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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. 139

Adopted 14 February 2006

Regulations Regarding the Requirements for the Use and Labelling of Certain Equipment and Products Containing Hazardous Chemical Substances and Regarding the List of Goods Harmful to the Environment

*Issued pursuant to
Section 11, Paragraph two, Clause 13
of the Law On Pollution*

I. General Provisions

1. This Regulation prescribes the requirements for the use and labelling of certain equipment and products containing hazardous chemical substances and regarding the list of goods harmful to the environment.
2. It shall be prohibited to import into Latvia, as well as distribute the goods referred to in Annex 1 to this Regulation.

II. Use and Labelling of Equipment Containing Polychlorinated Biphenyls and Polychlorinated Terphenyls

3. Equipment containing polychlorinated biphenyls or polychlorinated terphenyls is equipment, which contains or has contained polychlorinated biphenyls or polychlorinated terphenyls (transformers, capacitor batteries, containers) and which have not been decontaminated (hereinafter – equipment).
4. Decontamination of equipment shall be the replacement of polychlorinated biphenyl and polychlorinated terphenyl with a fluid which does not contain polychlorinated biphenyls and polychlorinated terphenyls as well as other operations facilitating the processing and disposal of the equipment, material or liquid.
5. Equipment regarding which there is a substantiated suspicion that they may contain polychlorinated biphenyls or polychlorinated terphenyls shall be managed in the same way as equipment containing polychlorinated biphenyls or polychlorinated terphenyls.

6. If the volume of the polychlorinated biphenyls or polychlorinated terphenyls in the equipment is greater than 5dm³, the equipment owner or operator shall submit to the relevant regional environmental board of the State Environmental Service information regarding such equipment (Annex 2).

7. The equipment owners or operators referred to in Paragraph 6 of this Regulation shall inform the relevant regional environmental board of the State Environmental Service in writing, if the number of pieces of equipment or the amount of polychlorinated biphenyl and polychlorinated terphenyl has changed.

8. The relevant regional environmental board of the State Environmental Service shall, once a year, aggregate the information referred to in Paragraph 6 of this Regulation for the previous year and send it to the Latvian Environment, Geology and Meteorology Agency. The Latvian State Environment, Geology and Meteorology Agency shall aggregate the received information and ensure public access to it.

9. Until the decontamination, incineration or disposal of the equipment referred to in Paragraph 6 of this Regulation the equipment owner or operator shall provide the equipment with an indelible (stamped or engraved) label in accordance with the sample prescribed in Annex 3, Clause 1 to this Regulation. A label with the same content shall also be attached by the equipment owner or operator to the building and door of the room, where the referred to equipment is located.

10. Transformers containing more than 0.05% (by weight) polychlorinated biphenyl or polychlorinated terphenyl shall be decontaminated, until the polychlorinated biphenyl and polychlorinated terphenyl concentration is 0.005% (by weight). Transformers shall be decontaminated, if their incineration or disposal shall create a greater risk of harming human health or the environment. If the substance in the transformers, which contains polychlorinated biphenyls or polychlorinated terphenyls, is replaced with a replacement substance, the replacement substance shall not contain polychlorinated biphenyls and polychlorinated terphenyls and create a greater risk to human health and the environment. After decontamination the transformers shall be labelled in accordance with the sample prescribed in Annex 3 to this Regulation. The decontamination of transformers shall not interfere with the incineration or disposal of the polychlorinated biphenyls and polychlorinated terphenyls.

11. The person who stores, decontaminates or processes polychlorinated biphenyls, polychlorinated terphenyls and equipment, shall register the origin, characteristic properties, amount and content of polychlorinated biphenyls and polychlorinated terphenyls of the polychlorinated biphenyl, polychlorinated terphenyl and equipment delivered thereto, and shall issue a report to the owners and operators who supply the polychlorinated biphenyls, polychlorinated terphenyls and equipment. The report shall indicate the physical and chemical properties and amount of the polychlorinated biphenyls and polychlorinated terphenyls delivered.

