



By Registered Post

File No.: CP-23/11/2023-WM-I-HO-CPCB-HO 5155

September 19, 2024

To,

M/s Champavati Waste Management,
Sr. No. 282/307, Post - Pali, Tal. & Dist. Beed,
Maharashtra- 263153

DIRECTION UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986 FOR DEPOSITION OF ENVIRONMENTAL COMPENSATION CHARGES FOR NON-COMPLIANCE TO BIOMEDICAL WASTE MANAGEMENT RULES, 2016.

WHEREAS the Central Government has notified the Bio-Medical Waste Management Rules, 2016 and amendments thereof (herein after referred as BMWM Rules, 2016) 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; and

WHEREAS Rule 5 of BMWM Rules, 2016 stipulate duties of the operator of Common Bio-Medical Waste Treatment Facility (CBWTF) to ensure treatment and disposal of biomedical waste in line with provisions of said Rules; and

WHEREAS as per Rule 7 (1) of BMWM Rules, 2016, the bio-medical waste is required to be treated and disposed off in accordance with Schedule I and in compliance with the standards prescribed in Schedule II of the BMWM Rules, 2016; and

WHEREAS Rule 14 (1) of BMWM Rules, 2016 stipulate that every authorized person is required to 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 guidelines issued by CPCB"; and

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 directed that scale of compensation must be deterrent, rendering violation of Rules to be non-profitable which should be adequate to remedy the situation"; and

WHEREAS Hon'ble National Green Tribunal in its order dated 15.07.2019 in the matter of O.A No. 710 of 2017, accepted Guidelines for "Imposition of Environmental Compensation Charges (ECC) against Healthcare Facilities (HCFs) and Common Biomedical Waste Treatment Facilities (CBWTFs)"; and

WHEREAS the CBWTF namely M/s Champavati Waste Management, Sr. No. 282/307, Post - Pali, Tal. & Dist. Beed, Maharashtra (the Unit) was inspected by Central Pollution Control Board (CPCB) on 25.08.2023 and based on non-compliances observed during inspection, CPCB issued Show Cause Notice under section 5 of Environment

‘परिवेश भवन’ पूर्वी अर्जुन नगर, दिल्ली - 110032.

Parivesh Bhawan, East Arjun Nagar, Delhi - 110 032.

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

(Protection) act, 1986 on 01.02.2024 to the Unit directing to take corrective measures and submit the action taken report within 15 days from the issue of the direction along with supporting documents and photographs and Show Cause why Environment Compensation Charges of Rs 3000/- day should not be imposed, as per the CPCB guidelines for violation of effluent discharge standards as prescribed BMW Rules, 2016; and

WHEREAS in response to the aforesaid Show Cause Notice the Unit submitted its reply vide letter dated 17.02.2024 and claimed compliance. The Unit was re-inspected by CPCB on 16.05.2024 wherein following non-compliances were observed;

- i. As per analysis result of stack emission monitoring, Particulate Matter (145 mg/Nm³) and HCl (240 mg/Nm³) found exceeding standards of PM (50 mg/Nm³) and HCL (50 mg/Nm³) respectively, prescribed under BMW Rules, 2016.
- ii. As per Analysis result of treated effluent from Effluent treatment plant, pH (3.4), SS (112 mg/l), BOD (205 mg/l) and COD (604 mg/l) found exceeding standards of pH(6.5-9), SS (100 mg/l), BOD (30 mg/l) and COD(250 mg/l) respectively, prescribed under BMW Rules, 2016.

WHEREAS as per the CPCB guidelines for "Imposition of Environmental Compensation Charges (ECC) against Healthcare Facilities (HCFs) and Common Biomedical Waste Treatment Facilities (CBWTFs)", the Environment Compensation for above mentioned non-compliances at S. No. (i) and (ii) is calculated as Rs 10,20,000/- (From date of inspection i.e. 25.08.2023 to till date i.e. 29.07.2024); 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 for violation of the standards and rules relating to Biomedical Waste Management notified under the Environment (Protection) Act, 1986; and

NOW THEREFORE in exercise of the powers vested under Section 5 of the Environment (Protection) Act, 1986, the Unit is hereby directed to

1. Take corrective measures immediately to ensure compliance to emission standards and standards for liquid waste as prescribed under BMW Rules, 2016 and submit the time bound action taken report along with relevant documentary proofs/ photographs within 15 days from the issue of this direction; and
2. Deposit Environmental Compensation Charges of Rs 5,82,000/- (from date of first inspection i.e. 25.08.2023 to date of recent inspection i.e. 05.03.2024) in CPCB account No. 532702050000164 IFSC code UBIN0553271, I.P. Extension Branch within 15 days on receipt of this direction.
3. Show-cause within 15 days of issuance of this direction that why Environmental Compensation @ Rs. 3,000/- per day shall not be imposed for continued violation from 06.03.2024 till submission of proof of compliance with respect to non-compliances mentioned above at S. No. (i) and (ii).

In case the Unit fails to comply with above directions, CPCB will be constrained to initiate action against M/s Champavati Waste Management, Sr. No. 282/307, Post - Pali, Tal. & Dist. Beed, Maharashtra, under the provisions of Environment (Protection) Act, 1986.


(Tanmay Kumar)
Chairman



Copy for information to:

- 1 The Additional Secretary, : For kind information
HSM Division,
Ministry of Environment, Forest & Climate
Change,
Indira Paryavaran Bhawan,
Jorbagh Road, New Delhi - 110 003
- 2 The Member Secretary : For kind information
Maharashtra Pollution Control Board,
Kalpataru Point, 2nd – 4th Floor Opp. Cine
Planet Cinema, Nr. Sion Circle, Sion (E)
Mumbai – 400 022
- 3 The Regional Director : For kind information
The Regional Directorate
Central Pollution Control Board
Survey No. 110, Dhankude,
Multi-Purpose Hall, Baner Road
Barter, Pune – 411045
- 4 I/c IT Division : For information and
necessary action
- 5 I/c Accounts : For information and
Division necessary action



(Bharat Kumar Sharma)
Member Secretary

o/c

