



Regional Office-Cum-Laboratories
Bihar State Pollution Control Board

Barauni Industrial area, P.O.- Tiltrath, Dist.- Begusarai-851112
E-mail-bspcb@yahoo.com, Website-http://bspcb.bihar.gov.in

Ref. No.: ROB/SAMP/45/22/376

Barauni, dated:- 17-03-2022

'CONSENT-TO-ESTABLISH' (NOC)

UNDER SECTIONS 25/26 OF THE WATER (PREVENTION AND CONTROL OF POLLUTION) ACT, 1974 AND 21 OF THE AIR (PREVENTION AND CONTROL OF POLLUTION) ACT, 1981

Reference Online Application ID- 5761533, dated 14.02.2022 of M/s Shri Shyam Bio Fuel, Retail Outlet of NX 100 Pacific Biofuel Pvt Ltd., Proponent- Sri Brajesh Kumar Singh, S/o- Sri Shyam Bahadur Singh, resident of At+P.O.- Kodariya, PS+Anchal- Alampur, Dist- Samastipur- 848236 (Bihar) for establishment of Retail Outlet manufactured by M/s NX 100 Pacific Biofuel Pvt Ltd., at-101, 1st Floor Chandi Vyapar Bhawan Exhibition Road, Patna-800001 (Bihar) at Khata no.- 267, 287(O), Kheshra no.- 2315, 2370(O), Mauza+At+P.O.- Belsandi Dih, Dist- Samastipur- 848236 (Bihar) with a capital investment of Rs 45.0 Lacs approx. The storage capacity of the retail outlet will be Bio Fuel (MS-16 KL & HSD-30 KL).

AFTER CONSIDERING:

- (i) The facts stated in their application;
- (ii) Agreement on lease of Intent issued by NX 100 Pacific Biofuel Pvt Ltd., dated: 08.06.2021.
- (iii) Bihar State Pollution Control Board's Notification No. 26 dated 08.11.2003 and notification no- 07, dated 27-06-2011;
- (iv) Provisions of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 : and
- (v) Undertaking dated 08-02-2022 regarding distance of different land marks.

NOC IN FAVOUR OF THE PROPONENT AT THE SAID SITE IS HEREBY ACCORDED SUBJECT TO THE FOLLOWING CONDITIONS:

General Conditions:

1. The Retail Outlets (RO) shall not be located within a radial distance of 50 meters (from 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 Petroleum and Explosives Safety Organization (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.
2. The fuel Retail Outlets shall not be located within a radial distance of 50 meters (from fill point/dispensing units (DU)/vent pipe whichever is nearest) from nearest point of water bodies, schools, hospitals (10 beds and above) and residential areas designated as per local laws. No high tension line shall pass over the retail outlet.
3. The proponent shall obtain 'Consent-to-Operate' under sections 25 & 26 of the Water Act, 1974 and 21 of the Air Act, 1981 immediately from Pollution Control Board.
4. Sludge shall be collected, stored and disposed as per Rules 8 of Hazardous Waste (Management and Transboundary) Rules, 2016 and amendments thereof and records shall be maintained.
5. The effluent (domestic or trade) and emission, if any, shall conform to the standard as prescribed by the Board;

6. The diesel generator sets shall be provided with integral acoustic enclosure to meet the prescribed norms w.r.t noise as per the Gazette Notification dated of the Ministry of Environment & Forests, Government of India 12-07-2004. The acoustic enclosure/ acoustic treatment of room should be designed for minimum 25 dB (A) Insertion Loss or for meeting the ambient noise standards, whichever is on the higher. The measurement for Insertion Loss may be done at different points at 0.5 meter from the acoustic enclosure/room and then averaged. The Diesel Generator Sets should also be provided with proper exhausts muffler with Insertion Loss of minimum 25 dB (A).
7. The stack height for the Diesel Generator Sets shall be as below:

$$\text{Height of Stack (in Meters)} = \text{Height of Building} + 0.2\sqrt{(\text{KVA of DG.Set})}$$
8. The occupier shall ensure that the noise from the operations in the unit does not exceed the prescribed ambient noise standards for the industrial area i.e. 75 dB (A) Leq during the day time and 70 dB (A) Leq during the night. The day time is reckoned in between 6 am and 9 pm the night time is reckoned between 9 pm and 6 am.
9. The unit shall submit approved On Site & Off Site Management Plan before operation.
10. The unit shall provide fire fighting arrangement as per Rule of Fire Fighting Department.
11. The unit shall obtain explosive license from the competent authority.
12. The unit shall have a display board near the site stating name of unit/Industry with address/name of proprietor with address and ref memo no and date of consent with its validity period granted by the Board.
13. All workers engaged at retail outlets will be covered under ESI. Oil Marketing Company (OMC) dealers shall implement the personal protective equipment (PPE) as per labor laws.
14. 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.
15. PESO shall conduct audit of tanks and fuel equipment including pipes, overfill protection equipment and alarm system on annual basis and maintain records.
16. The petrol pumps/ Retail Outlets shall not be located within a radial distance of 50 meters (from fill point/ dispensing units (DU)/ vent pipe whichever is nearest) from schools, hospitals (10 beds and above) and residential areas designated as per local laws. No high tension line shall pass over the retail outlet.

