

**GOVERNMENT OF ODISHA  
FOREST & ENVIRONMENT DEPARTMENT  
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**NOTIFICATION**

Bhubaneswar, Dated the 12 April, 2021

**Fuel Policy of the State of Odisha**

No. FE-ENV3-ENV-0014-2017/ 7485 /F&E., Hon'ble Supreme Court of India in the matter of "M.C Mehta Vrs. UOI" in W.P. (Civil) 13029 of 1985 directed on 24.10.2017 to ban the use of petcoke and furnace oil in industries in the NCR state of Haryana, Uttar Pradesh and Rajasthan. Subsequently, Hon'ble Supreme Court directed in the same writ petition on 17.11.2017 observing that the pollution caused by Petcoke and furnace oil is not a problem confined only to the NCR, but appears to be a problem faced by almost all the State and Union Territories in the Country and Hon'ble Apex Court directed all the State Governments and Union Territories to consider taking similar measures as have been taken by the Govt. of India and CPCB.

Hon'ble Supreme Court of India in WP(C) No. 13029/1985 in order dtd. 26.07.2018 allowed on use of petcoke as feed stock in industries such as Cement, Lime Kiln, Calcium Carbide unit, Gasification unit and also in WP(C) No. 13029/1985 in order dtd. 09.10.2018 allowed use of raw pet coke for manufacturing of Calcined Pet Coke (CPC) having sulphur content <3.5% for making anode in the Aluminium industry and recommended to treat the emission of SO<sub>2</sub> of Calcined Pet Coke (CPC) unit in FGD system having sulphur removal efficiency more than 90%.

In pursuant to the above orders of Hon'ble Supreme Court of India, the Ministry of Commerce and Industry, Govt. of India, New Delhi vide Notification No. 42/ 2015-2020, dtd. 23.10.2018 amended the import policy condition of pet coke by prohibiting import of pet coke for fuel purpose and allowed import of petcoke for use in industries such as Cement, Lime Kiln, Calcium Carbide, Gasification, Graphite Electrode, Aluminium industry & Calcined Pet Coke units.

Central Pollution Control Board, New Delhi in their letter dtd. 26.06.2020 have recommended the SPCBs to include LSHS (Low Sulphur heavy stock) oil as industrial fuel in place of furnace oil while formulating fuel policy to reduce emission of SO<sub>2</sub>. CPCB has also suggested in their direction dtd. 23.08.2019 that the oil refineries can produce low sulphur oil like slurry oil, LSHS and LDO, if demand on FO is reduced.

Hon'ble National Green Tribunal (NGT) in the matter of "Sumit Kumar Vrs. State of Himachal Pradesh and Others" in O.A. No. 67/2019 read with O.A. No. 138/2019 observed that "Considering the various directions and orders of Hon'ble Supreme Court regarding use of petcoke and furnace oil containing higher Sulphur, it is required that States and UTs including Himachal Pradesh, formulate fuel policies regarding use of pet coke and FO in light of Hon'ble Supreme Court order dtd. 24.10.2017 (banning use of pet coke and FO in NCR States) and 17.11.2017 (suggesting



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States / UTs to take similar measures) and further Hon'ble Supreme Court order dtd. 13.12.2017, 05.02.2018 and 26.07.2018 allowing use of pet coke in industries / processes which use pet coke and furnace oil either as feed stock (Calcined pet coke (CPC) units, Aluminium industries) or where they get absorbed along with product in manufacturing process (cement, lime kiln, calcium carbide industries). It is relevant to mention that use of Raw Petroleum Coke (RPC) in CPC units has been allowed with condition of 90% recovery of SO<sub>2</sub> emission. The same principle may be followed in industrial processes where use of FO as feed stock is considered by States/ UTs" and also issued direction to CPCB to ensure compliance from the States/ UTs.

The Government of Odisha vide Notification No. 22737, dtd. 07.11.2017 in F & E Dept, has allowed the use of Petcoke as an "Approved fuel" as per the provision of Air (Prevention & Control of Pollution) Act, 1981, subject to condition that the industry / processes interested to use pet coke as fuel shall obtain prior consent of SPCB, Odisha and install required air pollution control system to achieve the emission standards as prescribed from time to time and comply with the conditions stipulated by the competent authorities. Memo of this notification was forwarded to MoEF & CC and CPCB, New Delhi.

Keeping in view of the directions of Hon'ble Supreme Court of India and order of Hon'ble National Green Tribunal emphasizing on switching over to alternative and cleaner fuels, the following policy is framed for regulation and control use of Petcoke, Furnace Oil and use of other fuels in the State of Odisha.

