

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

ORIGINAL APPLICATION NO 1019/2019

AMRITA PURI RESIDENTIAL COLONY RESIDENTS'
WELFARE ASSOCIATIONAPPLICANT(S)
VERSUS

SMS WATER GRACE (P) LTD. & ORSRESPONDENT(S)

NDOH :-20.07.2020

INDEX

S.NO	CONTENTS	PAGE NO
1	Additional Compliance Report for and behalf of DPCC in Compliance of the order dated 20.11.2019.	1 - 2
2	<u>Annexure-I.</u> Copy of the direction issued to Unit for EDC dated 20.03.2020.	3 - 4
3	<u>Annexure-II.</u> Copy of the inspection report of CBWTF dated 02.05.2020.	5 - 8

Filed by

(Pankaj Kapil)
Sr. Env. Engineer,
DPCC

New Delhi

Dated:-15.07.2020.

when it was established that the emissions are meeting the standards. Accordingly, the Environmental Damage Compensation of Rs. 4,00,000/- (Rupees four lakhs only) was assessed and communicated to the CBWTF operator vide direction dated 20.03.2020. Copy of the direction is attached at **Annexure-I**. The CBWTF operator has deposited the Environmental Compensation of Rupees 04 lakhs with DPCC in compliance of the aforesaid directions.

3. That meanwhile, another complaint was received through email on 27.04.2020 from Amritapuri Resident Welfare Association regarding burning and storing of hospital waste in open space by M/s SMS Water Grace BMW (P) Ltd. That, in order to verify the allegations in the complaint and to check whether the CBWTF was following the guidelines issued by CPCB dated 18/04/2020 regarding safe handling, treatment and disposal of the waste arising out of COVID-19 pandemic, the inspection of the CBWTF was carried out on 02.05.2020. During the inspection, no burning of Bio-medical waste or evidence there-of was observed in the premises of CBWTF. Further, no bio-medical waste was found stored in open space as alleged in the complaint. Inspection report dated 02.05.2020 is attached at **Annexure-II**.

The above status report may please be taken on record.

Dated: 15/7/2020


(Pankaj Kapil)
Sr. Env. Engineer,
DPCC



DELHI POLLUTION CONTROL COMMITTEE
DEPARTMENT OF ENVIRONMENT, (GOVT. OF NCT OF DELHI)
4th & 5th FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI-6
(visit us at website : <http://dpcc.delhigovt.nic.in/>)

F. No. DPCC/BMW/2020/ 21484

Dated: 20/2/20

126

3

Sub: Modified directions under section 5 of Environment (Protection) Act, 1986, as amended to date read along with Bio-medical Waste Management Rules, 2016.

Whereas, Ministry of Environment, Forest and Climate Change, Govt. of India has notified the Bio-Medical Waste Management Rules, 2016, in supersession of earlier Bio-Medical Waste (Management and Handling) Rules, 1998, for the proper management of the Bio Medical Waste.

And whereas, as per the provisions of the said Rules, in the areas where common biomedical waste treatment and disposal facility(ies) (CBWTF) is available, every Institution / unit generating Bio Medical Waste shall ensure the proper treatment and disposal of the waste through these facility(ies).

And whereas, as per sub-rule 5 of the above Rules, it is the duty of the common biomedical waste treatment and disposal facility(ies) (CBWTF) to take all necessary steps to ensure that the bio-medical waste collected from the occupier is transported, handled, stored, treated and disposed of, without any adverse effect to the human health and the environment, in accordance with these rules and guidelines issued by the Central Government or, as the case may be, the central pollution control board from time to time

And whereas, Schedule II(b) of the above mentioned Rules, specifies the emission standards w.r.t. the incinerators installed for the treatment and disposal of yellow waste (as specified in Schedule I of the above Rules).

And whereas, you The Director/ Incharge of M/s SMS Water Grace BMW Pvt. Ltd., Delhi Jal Board Sewage Treatment Plant, Nilothi, Delhi- 110041(hereinafter referred as "Addressee") are operating a common biomedical waste treatment and disposal facility to collect, transport, treat and dispose biomedical waste generated by the health care facilities falling in the jurisdiction of East, Shahdara, North East, South, West and Central districts of NCT of Delhi.

And whereas, you (the addressee) have a valid Consent to Operate under section 25/26 and 21/22 of the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 respectively from DPCC which is valid upto 02/05/2024.

And whereas, you (the addressee) have a valid authorization under sub-rule 10 of the Biomedical Waste Management Rules, 2016 from DPCC which is valid upto 27/10/2024.

And whereas, your CBWTF was inspected by a joint team comprising of officials from CPCB and DPCC along with an external expert on the subject on 11/10/2019 and simultaneously monitoring of emissions in the incineration stack was also carried out by DPCC through M/s Shriram Institute for Industrial Research.

