

By Registered Post

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August 02, 2019

To,

M/s Divya Waste Management Company,
Village Kandela, District Jind,
Haryana.

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 and amendments thereof (herein after referred as BMWWM Rules) in suppression 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 4 of BMWWM Rules, 2016 stipulated duties of the occupier of Common Bio-Medical Waste Treatment Facility (CBWTF);

WHEREAS as per Rule 7 (1) of BMWWM 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 BMWWM Rules, 2016";

WHEREAS Rules 14(1) of BMWWM Rules, "every authorized person shall maintain records related to generation, collection, segregation, storage, transportation, treatment, disposal and or any form of handling of Bio-Medical waste in accordance with these Rules and by guidelines issued";

WHEREAS the Hon'ble National Green Tribunal, in the matter of O.A. No. 710 of 2017 filed by Shailesh Singh vide order dated 12.03.2019 directed "CPCB to undertake study and prepare a scale of compensation to be recovered from violators of Bio-Medical Waste Management Rules, 2016. Hon'ble NGT also states that scale of compensation must be different, rendering violation of Rules to be non-profitable and which should be adequate to remedy the situation".

WHEREAS in pursuant to Order dated 12.03.2019 passed by Hon'ble National Green Tribunal, in the matter of O.A. No. 710 of 2017, CPCB has prepared Guidelines for "Imposition of Environmental Compensation Charges (ECC) against Healthcare Facilities (HCFs) and Common Biomedical Waste Treatment Facilities (CBWTFs)";

WHEREAS the Common Bio-Medical Waste Treatment Facility (CBWTF) namely M/s Divya Waste Management Company, Village Kandela, District Jind, Haryana (the Unit) was inspected by Central Pollution Control Board (CPCB) on 04.06.2019 and following observations were made:

- a) Separate spacing is not provided for treatment equipment i.e incinerator, shredder & autoclave as required under CPCB guidelines;
- b) Particulate Matter (167 mg/Nm^3) found exceeding the prescribed standard of 50 mg/Nm^3 as per BMWWM Rules, 2016;
- c) Temperature of primary chamber (772°C) of incinerator found less than the minimum limit of 800°C as per BMWWM Rules, 2016;
- d) Combustion efficiency (98.91 %) of incinerator was found less than 99.00 % as required under BMWWM Rules, 2016;
- e) Stack monitoring platform is inadequate and not as per CPCB guidelines;
- f) Unit has not adopted bar code system as required under BMWWM Rules, 2016;

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- g) As per wastewater analysis result for ETP treated effluent, BOD (97.5 mg/l), COD (351 mg/l), SS (107 mg/l) and O&G (10.8 mg/l) found exceeding the prescribed standards;
- h) Shredder was found not in operation and in corroded condition;
- i) Incinerator is not yet augmented for 2 seconds Residence Time and Air Pollution Control Devices to comply with revised emission standards.

Now therefore, in exercise of the powers vested under Section 5 of the Environment (Protection) Act, 1986, the Unit is hereby directed to explain why Environmental Compensation for each day of non-compliance shall not be imposed against M/s Divya Waste Management Company, Village Kandela, District Jind, Haryana for not complying with BMWM Rules, 2016, thereby causing damage to environment.

You are hereby given an opportunity to submit reply within 15 days from issuance of this direction, failing which CPCB will be constrained to issue directions for imposition of Environmental Compensation against M/s Divya Waste Management Company, Village Kandela, District Jind, Haryana as deemed fit under the Environment (Protection) Act, 1986.

(S. P. Singh Parihar)
Chairman

Copy to:

1. Joint Secretary, HSM Division
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2. Member Secretary : For kind information
Haryana Pollution Control Board
C-11, Sector-6, Panchkula
Haryana-134 109 Chandigarh
3. Regional Director : For kind information
Central Pollution Control Board
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4. Regional Directorate, : For kind information
Central Pollution Control Board, Chandigarh
Regional Director
Shri, Suneel Dave, Sc. 'E'
5. DH, IT Division : For information and necessary action
6. DH, ESS Division : For information and record
7. DH, Accounts Division : For information & for further necessary action

(Prashant Gargava)
Member Secretary