**The following fuel will be allowed for use in the State of Odisha.**

- 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 and 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

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n) Pet Coke:

- Use of Petcoke is allowed as feedstock in industries/ processes where SO<sub>2</sub> gets absorbed such as Cement, Lime/ Dolo Kiln, Calcined Pet Coke (CPC), Aluminium Smelter, Gasification, Calcium Carbide & Graphite Electrode subject to obtaining specific consent to establish/ operate from State Pollution Control Board, Odisha under the provision of Air (Prevention and Control of Pollution) Act, 1981.
- The above-mentioned industries will be required to install all the requisite air pollution control systems so as to achieve the emission standards for Particulate Matter (PM) & SO<sub>2</sub> concentration and provide minimum stack height as prescribed in Environment (Protection) Act, 1986 and the Rules framed there under as amended from time to time.
- All the above-mentioned units using pet coke shall install online continuous emission monitoring system for parameters of PM & SO<sub>2</sub> with connectivity to the server of the SPCB for transmission of real-time online data within a period of 6 months.
- Raw pet coke having Sulphur content less than 3.5% shall be allowed for use in CPC units with condition of more than 90% recovery of SO<sub>2</sub> emission through flue gas desulphurisation system.
- Use of Calcined pet coke is allowed as feed stock or in manufacturing process in the industries as mentioned above and shall not be supplied to any other industry.
- Any other unit other than the above intend to use petcoke as feedstock or in manufacturing processes, where sulphur will be absorbed in the process will have to obtain prior permission from State Pollution Control Board on case-to-case basis.
- No other industry / processes shall be allowed to use petcoke as fuel.
- Considering the requirement of grinding, sizing, and briquetting of pet coke before using in the approved industries as mentioned in this policy, the existing pet coke grinding, sizing and briquetting units are allowed to use raw pet coke and they shall not supply the processed raw pet coke to the industries not covered in this policy and maintain a record for verification of SPCB. Establishment of standalone new pet coke grinding, sizing & briquetting units shall not be allowed.

o) Furnace Oil

- Industries using furnace oil shall install scrubbing system for more than 90% recovery of SO<sub>2</sub> emission and provide stack height as per the following formula within **6 months**.
- $H = 14(Q)^{0.3}$  (Where, H is the physical stack height & Q is emission rate of SO<sub>2</sub> in Kg/hr).
- All the industries using furnace oil shall shift to use of cleaner fuel with low Sulphur content such as Low Sulphur Heavy Stock (LSHS)/ Light Diesel Oil (LDO) / Gas, replacing furnace oil within a period of **Two years**.

*[Handwritten signature]*

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The new industries coming up in the State which is either under construction or in upcoming stage shall abide by the conditions of State fuel policy.

The State fuel policy shall be subject to the compliance of orders and direction of Hon'ble Supreme Court of India/ High Court/ NGT and guidelines issued by Central Govt./CPCB/ State Govt. and can be amended with the approval of State Government.

By the order of Governor

Addl. Chief Secretary to Govt.

Memo No. 7486 /dtd. 12.04.21

Copy forwarded to the Director, Printing Stationery & Publication, Odisha, Madhupatna, Cuttack for information and necessary action. He is requested to publish the Notification bearing S.R.O No. and date in the Extra Ordinary issue of the Odisha Gazette and provide 100 copies of the same to this Department.

12/04/21  
Director, Env-cum-Special Secretary to Govt.

Memo No. 7487 /dtd. 12.04.21

Copy to Secretary, MoEF & CC, Indira Paryavaran Bhawan, 3<sup>rd</sup> Floor, Vayu Wing, JorBagh Road, New Delhi-11003 for information.

12/4/21  
Director, Env-cum-Special Secretary to Govt.

Memo No. 7488 /dtd. 12.04.21

Copy to the Principal Secretary, Department of Industries, Kharvela Bhawan, Govt. of Odisha for information.

12/4/21  
Director, Env-cum-Special Secretary to Govt.

Memo No. 7489 /dtd. 12.04.21

Copy to Member Secretary, Central Pollution Control Board, Paribesh Bhawan, East Arjun Nagar, New Delhi -110032 for information.

12/4/21  
Director, Env-cum-Special Secretary to Govt.

Memo No. 7490 /dtd. 12.04.21

Copy to Member Secretary, SPC Board, Odisha, Bhubaneswar A/118, Nila Kantha Nagar, Unit-8, Bhubaneswar -751012 for information.

12/4/21  
Director, Env-cum-Special Secretary to Govt.