

MAHARASHTRA POLLUTION CONTROL BOARD

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Towards the path of sustainable development

Kalpataru Point, 2nd - 4th Floor,
Opp. PVR Cinema,
Near Sion Circle, Sion (E),
Mumbai - 400 022.

NO.MPCB/JD(APC)/TB-2/B- 501

Date: 05/02/2020

To,
Nazimuddin,
Divisional Head-IPC-II,
Central Pollution Control Board,
Parivesh Bhawan, East Arjun Nagar,
Delhi-110032

Sub: Policy for use of Pet Coke and Furnace Oil as a Fuel in the State of Maharashtra.

Ref: 1. Order passed by Hon'ble National Green Tribunal in OA No.67/2019 filed by sumit kumar v/s State of Himachal Pradesh.
2. CPCB direction No. B-33014/07/2019/IPC-II/5747-5778 dtd. 23/08/2019.
3. Policy for use of pet coke & furnace oil in State of Maharashtra dtd. 05/02/2020.

In compliance to Hon'ble National Green Tribunal in OA No.67/2019 filed by sumit kumar v/s State of Himachal Pradesh and CPCB direction dtd. 23/08/2019, M.P.C.Board vide circular No. MPCB/JD(APC)/Fuel Policy/TB-2/B-489 dtd.05/02/2020 formulating Policy for use of Pet Coke and Furnace Oil as a Fuel in the State of Maharashtra. Copy of circular submitted for information & further submission to Hon'ble National Green Tribunal.

D.A. Circular dtd.05/02/2020.

(E. Ravendiran, IAS)
Member Secretary

Copy Submitted for information to:

1. Chairman, M.P.C.Board, Sion, Mumbai.
2. Chairman, C.P.C.Board, Delhi.
3. Principal Secretary, Environment, Govt. of Maharashtra, Mantralaya, Mumbai
4. Member Secretary, C.P.C.Board, Delhi

Copy to:

1. PSO / JD-APC / JD-WPC / RO-HQ/Law Officer-1/2, for information.
2. All RO / All SRO, MPCB for information & Necessary Action. They are directed to circulate the said circular to all concerned industries/Industries Association and District Magistrates as per your jurisdiction.
3. ASO / EIC-For uploading on MPCB Website

D.A. Circular dtd.05/02/2020.

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No. MPCB/JD(APC)/Fuel Policy/TB-2/B- 489

Date : 05/02/2020

CIRCULAR

Sub : Policy for use of Pet Coke and Furnace Oil as a fuel in the State of Maharashtra

Ref : Orders passed by Hon'ble National Green Tribunal in Original Application No.67/2019 filed by Sumit Kumar v/s State of Himachal Pradesh.

Shri M.C. Mehta had filed a Writ Petition (s) (Civil) No. 13029/1985 before the Hon'ble Supreme Court of India against the Union of India & Ors., regarding prohibition on use of pet coke and Furnace oil in industries in the NCR state of Haryana, Uttar Pradesh and Rajasthan, wherein, the Hon'ble Supreme Court of India vide order dated 17/11/2017 directed all the State Government and Union Territories to consider similar measures.

Subsequently, the Hon'ble Supreme Court has passed various orders dated 13/12/2017, 05/02/2018, 26/07/2018, 09/10/2018 and in its order dated 09/10/2018, taken on record the Report of Central Pollution Control Board regarding use of pet coke as feed stock in Calcined Petroleum Coke (CPC) units wherein it was recommended that due to emission of SO₂ in high concentration the emission needs to be treated in Flue-gas desulfurization (FGD) systems having removal efficiency more than 90%.

Sumit Kumar has filed an Original Application bearing No.67/2019 against State of Himachal Pradesh & Ors. with clubbed matter before the Hon'ble National Green Tribunal, Principal Bench, New Delhi, for prohibition on use of pet coke and furnace oil as a fuel.

In the aforesaid matter, the Hon'ble NGT vide order dated 28/03/2019 has accepted Report of the Central Pollution Control Board and directed the CPCB to issue appropriate directions in this regard to the concerned States indicating corrective measures against those who failed to comply with the directions.

