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If a whole or part of a paragraph has been amended, the date of the amending regulation appears in square brackets at the end of the paragraph. If a whole paragraph or sub-paragraph has been deleted, the date of the deletion appears in square brackets beside the deleted paragraph or sub-paragraph.

Republic of Latvia

Cabinet

Regulation No. 703

Adopted 13 September 2011

## **Regulations Regarding the Procedures for Issuing and Cancelling of a Permit for Collection, Transport, Reloading, Sorting or Storage of Waste, as well as Regarding the State Fee and the Procedures for Payment Thereof**

*Issued pursuant to  
Section 12, Paragraphs two and three of  
the Waste Management Law*

### **I. General Provisions**

1. This Regulation prescribes:

1.1. the procedures for issuing and cancelling a permit for collection, transport, reloading, sorting or storage of waste (hereinafter – the permit);

1.2. the requirements included in the permits for a waste manager;

1.3. the sample forms for the permits for collection, transport, reloading, sorting or storage of waste;

1.4. an association, which joins not less than two thirds of waste management merchants, which perform their activity in Latvia, and the commission of independent experts established by which issues an opinion on technical capabilities to perform the collection, transport, reloading, sorting or storage of waste by such merchant which has intended to perform the abovementioned activities (hereinafter – statement);

1.5. the procedures for providing the statement referred to in Sub-paragraph 1.4 of this Regulation;

1.6. the amount of the State fee for the issuance of the permit and the procedures for payment thereof.

2. If a waste manager has received a permit for the performance of Category A or B polluting activity and such permit includes conditions for collection, reloading, sorting or storage of waste, it shall not require a separate permit for collection, reloading, sorting or storage of waste.

3. The State Environmental Service (hereinafter – the Service) shall issue the following permits to the waste manager:

3.1. for collection of waste from waste generators, sites for collection of sorted waste, centres or stations for sorting and reloading of waste, sites (locations) for collection of separate kinds of hazardous waste or of production waste, sites for acceptance of utilised

packaging or sites (locations) for collection of waste from waste generators or for separate collection of household waste and transport;

3.2. for reloading and storage of waste;

3.3. sorting and reloading of waste;

3.4. storage of waste;

3.5. transport of waste.

## **II. Procedures for Issuing a Permit, the Requirements Included in the Permit, the Amount of the State Fee for the Issuance of the Permit and the Procedures for Payment Thereof**

4. Prior to commencing the respective activity or expiry of the term of validity of the permit the waste manager shall submit a submission for receipt of a permit for collection, transport, reloading, sorting or storage of waste to the Service according to the legal address of the waste manager. In preparing the submission in the form of an electronic document, it shall be drawn up in accordance with the laws and regulations regarding drawing of electronic documents. The following information shall be indicated in the submission:

4.1. information regarding waste collection:

4.1.1. the planned type of the waste collection system (for example, separate waste collection, waste sorting, waste collection from containers, at separated collection sites or at collection fields) and its description;

4.1.2. the contracts entered into, if any (the contracting parties, the term of operation of each contract shall be indicated in the list):

4.1.2.1. with a local government, if the permit is necessary for collection of household waste;

4.1.2.2. with a merchant, if the permit is necessary for collection of production waste or hazardous waste;

4.1.3. the description of the specialised means of transport to be used to collect waste, installations and inventory, including also the description of waste containers;

4.1.4. the description regarding technical capabilities for performance of servicing of containers, including washing and disinfection;

4.1.5. addresses and description of sites for separated collection of household waste, fields for collection of separated waste, sites for collection of separate kinds of hazardous waste or of production waste, sites for acceptance of utilised packaging and sites for waste collection of goods harmful to the environment, indicating their conformity with the requirements set in the laws and regulations regarding arranging and management of sites for waste collection (for each collection site);

4.1.6. the planned types and amount (tons) of waste to be collected in a calendar year (to be indicated for each site of collection) in accordance with the laws and regulations regarding waste classifier and properties that make waste hazardous;

4.2. information regarding waste reloading:

4.2.1. addresses of the sites of waste reloading;

4.2.2. the description of the machinery, installations and inventory used in waste reloading (for each site of reloading);

4.2.3. the description of waste reloading centres or stations, characterising their conformity with the requirements brought forward in the laws and regulations for arranging and management of waste reloading sites (to be indicated for each site of reloading);

4.2.4. the planned types and amount (tons) of waste to be reloaded in a calendar year (to be indicated for each site of reloading ) in accordance with the laws and regulations regarding waste classifier and properties that make waste hazardous;

4.3. information regarding waste sorting:

- 4.3.1. addresses of the sites of waste sorting;
- 4.3.2. the description of the technologies and equipment used in waste sorting;
- 4.3.3. the description of waste sorting centres and stations, characterising their conformity with the requirements brought forward in the laws and regulations for arranging and management of waste sorting centres (to be indicated for each site of sorting);
- 4.3.4. the planned types and amount (tons) of waste to be sorted in a calendar year (to be indicated for each site of sorting) in accordance with the laws and regulations regarding waste classifier and properties that make waste hazardous;
- 4.4. information regarding waste storage:
  - 4.4.1. characterisation and addresses of the sites of waste storage;
  - 4.4.2. the characterisation of the equipment used for waste storage (for each storage site);
  - 4.4.3. the planned types and amount (tons) of waste to be stored in a calendar year (to be indicated for each site of storage) in accordance with the laws and regulations regarding waste classifier and properties that make waste hazardous;
- 4.5. information regarding the planned measures for safety and health protection of employees;
- 4.6. information regarding qualification of employees and the measures for improving it;
- 4.7. the preferable type of receipt of the permit and other information.

5. In order to receive a permit for transport of waste, in addition to the information referred to in Paragraph 4 of this Regulation the waste manager shall indicate the following information:

- 5.1. the description of the specialised means of transport to be used to transport waste;
- 5.2. if contracts have been entered into with a person who receives waste – information regarding contracts (the contracting parties, the terms of operation of the contract shall be indicated in the list);
- 5.3. information regarding the planned types and amount (tons) of waste to be transported in a calendar year in accordance with the laws and regulations regarding waste classifier and properties that make waste hazardous.

6. If the permit is necessary for transport of hazardous waste, in addition to the information referred to in Paragraphs 4 and 5 of this Regulation the waste manager shall also indicate in the submission:

- 6.1. information regarding the certificate, which certifies the conformity of means of transport for transport of hazardous waste, indicating information regarding the number, time and date of issue of the certificate, the institution that issued the certificate (if in accordance with the laws and regulations regarding transport of hazardous waste such certificates are required for transport of hazardous waste);
- 6.2. a notification regarding appointing a safety adviser (if the notification is required in accordance with the laws and regulations regarding appointing safety advisers, qualification of safety advisers and their activities in the field of transport of dangerous cargo);
- 6.3. a list of drivers who have the driver's licence of means of transport provided for transport of dangerous cargo and who will perform transport of dangerous cargo on assignment of the respective waste manager (if such certificate is necessary in accordance with the laws and regulations regarding transport of dangerous cargo).

7. The waste manager shall present the original contracts referred to in Paragraphs 4 and 5 of this Regulation upon request of officials of the Service.

8. The veracity of the information indicated in the submission referred to in Paragraph 4 of this Regulation shall be confirmed by the authorised person of the waste manager with a signature.

9. The Service shall examine the submission and, if all the information determined in laws and regulations is not indicated in the submission or appended thereto, inform the waste manager thereof in writing within five working days, and indicate the information to be additionally submitted to the Service. The abovementioned information may be notified and submitted, also using electronic communications, if the waste manager has indicated such type of provision of information in the submission.

10. The association referred to in Sub-paragraph 1.4 of this Regulation is the Latvian Association of Waste Management Companies (hereinafter – the Association).

11. The Service shall, within three working days after receipt of the submission, send the submission electronically (except information regarding contracts entered into) to the Association for provision of a statement.

12. In order to provide a statement, the Association shall establish a commission of experts (hereinafter – commission). The composition of the commission shall include three independent qualified experts of the respective sectors. Prior to preparation of the statement, an expert of the commission shall confirm in writing that there are no such circumstances, which affect or might affect the personal or financial interests of the expert, his or her relatives, business partners or employer.

