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February 22, 2017

To

M/s. Medical Pollution Control Committee,  
Bhaila Mau, Bhaunti,  
Kanpur, U.P.

**DIRECTION UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986  
(Notice Thereof)**

WHEREAS the Central Government has notified the Bio-medical Waste Management Rules, 2016 (herein after referred as BMW Rules) in supersession of the Bio-medical Waste (Management & Handling) Rules, 1998, and amendments thereof, under the Environment (Protection) Act, 1986, to improve the collection, segregation, processing, treatment and disposal of the bio-medical wastes in an environmentally sound management thereby, reducing the biomedical waste generation and its impact on the environment;

WHEREAS, Rule 5 of BMW Rules stipulates duties of the operator of a Common Bio-medical Waste Treatment Facility (CBWTF); and

WHEREAS, as per Rule 7 (1) of BMW Rules, "bio-medical waste shall be treated and disposed of in accordance with Schedule I, and in compliance with the standards prescribed in Schedule II of the BMW Rules, 2016"; and

WHEREAS, Rule 8 of BMW Rules stipulates a requirement of segregation, packaging, transportation and storage of bio-medical waste"; and

WHEREAS Rule 13 of the BMW Rules stipulates every operator of Common Bio-medical Waste Treatment Facility shall submit an annual report to the prescribed authority in Form-IV, on or before 30<sup>th</sup> June of every year to the prescribed authority"; and

WHEREAS as per Rule 14 (1) of BMW Rules, "Every authorized person shall maintain records related to the generation, collection, reception, storage, transportation, treatment, disposal and/ or any form of handling of bio-medical waste in accordance with these rules and any guidelines issued."; and

WHEREAS the Common Bio-medical Waste Treatment Facility (CBWTF) operated by M/s. Medical Pollution Control Committee, Bhaila Mau, Bhaunti, Kanpur, U.P shall comply with the conditions stipulated in authorization granted by the U.P. Pollution Control Board (UPPCB) for collection, reception, storage, transportation, treatment and disposal of bio-medical waste as required under Rule 7 of the BMW Rules; and

WHEREAS the Common Bio-medical Waste Treatment Facility (CBWTF) operated by M/s. Medical Pollution Control Committee, Bhaila Mau, Bhaunti, Kanpur, U.P (the Unit) was inspected on 09.12.2016 by a team of Central Pollution Control Board (CPCB) and the observations indicated that:

- (a) The Unit was in operation without valid authorisation under the Bio-medical Waste Management Rules, 2016.
- (b) Unsegregated waste was received from the HCFs by the CBWTF due to lack of knowledge on BMW Rules, 2016 as no awareness programmes organized by the Unit to the member HCFs.

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- (c) Provision of separate room for untreated waste storage and treated waste as well as separate treatment equipment is not provided in compliance to the CPCB guidelines and collected bio-medical waste is stored in open area and in haphazard manner within the facility.
- (d) Collected bio-medical waste was stored in open dumping without imparting any treatment in violation of the BMWM Rules, 2016.
- (e) Discarded medicines is also stored haphazardly and the Unit is indulged in open burning discarded medicines against BMWM Rules, 2016;
- (f) Temperature in secondary chamber is observed as  $966^{\circ}\text{C}$  against  $1050 \pm 50^{\circ}\text{C}$  and incinerator is not operated in accordance with the operating parameters stipulated under the BMWM Rules, 2016.
- (g) Incinerator stack emission monitoring results reveal that the Unit is not complying with the stack emission w.r.to the particulate matter stipulated under the BMWM Rules, 2016 and observed as  $500\text{ mg/Nm}^3$  and the APCD attached with the incinerator is required to be augmented to comply with the stack emission norms stipulated under the BMWM Rules, 2016.
- (h) Mechanical waste feeding system for waste feeding and the manometer attached with the venturi scrubber for measurement of pressure drop across venturi is not in working condition.
- (i) Flue gas emanating from the secondary chamber of the incinerator is observed to be bypassed without passing through APCD which causes environmental pollution and same is not permitted as per BMWM Rules, 2016;
- (j) Autoclave and shredder installed are observed to be not in operation and autoclave is not conducted any validation test and neither records maintained violating the provisions of the BMWM Rules, 2016.
- (k) ETP was observed to be empty and no effluent is received and not operational
- (l) Waste sharps and incineration ash is observed to be disposed off in open area haphazardly and untreated plastic waste is sold to the unauthorized vendors in violation of the BMWM Rules, 2016;
- (m) DG set is not attached with the required stack for venting the emissions from DG Set violating the DG Set norms;
- (n) Records with regard to the total quantity of waste received at the facility are not maintained against the BMWM Rules, 2016.
- (o) Incinerator stack emission and validation test for autoclave is not monitored as per the frequency stipulated under BMWM Rules and neither records maintained.
- (p) Unit is in the process of expansion of the existing treatment capacity without obtaining environmental clearance and other necessary approvals or NOC from UPPCB or State Environmental Impact Assessment Authority against various provisions notified under the Environment (Protection) Act, 1986;

- (q) Workers handling bio-medical waste is not provided with proper PPEs
- (r) Very poor and unhygienic condition is observed and housekeeping requires improvement.

WHEREAS the Central Government vide notification S.O. 730 (E) dated July 10, 2002, has delegated the powers 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, or any other authority for the violation of the standards and rules relating to bio-medical waste notified under the Environment (Protection) Act, 1986 and amendments made thereof.;

Now, therefore, in exercise of the powers vested under Section 5 of the Environment (Protection) Act, 1986, you are here by directed to explain within 15 days of issue of this direction that *why action should not be taken for closure of your facility for violation of the provisions of BMW Rules and CPCB guidelines.* In case, the Unit fails to comply with the afore-said directions, CPCB will be constrained to initiate proceedings against the Unit under the provisions of the Environment (P) Act, 1986 and amendments made thereof, without any further notice.

  
(S.P. Singh Parihar)  
Chairman

Copy to:

- 1. Joint Secretary, HSM Division,  
Ministry of Environment, Forest & Climate Change  
Indira Paryavaran Bhavan, Jor Bagh Road,  
New Delhi - 110 003.
- 2. Member Secretary  
Uttar Pradesh Pollution Control Board,  
PICUP Bhavan, III<sup>rd</sup> Floor, B-Block  
Vibhuthi Khand, Gomti Nagar,  
Lucknow- 226 010, U.P. : For information & ensure  
that afore-said Unit to  
comply with these directions  
within the stipulated time  
period.
- 3. Regional Director  
Regional Directorate  
Central Pollution Control Board (North)  
Ground Floor, PICUP Bhawan,  
Vibhuti Khand, Gomti Nagar  
Lucknow - 226 010 , U.P.
- 4. I/c ESS Division, CPCB : for information & record.
- 5. I/c IT Division, CPCB : for information & n.a.pl.

  
(A.B. Akolkar)  
Member Secretary