And whereas, the results of emission monitoring in incinerator stack shows that the SPM, NO₂ total polychlorinated di-benzodioxines and Furans (PCDDs & PCDFs) are exceeding the prescribed limit and thus showing that the CBWTF is operating in violation/ non-compliance of the provisions of Biomedical Waste Management Rules, 2016.

And whereas, Hon'ble NGT in its order dated 15/07/19 in O.A. No. 710, 711, 712 and 713 of 2018 has approved the guidelines developed and submitted by CPCB which is being followed by DPCC for calculation of Environmental Compensation Charges against the violators of BMWM Rules, 2016.

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4

And whereas, SCN u/s 5 of EPA Act, 1986, as amended to date read along with Bio Medical Waste Management Rules, 2016 was issued to you vide this office letter dated 09.01.2020.

And whereas, you (the addressee) have submitted your reply on 28.01.2020 and 03.02.2020 alongwith another emission monitoring report dated 19.11.2019 & 24.01.2020 from Enviro Lab & SGS Lab (EPA authorized labs) showing that the level of the emission on 14.11.2019, 30.12.2019 were meeting the standards.

And whereas, the reply alongwith the emission monitoring report of the stack has been duly considered by the competent authority in DPCC.

Now therefore in view of the above and considering the reply of the HCF, the Competent Authority in Delhi Pollution Control Committee, in exercise of powers conferred upon it under section 5 of Environment (Protection) Act, 1986 as amended to date directs the Director/ Incharge of M/s SMS Water Grace BMW Pvt. Ltd., Delhi Jal Board Sewage Treatment Plant, Nilothi, Delhi- 110041 to

“deposit Environmental Compensation (EC) of Rs. 4,00,000/- (Rs. Four Lakh only) within 15 days of receipt of this letter, failing which the valid authorization under BMWM Rules 2016 issued to the facility shall be revoked and action for closure including disconnection of water and electricity/ power supply of the CBWTF shall be initiated for violating the provisions of BMWM Rules, 2016”.

This issues as per the approval of the Competent Authority.

To,

Director/ Incharge
M/s SMS Water Grace BMW Pvt. Ltd.,
Delhi Jal Board Sewage Treatment Plant,
Nilothi, Delhi- 110041

Copy to : Master File WMC-I

Ajeeta
Ajeeta D. Agrawal
SEE, WMC-I

2
AJEETA D. AGRAWAL
Senior Environmental Engineer
Delhi Pollution Control Committee
4th & 5th Floor, ISBT Building,
Kashmere Gate, New Delhi-110006

97

5

Inspection Report of CBWTF

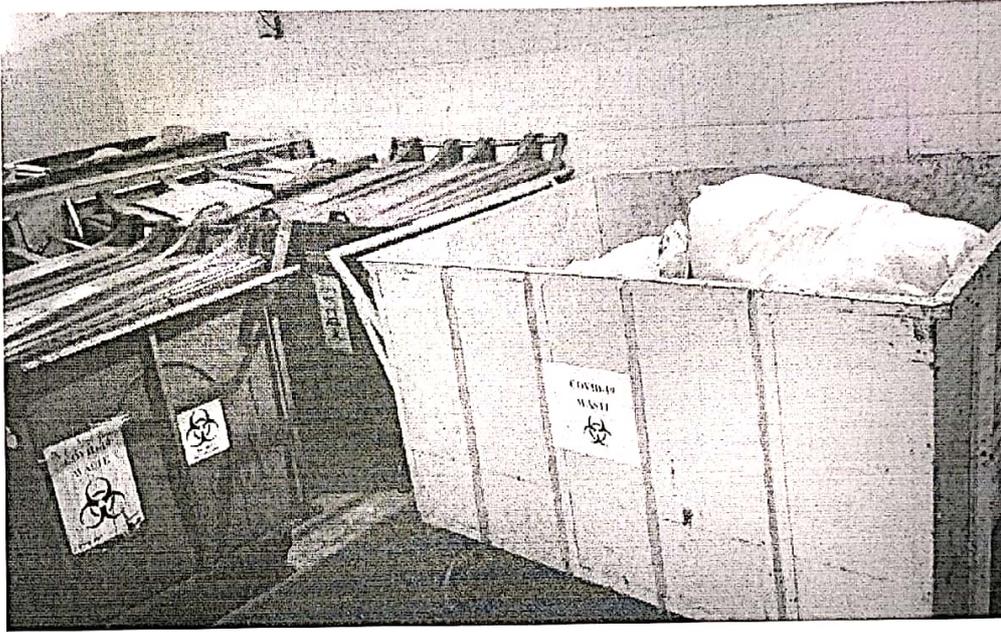
Annexure-I

(To check the compliance of CPCB guidelines for COVID-19 waste)