13. The expert shall not participate in preparation of the statement, if it affects or may affect the personal or financial interests of the expert, his or her relatives, business partners or employer. If such circumstances exist in relation to the expert, which affect or may affect the personal or financial interests of the expert, his or her relatives, business partners or employer, prior to commencing the work of the commission he or she shall inform the Association thereof in writing and shall request to suspend him or her from participation in the preparation of the statement. In such case the Association shall include another expert of the respective sector in the commission.

14. The commission shall evaluate the technical capabilities of the waste manager to perform waste management activities according to the following criteria:

14.1. the waste manager who collects and transports household waste and production waste:

14.1.1. uses specialised means of transport, installations and inventory in its activities for waste collection;

14.1.2. ensures the qualification of its employees and regular improvement of professional qualification in the fields of its operation;

14.1.3. for waste collection offers to use corresponding waste containers, ensures the possibility of separated waste collection and ensures servicing of waste containers;

14.2. the waste manager who reloads and sorts household waste and production waste:

14.2.1. uses such technological solutions for reloading and storing of waste, which are safe to human health and environment, in its operation;

14.2.2. ensures the qualification of its employees and regular improvement of professional qualification in the fields of its operation;

14.3. the waste manager, which collects, transports, reloads, sorts or stores hazardous waste:

- 14.3.1. uses, in its activities, specialised means of transport, installations for waste collection and containers corresponding for collection of hazardous waste;
- 14.3.2. ensures the qualification of its employees and regular improvement of professional qualification in the fields of its operation.

15. The Association shall prepare the statement referred to in Paragraph 11 of this Regulation and send electronically to the Service and the submitter within 10 days from the day of receipt of the submission.

16. If it is necessary to verify the conformity of the information provided in the submission, the official of the Service or the commission shall visit the sites for collection, reloading, sorting or storage of waste referred to in the submission and inspect the equipment.

17. The Service shall, within a month from receipt of the submission, issue the permit (Annex) for waste collection or waste collection and transport, waste reloading and storage, waste sorting and storage, waste storage, waste transport or take a decision to refuse to issue the permit, and notify the submitter thereof and the local government, in the territory of which the household waste manager is planning its operation. If according to the submission the waste manager performs several activities of waste management, the board shall issue one permit, including therein all the activities referred to in the submission and permitted for the waste manager. In preparing the permit in the form of an electronic document, it shall be drawn up in accordance with the laws and regulations regarding drawing of electronic documents.

18. The Service shall indicate the following in the permit:

18.1. the requirements for reduction of such environmental pollution, which occurs in collecting, reloading, sorting, storing or transporting waste;

18.2. the requirements for separated collection, reloading, sorting, storing or transporting of household waste;

18.3. the requirements for control measures of waste management;

18.4. the duty to provide information to the Service, other State institutions, local governments and society regarding the waste management activities referred to in the respective permit;

18.5. the requirement to receive a permit from the State agency "Civil Aviation Agency", if it is intended to perform the waste management activity within the radius of 15 km around the control point of the airfield and it may promote mass gathering of birds (constant source of feed and nesting sites).

19. The permit shall be issued for 10 years or a shorter period of time (according to the time period indicated in the submission).

20. Prior to receipt of the permit the waste manager shall pay the State fee for the issuance of the permit, using one of the following types of payment:

20.1. through a credit institution or other institution, which has the right to provide payment services within the meaning of the Law On Payment Services and Electronic Money;

20.2. with a payment card at the Service.

21. The State fee for the issuance of the permit shall be paid in the following amount:

21.1. for the permit for waste collection or waste collection and transport in accordance with Sub-paragraph 3.1 of this Regulation – EUR 71.14;

21.2. for the permit for waste reloading and storage – EUR 71.14;

21.3. for the permit for waste sorting and storage – EUR 71.14;

21.4. for the permit for waste storage – EUR 71.14;

21.5. for the permit for waste transport – EUR 71.14.

