

By Registered Post

September 2, 2019

F. No. B-31011/BMW (46.55)/2019/WMD-I

To,

M/s Ramky Energy & Environment Ltd.,
No. 47/B, Karnad Industrial Area,
KIADB, Mulki,
Mangalore-574 154 (Karnataka)

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 5 of BMWWM Rules, 2016 stipulated duties of the operator 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 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 Ramky Energy & Environment Ltd., No. 47/B, Karnad Industrial Area, KIADB, Mulki, Manglore, Karnataka was inspected by Central Pollution Control Board (CPCB) on 24.10.2018 and observed following discrepancies: (i) disposal of sharp waste in incinerator; (ii) incinerator stack emission platform is not as per CPCB guidelines; (iii) OCEMS data is not transmitted to CPCB server; (iv) Particulate Matter was found exceeding the prescribed limit of 50 mg/Nm³; (v) treated effluent of ETP was found exceeding the standard; (vi) stack monitoring is not conducted once in three months as required under BMWWM Rules, 2016;

WHEREAS based on non-compliances observed during above inspection, directions under Section 5 of the Environment (Protection) Act, 1986 was issued against the Unit vide letter dated 25.01.2019 directing to take corrective measures w.r.t above CPCB action points and to deposit Environmental compensation of ₹ 7,87,500/- for violating provisions under BMWWM Rules, 2016.

WHEREAS Unit has submitted its reply vide letter dated 03.04.2019 claimed to complied with CPCB action points and vide letter dated 31.05.2019 Unit had deposited Environmental Compensation ₹ 7, 87,500/- in favour of CPCB;

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WHEREAS Unit was re-inspected by CPCB on 21.06.2010 to verify status of compliance w.r.t. CPCB action points wherein following discrepancies are observed:

- a) As per stack monitoring results, PM is exceeding from prescribed standard of 50 mg/Nm³.
- b) Data of OCEMS installed with incinerator is not transmitted to CPCB server.
- c) As per analysis result for treated effluent, pH and BOD found not complying with standards as prescribed under BMWM Rules, 2016.
- d) Stack monitoring is not conducted once in three months as required under BMWM Rules, 2016.

Now therefore, in exercise of the power as to vested under Section 5 of the Environment (Protection) Act, 1986, M/s Ramky Energy & Environment Ltd., No. 47/B, Karnad Industrial Area, KIADB, Mulki, Manglore, Karnataka is hereby directed to Show Cause, why Environmental Compensation of ₹ 5,95,000/- should not be imposed against the Unit for violating standard for stack emissions and effluent standards as prescribed under BMWM Rules, 2016, thereby causing damage to the environment.

You are hereby given an opportunity to submit reply within 15 days from issuance of this notice, failing which CPCB will be constrained to take action against M/s Ramky Energy & Environment Ltd., No. 47/B, Karnad Industrial Area, KIADB, Mulki, Manglore, Karnataka, as deemed fir under the Environment (Protection) Act, 1986.

(S. P. Singh Parihar)
Chairman

Copy to:

1. Joint Secretary, HSM Division
Ministry of Environment, Forest & Climate Change
Indira Paryavaran Bhawan,
Jorbagh Road, New Delhi - 110 003
2. Member Secretary : For kind information
Karnataka State Pollution Control Board
Parisara Bhavana, 10B, Baikampady Industrial Area,
Manglore – 575011
3. Regional Director : For kind information
Central Pollution Control Board
Nisarga Bhawan, A-Block, 1st & 2nd Floors,
Thimmaiah Road, 7th D-Main, Shivanagar
Bengaluru – 560 079
4. DH, IT Division : For information and necessary action
5. DH, ESS Division : For information and record
6. DH, Accounts Division : For information & for further
necessary action

(Prashant Gargava)
Member Secretary