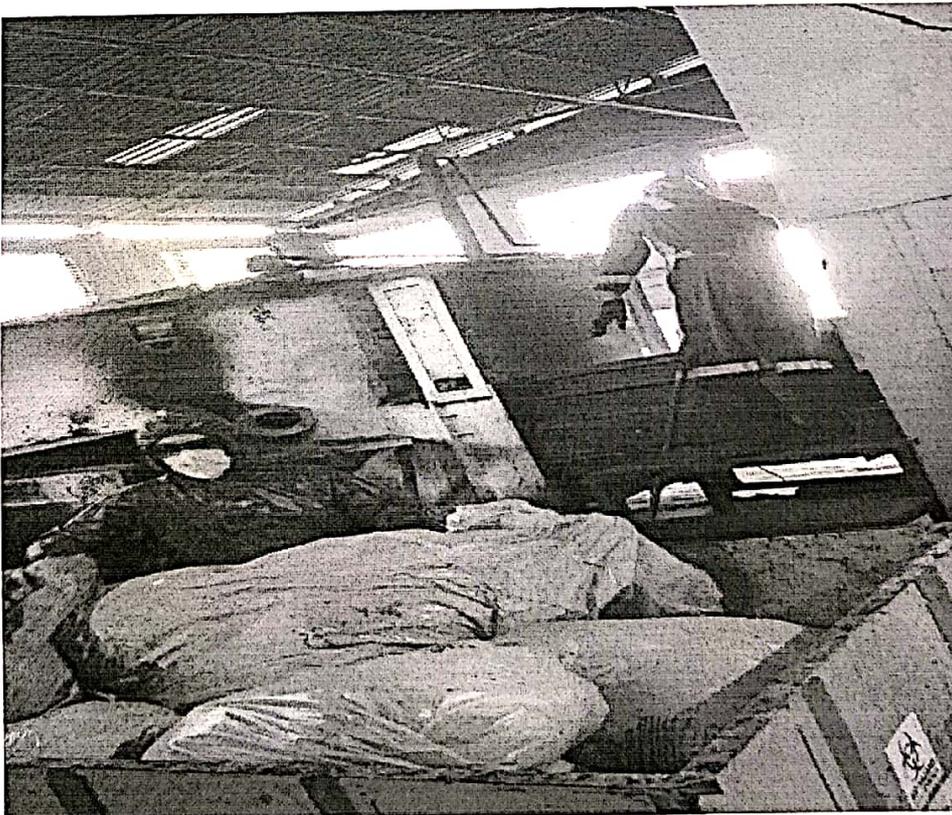
Name & Address of CBWTF	M/s SMS Water Grace BMW Pvt. Ltd. DJB Sewage Treatment Plant Nilothi Village New Delhi-110041
Date of Inspection	02.05.2020
Whether daily report of receiving of waste from COVID-19 isolation wards/ quarantine camps/ quarantine homes/ COVID-19 testing centers & its treatment is being maintained separately?	Yes / No
Whether daily report of COVID-19 waste treatment is being sent to DPCC?	Yes / No
Whether regular sanitization of worker involved in handling & collection of Bio Medical Waste is being ensured?	Yes / No
Whether adequate PPEs including three-layer masks, splash proof aprons/ gowns, nitriles gloves, gum boots and safety goggles have been provided to the workers?	Yes / No
Whether dedicated vehicle to collect COVID-19 ward waste has been provided?	Yes / No
Whether vehicles are being sanitized with sodium hypochlorite or any appropriate chemical disinfectant after every trip?	Yes / No
Whether COVID-19 waste is being disposed- off immediately upon receipt at facility?	Yes / No
Whether old COVID-19 waste was observed in the premises of CBWTF?	Yes / No
Whether incinerator was in operation?	Yes / No
Temperature in Primary Chamber	866
Temperature in Secondary Chamber	1103
Whether ETP was operational?	Yes / No
Whether treated water of ETP is reused?	Yes / No
Whether Helpline number (which are active 24x7) has been provided?	Yes / No
<i>Rawit</i> <i>TE. DPCC</i> <i>02.05.2020</i> <i>TE. DPCC</i> <i>02.05.2020</i> <i>TE. DPCC</i> <i>02.05.2020</i>	Helpline number: 18002740055

1. No burning of waste was observed during inspection at the premises
2. Treated bio medical waste, ~~was~~ observed during inspection, in open space
3. NO bio medical waste, ^{Plastic waste} was stored in open space at the premises ^{area}.

