

By Registered Post

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October 27, 2016

To

M/s. Spectrum Waste Solutions Pvt. Limited  
Mastemau, Sultanpur Road  
Lucknow, U.P.

**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 (herein after referred as BMW Rules) in supersession 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 stipulates duties of the operator of a Common Bio-medical Waste Treatment Facility (CBWTF); and

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"; and

WHEREAS, Rule 8 of BMW Rules stipulates a requirement of segregation, packaging, transportation and storage of bio-medical waste"; and

WHEREAS Rule 13 of the BMW Rules stipulates every operator of Common Bio-medical Waste Treatment Facility shall submit an annual report to the prescribed authority in Form-IV, on or before 30<sup>th</sup> June of every year to the prescribed authority"; and

WHEREAS as per Rule 14 (1) of BMW Rules, "Every authorized person shall maintain records related to the generation, collection, reception, storage, transportation, treatment, disposal and/ or any form of handling of bio-medical waste in accordance with these rules and any guidelines issued."; and

WHEREAS the Common Bio-medical Waste Treatment Facility (CBWTF) operated by M/s. Spectrum Waste Solutions Pvt. Limited, Mastemau, Sultanpur Road, Lucknow, U.P shall comply with the conditions stipulated in authorization granted by the U.P. Pollution Control Board (UPPCB) for collection, reception, storage, transportation, treatment and disposal of bio-medical waste as required under Rule 7 of the BMW Rules; and

WHEREAS the Common Bio-medical Waste Treatment Facility (CBWTF) operated by M/s. Spectrum Waste Solutions Pvt. Limited, Mastemau, Sultanpur Road, Lucknow, U.P (the Unit) was inspected on 28.07.2016 by a team of Central Pollution Control Board (CPCB) and the observations indicated that:

- (a) The Unit is in operation without valid Consents under Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981 and the validity of the Consents under Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981 expired in 2012.

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- (b) Records pertaining to the waste collection, reception, treatment and disposal of bio-medical waste is not maintained which is a violation of the BMWM Rules;
- (c) Segregated waste is not received from the member HCFs due to lack of knowledge on the BMWM Rules, 2016 by the member HCFs of the Unit;
- (d) Provision of separate room for untreated waste storage and treated waste storage is not provided as required under the CPCB guidelines;
- (e) Information pertaining to the total fuel consumption is neither maintained nor provided during the visit.
- (f) Log books for operation of the treatment equipment as required under BMWM Rules is not maintained, which is a violation of the BMWM Rules;
- (g) Information pertaining to the online monitoring system username and password did not inform nor is real time data connected to the servers of CPCB/UPPCB.
- (h) Information relating to the incineration ash generation as well as its disposal is not maintained and huge quantity of incineration ash is lying within the premises without proper disposal as required under the BMWM Rules.
- (i) DG Set is not attached with suitable stack height as required under DG set norms notified under the Environment (Protection) Act, 1986;
- (j) Facility is not provided with high walls or proper fencing and fire safety measures at salient points required to be provided as per CPCB guidelines;
- (k) Washing facility for washing of containers and bins as required under the CPCB guidelines is not provided;
- (l) Workers handling bio-medical waste are not provided with any personal protective equipment (PPEs);
- (m) Quarterly monitoring results of the incinerator stack emissions, waste water generated within the facility and incineration ash is not maintained;
- (n) Manifest along with the transportation vehicles is not maintained;
- (o) The facility operator is not collecting the waste on daily basis;
- (p) Facility is indulged in segregation of waste by engaging children without any personal PPEs, which is not permitted by the BMWM Rules, 2016;
- (q) Discarded medicines are also disposed of through boiler, which is not permitted as per BMWM Rules;
- (r) The autoclave is not provided with recording provision for recording operational parameters and neither validation test conducted and records maintained as required under the BMWM Rules;


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- (s) The outlet of ETP is not complying with respect to the parameter BOD stipulated under Schedule-II of the BMW Rules, 2016 due to improper operation of the ETP;
- (t) The house keeping is very poor and unhygienic conditions observed in main waste storage room, treatment equipment room ; 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, to issue directions to any industry or any local, or any other authority for the violation of the standards and rules relating to bio-medical waste notified under the Environment (Protection) Act, 1986 and amendments made thereof.;

Now, therefore, in exercise of the powers vested under Section 5 of the Environment (Protection) Act, 1986, you are here by directed to explain within 15 days of issue of this direction that

- (i) why action shall not be taken for closure of your facility for violation of the provisions of BMW Rules and CPCB guidelines.

  
(S.P. Singh Parihar)  
Chairman

Copy to:

1. Joint Secretary, HSM Division,  
Ministry of Environment, Forest & Climate Change  
Indira Paryavaran Bhavan, Jor Bagh Road,  
New Delhi - 110 003.
2. Member Secretary  
Uttar Pradesh Pollution Control Board,  
PICUP Bhavan, III<sup>rd</sup> Floor, B-Block  
Vibhuthi Khand, Gomti Nagar,  
Lucknow- 226 010, U.P. : For information & ensure  
that afore-said Unit  
to comply with these  
directions within the  
stipulated time period.
3. Zonal Officer  
Central Pollution Control Board  
Ground Floor, PICUP Bhawan,  
Vibhuti Khand, Gomti Nagar  
Lucknow - 226 010 , U.P.
4. I/c ESS Division, CPCB : for information & record.
5. ✓ I/c IT Division, CPCB : for information & n.a.pl.

  
(A.B. Akolkar)  
Member Secretary