12. The manager of the processing or disposal facility shall register the following information regarding the origin and characteristic properties of the collected, processed or disposed of polychlorinated biphenyls, polychlorinated terphenyls and equipment, the amount and content of the polychlorinated biphenyls and polychlorinated terphenyls and shall, once a year, submit this information to the relevant regional environmental board of the State Environmental Service and the local government, in the administrative territory of which the relevant facility is located.

13. Equipment, in which the amount of polychlorinated biphenyls or polychlorinated terphenyls is less than 5 dm³ and which are components in other equipment, after they have ceased being utilised, if it is practically possible, shall be removed from the relevant equipment, collected separately and processed or disposed of.

14. It shall be prohibited to separate polychlorinated biphenyls and polychlorinated terphenyls from other substances, in order to repeatedly utilise them, as well as commence the operation of new equipment that contains polychlorinated biphenyls and polychlorinated terphenyls.

15. Transformers containing polychlorinated biphenyls and polychlorinated terphenyls shall only be used in the event if they comply with technical requirements and leakage of liquids containing polychlorinated biphenyls and polychlorinated terphenyls into the environment shall not occur.

III. Usage and Labelling of Batteries and Accumulators Containing Hazardous Substances

[22 September 2008]

16. Requirements specified in this Chapter shall apply to all types of batteries and accumulators in conformity with the regulatory enactments regarding waste management.

17. It shall be permitted to place all types of batteries and accumulators on the market, except for the following:

17.1. batteries and accumulators that contain more than 0.0005% mercury (by weight) (irrespective of whether they are included in devices – electrical or electronic equipment (in conformity with the requirements of the regulatory enactments regarding waste management) which can completely or partly work or be made to work, utilising batteries or accumulators), excluding button type elements, in which the mercury content shall not exceed 2% (by weight);

17.2. portable batteries and accumulators (irrespective of whether they are included in devices), that contain more than 0.002% cadmium (by weight), excluding portable batteries and accumulators that are utilised in emergency and alarm systems, including providing emergency lighting, medical equipment and cordless electrical instruments (any hand-held device that is made to operate, utilising a battery or accumulator, and which is used for repair work, in construction and horticulture).

18. Batteries, accumulators and battery packs shall be labelled in accordance with Annex 4 to this Regulation.

[24 January 2012]

19. All portable batteries and accumulators, as well as batteries and accumulators utilised in vehicles and self-propelled machinery shall show their capacity (power) on their labels.

[Shall come into force on 26 September 2009 / See Paragraph 27]

20. The labelling symbol (Annex 4) shall cover 3% of the largest surface of the battery, accumulator or battery pack (for cylindrical parts – 1.5% of the surface of the battery, accumulator or battery pack), and its maximum measurement shall be 5 x 5 cm. If the surface area of the battery, accumulator or battery pack is such that the symbol measurements are less than 0.5 x 0.5 cm, each battery, accumulator or battery pack need not be marked, but a 1 x 1 cm large symbol shall be impressed on the packaging.

[24 January 2012]

21. Batteries, accumulators and button type elements containing more than 0.0005% mercury (by weight), more than 0.002% cadmium (by weight) or more than 0.004% lead (by weight) shall be labelled with the appropriate metal designation:

- 21.1. mercury (Hg);
- 21.2. cadmium (Cd);
- 21.3. lead (Pb).

22. The label referred to in Paragraph 21 of this Regulation shall be impressed below the labelling symbol referred to in Annex 4 to this Regulation, ensuring that its dimensions are not smaller than one quarter of the area that is taken up by the labelling symbol referred to in Annex 4 to this Regulation.

23. The battery or accumulator producer shall provide the battery or accumulator user with information regarding the meaning of the labelling referred to in Paragraph 21 of this Regulation and Annex 4.

24. The label shall be impressed in such a way that it is legible, clear and indelible.

24.¹ Batteries and accumulators shall not be placed in equipment, if after utilisation the user can not remove them easily. Equipment in which batteries and accumulators have placed shall have instructions attached, in which information is provided about the type of battery or accumulator placed in the equipment, as well as the method of safe removal of the batteries and accumulators.

24.² The requirements referred to in Paragraph 24.¹ of this Regulation shall not apply to such batteries and accumulators, which are permanently attached to equipment in order to ensure a constant current flow in the relevant equipment due to safety, technological, medical or data integrity reasons.