*[3 September 2013]*

22. The amount of the State fee for the issuance of the permit, which includes two activities referred to in different Sub-paragraphs of Paragraph 21 of this Regulation, shall be EUR 106.72.

*[3 September 2013]*

23. The amount of the State fee for the issuance of the permit, which includes three (or more) activities referred to in different Sub-paragraphs of Paragraph 21 of this Regulation, shall be EUR 142.29.

*[3 September 2013]*

24. The State fee shall be paid into the State basic budget.

25. The permit for waste transport shall be issued, if the waste recipient has received a permit for Category A or B polluting activity for recovery or disposal of waste or it has entered into a contract with the operator of waste recovery installation of disposal landfill site, which has the respective permit for Category A or B polluting activity or other necessary waste management permits.

26. The permit for collection of household waste in a particular administrative territory shall be in effect while the contract determined in the laws and regulations regarding waste management, which has been entered into by the waste manager with the respective local government, is in effect.

27. The Service shall post the information regarding the issued permit on the website of the Service within five working days after issuance of the permit.

28. The Service shall take a decision to refuse to issue the permit (justifying the decision accordingly) in the following cases:

28.1. if the waste management referred to in the submission causes threats of epidemic or threats to the public health or may deteriorate the quality of the environment;

28.2. if the requester of the permit has provided false or misleading information in the submission;

28.3. if the waste management procedures referred to in the submission do not conform to the requirements of laws and regulations in the field of waste management;

28.4. if technical capabilities of the waste manager to perform the waste management activity indicated in the submission are insufficient.

29. If after receipt of the permit, during its operation, the waste manager enters into a new contract with the local government regarding household waste management, it shall, within five working days after entering into the waste management contract, post information regarding the contract entered into and its term of operation on the website of the Service.

30. If it is necessary to make amendments to the permit due to the planned changes in the waste management activity, changing its extent (for example, providing for the management of a new field for separate collection of waste, collection of waste in the territory of other local government, termination of operation of a reloading station) or to changes in the firm name or legal address of the waste manager, the waste manager shall post the information regarding the planned changes on the website of the Service, indicating the respective

information in accordance with the requirements referred to in Paragraphs 4, 5, and 6 of this Regulation.

31. Within five working days after the waste manager has posted the information referred to in Paragraphs 29 and 30 of this Regulation on the website of the Service, the Service shall take a decision on amendments to the permit and notify the waste manager thereof in accordance with the procedures laid down in the laws and regulations regarding notification of documents.

### **III. Cancellation of the Permit**

32. The Service shall cancel the permit in the following cases:

32.1. the waste manager does not comply with the requirements laid down in the laws and regulations governing waste management or in the permit;

32.2. the waste manager has provided false or misleading information;

32.3. the waste manager, its liquidator or administrator has submitted information regarding termination of waste collection, transport, reloading, sorting or storage activities;

32.4. the waste collection, transport, reloading, sorting or storage performed by the waste manager causes threats of epidemic or threats to the public health or deteriorates the quality of the environment;

32.5. the permit referred to in Sub-paragraph 18.5 of this Regulation has not been received;

32.6. the time periods of the contracts referred to in Paragraph 4 of this Regulation have expired or such contracts have been terminated and information regarding extending the abovementioned contracts or entering into new contracts has not been submitted to the board;

32.7. the technical capabilities of the waste manager are insufficient;

32.8. the waste manager has not performed the activity determined in the permit during the year.

33. The permit for waste transport shall be cancelled, if the waste recipient has been revoked a permit for Category A or B polluting activity for waste recovery or disposal or other necessary waste management permit. The permit for collection, reloading, sorting or storage of waste shall be cancelled, if the waste manager has received a permit for Category A or B polluting activity, which includes conditions for the performance of the respective waste management activities.

34. If the permit is cancelled because the technical capabilities of the waste manager are not sufficient in order to perform collection, transport, reloading, sorting and storage of waste, the Service shall request a statement of the Association prior to taking of the decision.

35. The Service shall notify the decision to cancel the permit for management of household waste to the waste manager and the local government, with which the manager has entered into a contract regarding management of household waste. The Service shall notify the decision to cancel the permit for collection, reloading, sorting or storage of production or hazardous waste to the waste manager. The Service shall post the decision to cancel the permit for waste management on the website of the Service.

