

By Registered Post

F. No. B-31011/BMW (46.109)/2019/WMD-I 6281

September 3, 2019

To,

M/s EVB Technologies Pvt. Ltd.,
Kanavaram, Pallakadium Village,
Rajanagaram Mandal,
East Godawari District (Andhra Pradesh)

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

WHEREAS the Central Government has notified the Bio-Medical Waste Management Rules, 2016 and amendments thereof (herein after referred as BMW 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 BMW Rules, 2016 stipulated duties of the operator of Common Bio-Medical Waste Treatment Facility (CBWTF);

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";

WHEREAS Rules 14(1) of BMW 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) M/s EVB Technologies Pvt. Ltd., Kanavaram, Pallakadium Village, Rajanagaram Mandal, East Godawari District, Andhra Pradesh (the Unit) was inspected by Central Pollution Control Board (CPCB) on 08.03.2019 and found non complying, accordingly Directions under Section 5 of the Environmental (Protection) act, 1986 were issued vide letter dated 12.06.2019 to take corrective measures on action points given by CPCB and to deposit Environmental compensation of ₹ 6,06,250/- in favor of CPCB.

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WHEREAS the unit has deposited Environmental Compensation to CPCB and submitted its point wise action plan on vide letter dated 09.07.2019 claiming compliance to all action points. The unit voluntarily produced analysis report of stack emission which indicate exceedance to stipulated Particulate Matter standard of 50 mg/m³ at 12 % CO₂. However, the value is not reported at 11 % O₂ correction and hence not valid. Further, the value is with standard stipulated by APPCB i.e. 115 mg/Nm³, which is not valid.

Now therefore, in exercise of the power vested under Section 5 of the Environment (Protection) Act, 1986, the Unit is hereby directed to;

- (i) Produce documentary proof of compliance on action points given in CPCB direction dated 12.06.2019
- (ii) Produce revised test report of incinerator emissions by a laboratory approved under the Environment (Protection) Act, 1986.

In case the Unit (M/s EVB Technologies Pvt. Ltd., Kanavaram, Pallakadium Village, Rajanagaram Mandal, East Godawari District, Andhra Pradesh) fails to comply with above direction, CPCB will be constrained to initiate appropriate proceedings 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
Andhra Pradesh Pollution Control Board
Paryavaran Bhawan, A-III
Institutional Estate, Sanathnagar
Hyderabad – 500018
3. Regional Director : For kind information
Central Pollution Control Board
1st & 2nd Floors, Nisarga Bhavan
A-Block, Thimmaiah Main Road
7th D Cross, Shivanagar, Opp.
Pushpanjali Theatre, Bengaluru –560 010
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