Specific Conditions:

1. Petrol pumps located in areas with high groundwater table i.e. Ground water 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 OMC shall be placed in public domain and in case of contradictory view, view of State/ Central Ground Water Board/ Authority will prevail.
2. 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. They shall report any major leakage/ spillage of Petrol, Diesel, Lube Oil (more than 1 barrel-165 liters) to this Board, PESO and District Administration under intimation to CPCB within 24 hours of occurrence.
4. 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 this Board.
5. OMCs will be held liable for Environmental Compensation (imposed by this Board) and assessment of environmental damage (depending on extent of contamination in soil and ground water) and site remediation. Consultant/ Expert agency appointed by OMCs for damage assessment and site remediation shall have minimum national/ international

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- experience of 5 years in this field. Various approved methods shall be considered for cleaning underground contaminants
6. The unit shall have Auto Cut off Nozzles which shuts dispensation of fuel if its level in customer fuel tank reaches full capacity.
 7. 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.
 8. 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.
 9. In pressurized dispensation, the DU shall be installed with shear valves to cut the fuel flow from pipe line immediately upon accidental knocking of dispensing units from its position.
 10. In pressurized system, all Submersible Turbine Pumps (STPs) are to be installed with line leak detectors and in the event of pipeline leaks STPs shall stop pumping fuel from underground tanks.
 11. Emergency stop button switch shall be provided on the Multi-Product Dispenser (MPD) to stop the dispensation in case of emergency.
 12. 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.
 13. The Retail Outlet shall provide overfill alarm through automation.
 14. Measures for spill containment in fill point chambers and forecourt area shall be implemented as prescribed by PESO.
 15. The retail outlets will have automation system installed which will provide reports on volume balance after every day operation and records shall be maintained.
 16. Manual gauging shall be done once in a month and compare the same with Automatic Tank Gauging for accuracy.
 17. 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. The unit and the concerned OMC shall report to this Board, PESO and District Administration under intimation to CPCB within 24 hours of occurrence. Operation of such UST and its ancillary components shall be stopped immediately
 - b. Fuel shall be removed immediately from UST 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 of Environmental Compensation (imposed by SPCBs/PCCs) and assessment of environmental damage (depending on extent of contamination in soil and groundwater) and site remediation. Consultant 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.
 18. All underground tanks and pipelines shall be subjected to test for leaks every 7 years.
 19. The retail outlet 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 Vapour Recovery System (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 this Board equivalent to the cost of VRS and this will further increase proportionate to the period of non-compliance.
 20. The 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 this Board equivalent to the cost of VRS and this will further increase proportionate to the period of non-compliance.
 21. 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.
 22. 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.

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23. Working of dispenser unit 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 concern OMC. VRS shall be brought into operation immediately within 24 hrs and in any case within 72 hrs falling which sale of MS shall be stopped from the fuelling station. Proper records of operation of VRS shall be maintained.
24. 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 this Board. In addition, pilot study shall be conducted by OMCs through expert institutions for online monitoring of VOCs.
25. Ground water and soil quality from the nearest source shall be monitored by OMCs once in a year through E(P) Act, 1986 approved labs or labs with national/International accreditation for the parameters mentioned in following table and reports shall be submitted to SPCB.

S.No.	Parameter	Screening value for groundwater(mg/L)	Screening value for soil sample mg/kg)
1.	Total Petroleum HC (C ₁₀ – C ₄₀)	0.6	5000
2.	BTEX		
	i. Benzene	0.01	5
	ii. Toluene	0.7	30
	iii. Xylene	0.5	50
3.	Methyl Tertiary Butyl Ether	13 µg/l	100
4.	Total PAH	0.0001 µg/l	40

26. Enforcement agencies including SPCB can collect samples in and around petrol pump to check contamination.

NOTE:

- Bihar State Pollution Control Board reserves the option to revise or add other conditions, if necessary, for protection of Environment in general and for Pollution Control in particular;
- The present NOC should not be construed as an assurance for the grant of 'Consent-to-Operate' the proposed plant but shall be subject to compliance of all the conditions indicated above;
- The NOC, for the Petrol Pump granted shall be valid for a period of twelve months from the date of issue.

(S.P. Roy)
Regional Officer

Copy to:

- M/s Shri Shyam Bio Fuel, Retail Outlet of NX 100 Pacific Biofuel Pvt Ltd.,
Sri Brajesh Kumar Singh, S/o- Sri Shyam Bahadur Singh,
At+P.O.- Kodariya, PS+Anchal- Alampur,
Dist- Samastipur- 848236 (Bihar)
- M/s NX 100 Pacific Biofuel Pvt Ltd.,
At-101, 1st Floor Chandi Vyapar Bhawan Exhibition Road,
Dist-Patna-800001 (Bihar)

Head Office: Patliputra Industrial Area, P.O- Sadakatasram, District- Patna- 800010
E-mail: msbspcb-bih@gov.in