2018

To,

**The Chairman,
M/s Bharat Petroleum Corporation Limited,
Bharat Bhavan, 4 and 6 Currimbhoy Road,
Ballard Estate, Mumbai 400001**

Sub: Show Cause Notice under Section 5 of Environment (Protection) Act, 1986 regarding installation of Stage I and Stage II vapour recovery systems in petrol refueling stations.

WHEREAS, clean air is a matter of right and it is necessary to take steps towards improvement of Air Quality and for protecting public health National Ambient Air Quality Standards have been prescribed for 12 pollutants viz. PM, 5, PM10, SO, NO, CO, Ozone, NH3, Benzene, Benzo(a)pyrene, Pb, Ni, and As;

WHEREAS, many towns and cities, where ambient air is monitored under National Ambient Monitoring Programme, are not complying with the National Ambient Air Quality Standards, particularly with respect to particulate matter pollution, and NO2, benzene and Ozone are becoming a matter of concern;

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

WHEREAS, petroleum refueling stations are also source of other volatile organic compounds (VOC), which are emitted from loading/unloading operations, and refueling of individual vehicles and are precursor to tropospheric ozone; therefore, requiring control of VOC emissions from such installations as an important step for improving air quality, particularly in regard to benzene and ozone.

WHEREAS, the Ministry of Environment & Forests, Government of India, vide Notifications No. GSR 913 (E) dated 24.10.89, has delegated the powers vested under Section 5 of the Environment (Protection) Act, 1986 to the Chairman, Central Pollution Control Board, to issue directions to any industry or any local body or any other authority for violations of the standards and the rules notified under the Environmental (Protection) Rules, 1986 and amendment thereof,

WHEREAS, Chairman, CPCB in exercise of the powers vested under Section 5 of The Environment (Protection) Act, 1986 issued the following directions on February 12, 2016 to M/s Bharat Petroleum Corporation Limited for compliance:

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1. Stage I & II vapour recovery systems shall be installed in all the retail outlets with capacity 300 KL/M and more, in 46 cities with million plus population (list annexed) by December 2017. The vapour recovery systems shall have minimum 80% vapour recovery efficiency;
2. All new retail outlets with capacity more than 300KL/M, to be commissioned after date of issue of these directions, shall come up with modern dispensing units with in-built VRS facilities;
3. Retail outlets will mandatorily ensure switching off ignition of vehicles during refueling;
4. Submit city-wise action plans within 15 days from receipt of these directions;
5. Provide information regarding number of retail outlets with capacity > 300KL/M, 100-300 KL/M, and <100 KL/M and VRS facilities installed/in progress in 46 cities with million plus population (as per annexed format), within 15 days from receipt of these directions; and

WHEREAS, in response to the directions, M/s Bharat Petroleum Corporation Limited vide letter dated 17/03/2016 submitted response/ progress report on compliance of directions to CPCB;

WHEREAS, an application titled as OA No. 147/2016: Aditya N. Prasad Vs Union of India & Ors. was filed before the Hon' ble National Green Tribunal seeking directions regarding installation of Stage I & II vapour recovery systems at fuel stations, distribution centers, terminals, railway loading/ unloading facilities and airports;

WHEREAS, Hon' ble National Green Tribunal vide order dated September 28, 2018 directed oil companies to ensure installation of VRS in petrol pumps selling more than 300 kl per month on or before 31.10.2018 and with regard to remaining on or before 31.12.2018;

WHEREAS, Hon' ble National Green Tribunal vide order dated September 28, 2018 directed CPCB to issue directions and ensure that necessary steps are taken by all the concerned;


WHEREAS, in compliance of the directions of the Hon' ble National Green Tribunal, Chairman, CPCB on October 25, 2018 issued directions to M/s Bharat Petroleum Corporation Limited to ensure installation of VRS in petrol pumps selling more than 300 kl per month on or before 31.10.2018 and with regard to remaining petrol pump on or before 31.12.2018, and, submit time bound action plan for installation of vapour recovery system at distribution centers, terminals, railway loading/ unloading facilities and airports;

WHEREAS, inspection of petrol pumps operating in Delhi-NCR was carried out during November 01-05, 2018 by teams deputed on field under Clean Air Campaign and it was observed that VRS has not been installed or not functioning in petrol pumps selling more than 300 kl per month as on 31.10.2018 (details enclosed);

WHEREAS, the above status reflects non-compliance of Hon' ble National Green Tribunal directions dated September 28, 2018, and, CPCB directions dated February 12, 2016 and October 25, 2018;

NOW THEREFORE, in view of the above and in exercise of the powers vested under Section 5 of the Environment (Protection) Act, 1986, Notice is hereby served to M/s Bharat Petroleum Corporation Limited to Show Cause as to why Environmental Compensation of Rs 1,00,00,000/- (Rs. One Crore only) shall not be levied, and prosecution initiated against M/s Bharat Petroleum Corporation Limited in the Hon' ble National Green Tribunal for non-compliance of directions;

The M/s Bharat Petroleum Corporation Limited shall file its reply/ objections to above notice within 24 hours of receipt of this Notice failing which action as deemed fit under the Environment (Protection) Act, 1986 will be initiated.


(S.P.S Parihar)
Chairman

Copy to:


1. **Joint Secretary,**
Ministry of Petroleum and Natural Gas,
Shastri Bhawan, New Delhi - 110001

:for information please

2. **Joint Secretary,**
CP Division,
Ministry of Environment, Forests and Climate Change,
Indira Prayavaran Bhawan, Jorbagh Road,
New Delhi - 110 003

:for information please

 3. **Divisional Head,**
IT Division, CPCB


(Prashant Gargava)
Member Secretary



List of BPCL Outlets

S.No	Name and Location of Petrol Pumps	Sales
1.	Shiv Service Center, Sec 1, Dwarka	P- 7 Lacs L/M, D -3 Lacs/M
2.	Vishal Cinema Road, Shivaji Palace	P-20 KLD and D- 15 KLD
3.	Gurdit Singh Bhasin & Sons, Defence Colony	P – 40 Lacs L/M