



केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार

By Registered Post DEPARTMENT OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-31011/BMW (46.14)/2019/WMD-I 15847

January 22, 2021

29

To,

M/s Centre for Pollution Control Pvt. Ltd.,
310, Mohan Sarai, NH-2 Road,
Varanasi, Uttar 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 the Common Bio-Medical Waste Treatment Facility (CBWTF) M/s Centre for Pollution Control Pvt. Ltd., 310, Mohan Sarai, NH-2 Road, Varanasi, Uttar Pradesh (the Unit) was inspected by Central Pollution Control Board (CPCB) & Uttar Pradesh Pollution Control Board (UPPCB) on 15.10.2018, wherein following discrepancies were found: a) The Unit was found operational without valid authorization b) Separate space was not provided for waste storage /reception c) the incinerator is not upgraded to achieve the emission standards as well as combustion efficiency prescribed under BMW Rules, 2016 d) The data of OCEMS is still not transmitted to CPCB server e) Smoke emanating from incinerator unit due to improper maintenance f) The combustion efficiency of incinerator is found less than stipulated standards of 99% and; g) Record were not maintained with regard to the waste collection, treatment & disposal of BMW as per BMW Rules, 2016;

WHEREAS based on above discrepancies, CPCB vide letter dated 14.02.2019 issued direction under Section 5 of the Environmental (Protection) Act, 1986 against the Unit, whereby the Unit was directed to; i) take necessary corrective measures on aforesaid action points within 15 days; ii) deposit Environmental Compensation (EC) of Rs.11,53,125/- since date of inspection; and (iii) deposit Rs. 9,375/- per day of EC till the Unit comply with said CPCB action points;

WHEREAS the Unit submitted its reply dated 27.02.2019 indicating point wise action plan wherein following action points were not complied; a) The incinerator was not upgraded to achieve the emission standards as well as combustion efficiency b) the data of OCEMS was not transmitted to CPCB server; c) Fugitive emission of smoke from incinerator; and d) Failure to achieve combustion efficiency;

WHEREAS CPCB vide letter dated 04.07.2019 directed the Unit to deposit the Environmental Compensation with penalty charges for delay and also to present status of compliance to CPCB directions dated 14.02.2019;

WHEREAS the Unit in its reply dated 14.08.2019 stated that they have deposited Environmental Compensation of Rs. 11,53,125/- and claimed compliance w.r.t upgradation of incinerator and combustion efficiency, wherein analysis result of stack emission was not enclosed. Subsequently, Unit letter dated 19.11.2019 submitted results of stack emission and waste water analysis report from EPA recognised laboratory stating that OCEMS data is being transmitted to CPCB server;

Contd...2/-

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Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

WHEREAS competent authority in CPCB accepted EC charges without penalty charges for delay in payment.

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 any violation of the standards and Rules relating to Bio-Medical Waste Management notified under the Environment (Protection) Act, 1986;

NOW, therefore, in exercise of the powers vested under Section 5 of the Environment (Protection) Act, 1986 and in consideration of the observations as mentioned in earlier paras, aforesaid directions issued under Section 5 of the Environment (Protection) Act, 1986 is hereby revoked and it is further directed to ensure strict compliance of all the provisions of the Bio-Medical Waste Management Rules, 2016 notified under the Environment (P) Act, 1986, failing which CPCB will be constrained again to take action against the Unit as deemed fit under the Environment (Protection) Act, 1986 without giving any further notice.


(Shiv Das Meena)
Chairman

Copy to:

- (i) Joint Secretary, HSM Division : For kind information
Ministry of Environment, Forest & Climate
Change
Indira Paryavaran Bhawan,
Jorbagh Road, New Delhi - 110 003
- (ii) Member Secretary : For kind information
Uttar Pradesh Pollution Control Board
Building No. TC-12V
Vibhuti Khand, Gomti Nagar
Lucknow - 226 010
- (iii) Regional Director : For kind information
Central Pollution Control Board
Ground Floor, PICUP Bhawan,
Vibhuti Khand, Gomti Nagar
Lucknow - 226 010
- ✓(iv) I/c IT Division : For information and necessary action
- (v) I/c Accounts Division : For information & for further necessary


(Prashant Gargava)
Member Secretary