36. The decision to cancel the permit for collection and transport of household waste shall also include the conditions regarding collection, transport, reloading or storage of household waste until the day when the local government has entered into a contract with other household waste manager that has been selected in accordance with the procedures laid down in the laws and regulations governing public procurement or public and private partnership, as

well as the conditions regarding arrangement of the waste storage site according to the environmental quality requirements. Information regarding the cancelled waste management permits shall be posted on the website of the Service.

37. The decision taken by the Service to refuse to issue the permit or the decision to cancel the permit may be contested with the Environment State Bureau (hereinafter – the Bureau). A decision taken by the Bureau may be appealed in the Administrative District Court in accordance with the procedures laid down in the Administrative Procedure Law.

#### **IV. Closing Provisions**

38. The Association shall establish a commission within a month from the day of coming into force of this Regulation.

39. The Service shall, by 1 October 2012, ensure the possibility for the waste manager to post the information regarding permits referred to in Paragraphs 29 and 30 of this Regulation on the website of the Service.

40. The waste manager shall, by 1 October 2012, submit the information referred to in Paragraphs 29 and 30 of this Regulation to the Service in writing. The Service shall take the decision on amendments to the permit and notify it to the submitter within five working days after the waste manager has submitted the information referred to in Paragraphs 29 and 30 of this Regulation to the Service.

41. The Service shall, within six months from the day of coming into force of this Regulation, post information on its website regarding all valid waste management permits, which have been issued prior to the day of coming into force of this Regulation (the date and term of operation of the permits shall also be indicated).

42. Cabinet Regulation No. 613 of 29 July 2008, Procedures for Issuing, Extending, Reviewing and Cancelling of a Waste Management Permit (*Latvijas Vēstnesis*, 2008, No. 119), is repealed.

#### **Informative Reference to Directive of the European Union**

This Regulation contains legal norms arising from Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives.

Prime Minister

V. Dombrovskis

Minister for Environmental Protection and Regional Development

R. Vējonis



**Waste Management Permit No. \_\_\_\_**

1. Addressee

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(firm name of the merchant)

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(registration number in the Commercial Register)

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(legal address, telephone number, fax number and e-mail address)

2. Permit issued (indicate the appropriate):

- for collection of waste or for collection and transport of waste
- for transport of waste
- for reloading and storage of waste
- for sorting and storage of waste
- for storage of waste

3. Permit valid from \_\_\_\_ 20\_\_ to \_\_\_\_ 20\_\_

4. The requirements to be conformed to in performing waste management activities

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Date \_\_\_\_\_

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(position)  
Place for a seal

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(signature, given name, surname)

Annexed:

1. Information regarding permitted waste collection activities – waste collection sites, types and quantity of waste to be collected in accordance with the laws and regulations regarding waste classifier and properties that make waste hazardous.

2. Information regarding permitted activities of waste transport – location of waste prior to commencing transport (also firm name of the merchant, registration number in the Commercial Register, address, telephone number, fax number, types and quantity of waste to be transported in accordance with the laws and regulations regarding waste classifier and properties that make waste hazardous), final destination of waste transport (address, firm name of the merchant, registration number in the Commercial Register, legal address, telephone number, fax number).

3. Information regarding permitted waste reloading activities – waste reloading sites, types and quantity of waste to be reloaded in accordance with the laws and regulations regarding waste classifier and properties that make waste hazardous.

4. Information regarding permitted waste sorting activities – waste sorting sites, types and quantity of waste to be sorted in accordance with the laws and regulations regarding waste classifier and properties that make waste hazardous.

5. Information regarding permitted waste storage activities – waste storage sites, types and quantity of waste to be stored in accordance with the laws and regulations regarding waste classifier and properties that make waste hazardous.

Note. The details of the document “date”, “signature” and “place for a seal” shall not be completed, if the electronic document has been drawn up in accordance with the laws and regulations regarding the drawing up of electronic documents.

Minister for Environmental Protection and Regional Development

R.Vējonis