

Registered Post

F.No. B-31011/BMW(58)/2018/WMD-I/

November 09, 2018

To

The Chairman
All SPCBs/PCCs (as per list enclosed)

DIRECTIONS UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986 FOR VIOLATIONS OF PROVISIONS OF BIO-MEDICAL WASTE MANAGEMENT RULES, 2016

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

WHEREAS Rule 3(f) of the BMWWM Rules, 2016 stipulates that bio-medical waste which is generated during the diagnosis, treatment or immunization of human beings or animals or research activities pertaining thereto or in the production or testing of biological or in health camps, including the categories mentioned in Schedule I appended to these Rules;

WHEREAS Rule 9 (1) of BMWWM Rules, 2016, mandates your Board/Committee as "Prescribed Authority" for implementation of the provisions of BMWWM Rules, 2016 in respective State/Union Territory;

WHEREAS as per Rule 10 of BMWWM Rules, 2016, every Healthcare Facility generating bio-medical waste irrespective of the quantity, shall apply to the prescribed authority for grant of authorization;

WHEREAS one-time authorization shall be granted to non-bedded Healthcare Facility generating biomedical waste and the same shall be deemed to have been granted, if not objected by the prescribed authority within a period of ninety days from the date of receipt of duly completed application along with necessary documents;

WHEREAS as per Schedule III the BMWWM Rules, 2016, SPCBs and PCCs are required to prepare inventory on number of Healthcare Facilities, biomedical waste generation, its treatment and disposal;

WHEREAS as per Schedule III the BMWWM Rules, 2016, SPCBs and PCCs are required to take action against Common Biomedical Waste Treatment facilities for violation of provision of BMWWM Rules, 2016 including emission norms;

WHEREAS CPCB vide letter dated 25.10.2016 and 29.12.2017 requested your Board/Committee to take necessary action for compliance to the BMWWM Rules, 2016;

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WHEREAS Hon'ble National Green Tribunal vide its order dated October 24, 2017 in the matter of Original Application No. 502 of 2017 has directed Bihar State Pollution Control Board to prepare an inventory of the Units generating biomedical waste, its collection and its disposal in accordance with BMWM Rules, 2016;

WHEREAS CPCB vide letter dated 31.10.2017 requested to your Board/Committee to prepare inventory of the Healthcare Facilities generating biomedical waste, including its collection, treatment and disposal in compliance to the BMWM Rules, 2016;


WHEREAS despite regular communication from CPCB your Board/Committee is yet to confirm action taken on: (i) complete inventory on no. of Healthcare Facilities, biomedical waste generation, its collection, treatment & disposal; (ii) one time authorization of non-bedded Healthcare Facilities; and (iii) status of compliance to the new emission norms by the CBWTFs; and

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 (CPCB), to issue directions to any industry or any local, or any other authority for violation of the standards and rules including rules relating to bio-medical waste notified under the Environment (Protection) Act, 1986 and amendments thereof.;

NOW THEREFORE, in exercise of the powers conferred under Section 5 of the Environment (Protection) Act, 1986, the following Directions have been issued as under:

- (i) Submit inventory on all Healthcare Facilities who are generating biomedical waste, its collection, treatment and disposal by December 31, 2018;
- (ii) Ensure grant of one-time authorization under BMWM Rules, 2018 to non-bedded Healthcare facilities generating biomedical waste by December 31, 2018; and
- (iii) Take action against all defaulting CBWTFs, which are not complying with the provisions of BMWM Rules, 2016 including compliance to the new emission standards by December 31, 2018.

Receipt of these Directions be acknowledged immediately and action initiated in this regard be submitted within 30 days from date of issuance of these Directions.


(S. P. Singh Parihar)
Chairman

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Copy to:

1. Joint Secretary, HSM Division
Ministry of Environment, Forests & Climate Change
Indira Paryavaran Bhavan,
Jor Bagh Road, New Delhi - 110 003.

2. Regional Directorate
Central Pollution Control Board

3. I/c ESS

: For information & record

4. I/c IT Division

: For information and necessary
action


(Prashant Gargava)
Member Secretary