96
6



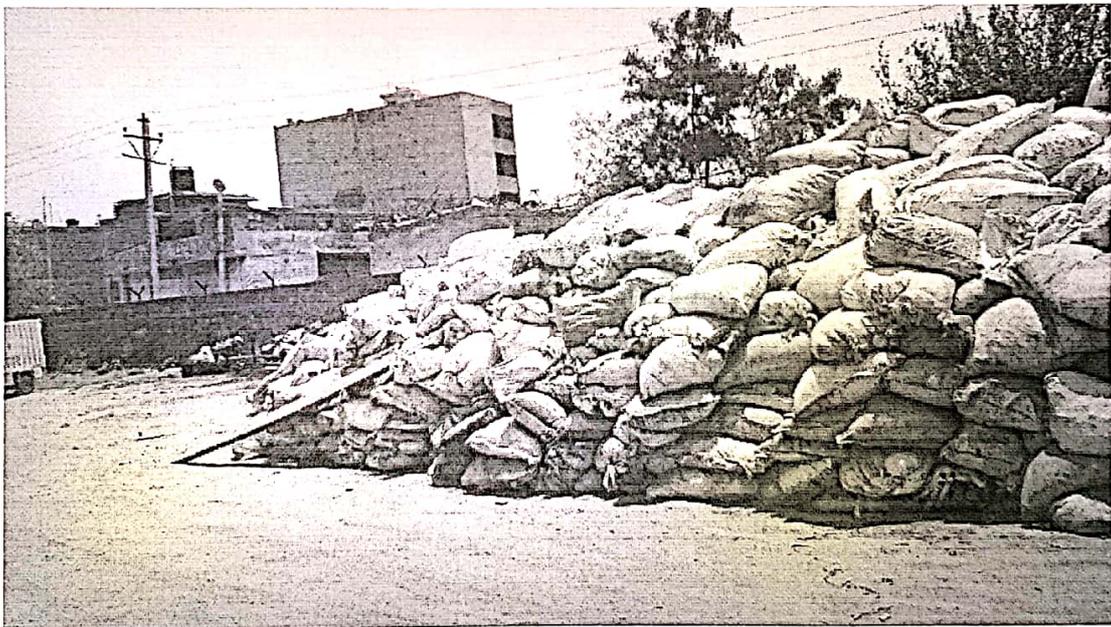
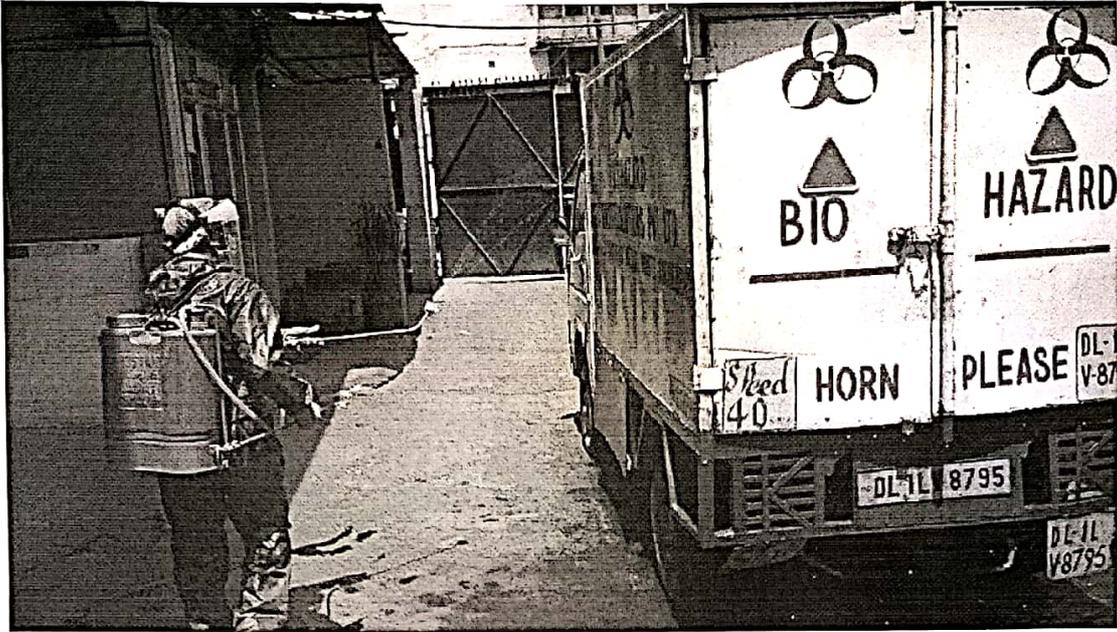
Storage of biomedical waste inside facility



Feeding of waste in incinerator

95

7



Treated plastic kept for handing over to recycler

94

8



Stack of the facility



COVID 19 waste received in Facility