[24 January 2012]

IV. Closing Provisions

25. Cabinet Regulation No. 177 of 12 March 2002 on Regulations Regarding the Requirements for the Use and Labelling of Certain Equipment and Products Containing Hazardous Chemical Substances and Regarding the List of Goods Harmful to the Environment is repealed (Latvijas Vēstnesis, 2002, No. 46).

26. The equipment referred to in Chapter II of this Regulation shall be decontaminated or disposed of and the polychlorinated biphenyls and polychlorinated terphenyls that were contained in them shall be incinerated or disposed of by 31 December 2010.

27. Paragraph 19 of this Regulation shall come into force on 26 September 2009.

[22 September 2008]

28. The batteries and accumulators not conforming to the requirements of this Regulation shall not be placed on the market. The batteries and accumulators not conforming to the requirements of this Regulation and placed on the market after 26 September 2008 shall be withdrawn from the market.

[21 July 2009]

Informative Reference to European Union Directives

[22 September 2008; 21 July 2009]

This Regulation contains legal norms arising from:

1) Council Directive 96/59/EC of 16 September 1996 on the disposal of polychlorinated biphenyls and polychlorinated terphenyls;

2) Directive 2006/66/EC of the European Parliament and of the Council of 6 September 2006 on batteries and accumulators and waste batteries and accumulators and repealing Directive 91/157/EEC;

3) Directive 2008/103/EC of the European Parliament and of the Council of 19 November 2008 amending Directive 2006/66/EC on batteries and accumulators and waste batteries and accumulators as regards placing batteries and accumulators on the market.

Prime Minister

A. Kalvītis

Minister for the Environment

R. Vējonis

Goods Harmful to the Environment

1. All batteries and accumulators containing more than 0.0005% mercury (by weight) (irrespective of whether they are included in devices), excluding button type elements, in which the mercury content does not exceed 2% (by weight).

2. Portable batteries and accumulators containing more than 0.002% cadmium (by weight) (irrespective of whether they are included in devices), excluding batteries and accumulators, which are utilised in emergency and alarm systems (including providing emergency lighting), in medical equipment and cordless electrical instruments.

Information Regarding Equipment Containing Polychlorinated Biphenyls and Polychlorinated Terphenyls

I. Information Regarding the Equipment Owner or Operator

1. The name of the firm, registration number and address of a legal person or the given name, surname and personal identity number of a natural person			
2. Address			
3. Telephone number		fax number	

II. Information Regarding the Equipment Containing Polychlorinated Biphenyls or Polychlorinated Terphenyls

4. Location	
	(address)
5. Description	
6. The amount (m ³) of polychlorinated biphenyls or polychlorinated terphenyls present in the equipment	
7. The planned date of decontamination/disposal/reprocessing (underline the appropriate activity) of the equipment	
8. The person responsible for submitting information	
(position, given name, surname)	

(signature)

Date _____

Minister for the Environment

R. Vējonis

Labelling Samples for Appliances Containing Polychlorinated Biphenyls and Polychlorinated Terphenyls

1. Labelling samples for untreated appliances containing polychlorinated biphenyls and polychlorinated terphenyls:

Equipment containing PCB/PCT WARNING! This equipment contains hazardous chemical substances PCB/PCT concentration _____ % by weight PCB/PCT liquid amount contained _____ m ³
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2. Labelling sample for decontaminated appliances containing polychlorinated biphenyls and polychlorinated terphenyls:

Decontaminated equipment containing PCB/PCT PCB/PCT liquid amount contained that has been substituted with _____ (name of the substitute substance) The liquid was changed on _____ (date) The liquid was changed by _____ (given name, surname of the person who changed the liquid) PCB/PCT concentration in the liquid: before substitution _____ % by weight after substitution _____ % by weight

Minister for the Environment

R. Vējonis

**Symbol to be Used for Labelling Batteries and Accumulators
(For Separate Collection of Batteries and Accumulators)**

In order to indicate that all batteries, accumulators and battery packs must be collected separately, the symbol represented in the illustration shall be used in the labelling:

