

SPEED POST and E-MAIL

B-33014/30/2013/AQM 4326

August 04, 2021

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 for non- installation of Vapour Recovery Systems in petrol refueling stations-reg.

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_{2.5}, PM₁₀, SO₂, NO₂, 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 source 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 a 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 is 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 24.10.1989, 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, in view of this and in exercise of the powers vested under Section 5 of the Environment (Protection) Act, 1986, CPCB issued directions to M/s. Bharat Petroleum Corporation Limited to install VRS in existing petrol pumps selling more than 300 KLPM and located in 46 million plus cities and new petrol pumps coming up with sale potential of 300 KLPM;

WHEREAS, M/s. BPCL reported completion of VRS installation in majority of petrol pumps located in 46 million plus cities and that work on remaining petrol pumps is under progress.

WHEREAS, Hon'ble National Green Tribunal, Principal Bench, New Delhi vide order dated January 29, 2019 in O.A. No. 31/2019: K. Sathyadevan Vs Union of India &Ors. directed

CPCB to look into the issue of extension of requirement of Vapour Recovery System (VRS) in petrol pumps other than those selling petrol more than 300 KLPM and located in cities with more than one million population;

WHEREAS, CPCB submitted report to Hon'ble NGT and recommended for installation of VRS at retail outlets selling more than 100 KLPM and located in million plus cities and retail outlets selling more than 300 KLPM and located in cities with population between 01 Lakh to 10 Lakh;

WHEREAS, the Hon'ble NGT vide order dated 22.07.2019 directed CPCB to finalize timelines for VRS installation;

WHEREAS, the matter was referred to MoPNG and MoPNG vide letter dated 22.08.2019 informed the timelines for installation of VRS by public sectors OMCs namely IOCL, BPCL and HPCL only;

WHEREAS, CPCB on January 07, 2020, in compliance of the Hon'ble NGT order dated 18.01.2019 in OA. No. 86/2019: Gyanprakash@ Pappu Singh vs Gol&Ors., issued guidelines for setting up of new petrol pumps recommending installation of VRS in all new petrol pumps having sale potential of more than 100 KLPM and located in million plus cities, and, petrol pumps with sale potential of more than 300 KLPM and located in cities with population between 01 Lakh to 10 Lakh;

WHEREAS, CPCB on 18.09.2020 issued directions under Section- 5 of the E(P) Act, 1986 to M/s. BPCL for installation of Vapour recovery system at petrol pumps selling more than 100 KLPM and located in million plus cities, and, those selling more than 300 KLPM and located in cities with population between 01 Lakh to 01 million, and, the timelines prescribed in the said direction were further extended vide CPCB direction dated 29.07.2021 in view of the issue of COVID -19 Pandemic;

WHEREAS, CPCB has conducted inspection of Retail Outlets selling more than 300 KLPM and located in million plus cities of Tamil Nadu State to ascertain the status of installation and functioning of VRS;

WHEREAS, BPCL had reported 18 such retail outlets in Chennai, out of which VRS was reported to be installed in 13 retail outlets, and, work under progress was reported for remaining 05 retail outlets as per the latest report;

WHEREAS, inspection was carried out by CPCB during July 21st and 23rd 2021 and it was found that Vapour guard for nozzle were found damaged at following 3 ROs:

- 1) M/s. Bala Sai Narayana, Bharat Petroleum Dealers, No.3, Indira Nagar, Agaram Main Road, #Indiranagar, Selayur, Distt. Chengalpattu Pincode- 600073, Tamil Nadu Agencies,
- 2) M/s. Om Sakthi Service Station, Bharat Petroleum Dealers, No.15, Medavakkam Main Road, Ullagaram, #, Chennai, Distt. Chennai, Pincode - 600091, Tamil Nadu, and,
- 3) M/s. Radha Agencies, Bharat Petroleum Dealers, 75 GST Road, Tambaram, no 62, Tambaram, Chennai, 600045

WHEREAS, VRS was not found functional at retail outlet M/s. Radha Agencies, Bharat Petroleum Dealers, 75 GST Road, Tambaram, no 62, Tambaram, Chennai, 600045;

WHEREAS, out of 13 Retail Outlets, VRS stage 1 B was yet to be installed at following 02 retail outlets:

1) M/s. Balasubramanian Auto Diesel Center, 109 GST Road, Vandallur, Chengalpattu, District-600 048

2) M/s Sarath fuels, Bharat Petroleum Dealers, 100 ft. road, Velachery, Chennai, 600042

WHEREAS, above status indicated submission of false information by M/s. BPCL;

NOW THEREFORE, in view of above and in exercise of power vested under Section 5 of Environment (Protection) Act, 1986, Notice is hereby served to M/s. BPCL to Show Cause as to why operation of following BPCL Retail outlets should not be closed down:

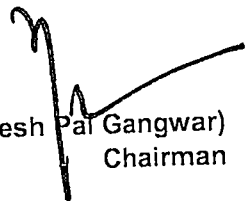
1) M/s. Radha Agencies, M/s. Balasubramanian Auto Diesel Center

2) M/s. Balasubramanian Auto Diesel Center, 109 GST Road, Vandallur, Chengalpattu, District-600 048

3) M/s Sarath fuels, Bharat Petroleum Dealers, 100 ft. road, Velachery, Chennai, 600042

M/s BPCL shall further explain why Vapour guard for nozzle were not maintained at abovementioned Retail Outlets;

M/s. BPCL is hereby given opportunity to file its reply to above notice within 48 hours of receipt of this Notice failing which action will be initiated for closure of the petrol pumps.


(Naresh Pal Gangwar)
Chairman

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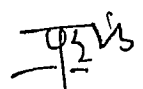
1. Joint Secretary,
Ministry of Petroleum and Natural Gas,
Shastri Bhawan, New Delhi- 110001

:for information please

2. Joint Secretary,
CP division
Ministry of Environment, Forests and Climate Change,
Indira Paryavaran Bhawan, Jorbagh road,
New Delhi- 110003

:for information please

✓ 3. Divisional Head,
IT division, CPCB


(Prashant Gargava)
Member Secretary