In compliance of the aforesaid directions, the Central Pollution Control Board has issued directions u/s 5 of the Environment (Protection) Act, 1986 vide letter dated 23/08/2019 directed to all States and Union Territories for preparation of policy on use of Pet Coke and Furnace Oil as follows,

- (i) *State Government / Union Territory Administration shall formulate and enforce fuel policy regarding use of pet coke and furnace oil in the State/ Union Territory in light*

of various orders passed by Supreme Court regarding use of pet coke and furnace oil in Writ Petition (C) No.13029/1985.

- (ii) *State Government / Union Territory Administration through respective SPCB / PCC shall take strict action against any industry, if found violation of the fuel policy on use of pet coke and furnace oil that will be enforced as above, using the powers conferred under environmental laws.*

1. Policy:

Accordingly, the following policy is framed for use of Pet Coke & Furnace Oil as Fuel:

(i) PET COKE (PC) :

Petroleum coke, abbreviated coke or petcoke, is a final carbon-rich solid material which is derived from oil refining and is one type of the group of fuels referred to as cokes. This coke can either be fuel grade (high in sulphur and metals) or anode grade (low in sulphur and metals). Pet-Coke is over 80% Carbon and emits 5% to 10% more Carbon Dioxide (CO₂) than Coal on a per unit-of-energy basis when it is burned.

(ii) FURNACE OIL (FO):

Fuel oil (also known as heavy oil, marine fuel or furnace oil) is a fraction obtained from petroleum distillation, either as a distillate or a residue. Fuel oil is made of long hydrocarbon chains, particularly alkanes, cycloalkanes and aromatics.

2. The following fuel will be allowed subject to Conditions mentioned further:

- A. Liquefied Petroleum Gas (LPG)
- B. Liquefied Natural Gas (LNG)
- C. Piped Natural Gas (PNG)
- D. High Speed Diesel (HSD)
- E. Bio Gas
- F. Bio-fuel (Bio-Ethanol etc.)
- G. Refuse Derived Fuel (RDF): To be used in Cement kiln & Waste to Energy plant or any other unit allowed by the Central Government/State Government.
- H. Biomass as fuel (like Bagasse, Briquettes/Pellets etc.)/ Agriculture refuse/dung cake.
- I. Low Sulphur Heavy Stock (LSHS)
- J. Light Diesel Oil (LDO)
- K. Coal/lignite



- L. Firewood/wood charcoal
- M. Naptha/Propane/ gasoline/Hydrogen/Methane
- N. Pet Coke subject to Specific Conditions: In units such as Cement Plant or Lime kiln, Calcium carbide and Gasification for use as feed stock or in the manufacturing process only on actual user basis or in process where Sulphur is completely absorbed as per Office Memorandum issued by Ministry of Environment Forest & Climate Change (MoEF &CC) vide no. Q-18011/54/2018-CPA dated-10-09-2018.
- O. Units having furnaces based upon Furnace Oil as fuel may be allowed with a condition that Unit(s) shall install the system for 90% scrubbing and removal of SO₂ emission and Large scale & Medium Scale unit shall install continuous online emission monitoring system and online data transfer to Maharashtra Pollution Control Board & Central Pollution Control Board.

3. IMPLEMENTATION PERIOD:

- i. Units planning to use Furnace Oil shall follow the timeline given below for compliance with installation of system for 90% scrubbing of SO₂ emission and Large Scale & Medium Scale unit shall install the continuous online emission monitoring system.

Table		
Category		Timeline for compliance from the date of Notification.
Unit(s) irrespective of category falling in Critical Polluted Area (CPAs)/ Severely Polluted Area (SPAs)/Other Polluted Areas (OPAs) based on the Comprehensive Environmental Pollution Index (CEPI) developed by CPCB.		One Year
Rest of Areas in Maharashtra	Red Category	Two Years
	Orange Category	
	Green Category	

- ii. In case any units failed to achieve the compliance within the timeline mentioned above, they shall be prohibited for using Furnace Oil.


(E. Ravendiran, IAS)
Member Secretary

Copy submitted for favour of information to:

1. Hon'ble Chairman, MPCB, Sion, Mumbai.
2. Principal Secretary, Environment, Govt. of Maharashtra, Mantralaya, Mumbai

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