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The *Saeima*¹ has adopted and the President has proclaimed the following Law:

Waste Management Law

Chapter I General Provisions

Section 1.

The following terms are used in this Law:

- 1) **waste** – any object or substance which an owner disposes of, or intends to or is forced to dispose of, and which conforms to the categories specified in the waste classification;
- 2) **producer of waste** – a natural or legal person, by whose actions waste is produced, or who performs mixing of waste or other activities, as a result of which the composition and characteristics of waste are changed;
- 3) **waste recovery facility** – a production complex or facility with the assistance of which waste recovery is performed;
- 4) **waste management** – the collection of waste (including the collection, sorting and mixing of waste in order to transport it), the storage, reloading, transportation, recovery (including waste incineration) and burying of waste, the supervision of such activities, the construction of sites for disposal of waste, and maintenance and after-care of recovery facilities after their closure;
- 5) **landfill** – a specially constructed and equipped site for the disposal of waste, in which all the measures for environmental protection prescribed in regulatory enactments are ensured;
- 6) **dump** – a site for the disposal of waste, which does not conform to the requirements regarding landfills.

Section 2.

The purpose of this Law is to prescribe procedures regarding waste management, in order to protect human life and health, the environment, and the property of persons.

Section 3.

This Law does not apply to:

- 1) gaseous effluents emitted into the atmosphere;
- 2) radioactive waste;
- 3) animal carcasses, as well as manure and other substances of natural origin which are generated or are utilised in agriculture;
- 4) waste waters, except for waste in liquid form;
- 5) explosives; and
- 6) waste resulting from prospecting, extraction, recovery and storage processes regarding mineral deposits.

Section 4.

Waste shall be divided into:

¹ The Parliament of the Republic of Latvia

- 1) **hazardous waste** – waste which has one or more characteristics which make it hazardous to human life and health, the environment, or the property of persons, and which conforms to a hazardous waste category specified in the waste classification;
- 2) **municipal waste** – all other waste, which is not classified as hazardous waste.

Section 5.

- (1) Waste management shall be performed in such a way as not to threaten human life and health, or the property of persons.
- (2) Waste management must not negatively affect the environment, including:
 - 1) cause threats to the water or air environment, soil, flora or fauna;
 - 2) generate noise or odours;
 - 3) negatively affect the countryside and specially protected nature territories; or
 - 4) pollute or litter the environment.

Section 6.

In the organisation, planning and performing of waste management the following requirements shall be observed (in the following priority order):

- 1) causes of waste production must be prevented, and therewith clean technologies must be developed;
- 2) the amount (volume) and hazardousness of waste must be reduced;
- 3) waste must be treated and re-usable material and energy must be recovered;
- 4) waste must be buried so that human life and health, the environment, and the property of persons are not threatened; and
- 5) dumps must be closed in accordance with waste management plans, and re-cultivation of closed dumps and landfills must be ensured.

Chapter II Competence of State and Local Government Authorities

Section 7.

The Cabinet shall:

- 1) approve the State waste, including hazardous waste, management plan;
- 2) approve the placement of new hazardous waste recovery facilities and landfills;
- 3) determine waste classification and characteristics which make waste hazardous;
- 4) determine the recording procedures for the recording, identification, storage, packing, labelling and transportation of hazardous waste;
- 5) determine the requirements to be set regarding the construction of landfills, the management of landfills and dumps, and the closure and re-cultivation of such landfills and dumps;
- 6) determine the procedures pursuant to which funding for the closure of landfills and dumps shall be ensured;
- 7) determine the procedures in accordance with which different types of waste, for the management of which, due to their hazardousness or other characteristics, special requirements are to be set, shall be managed, including therewith oil product waste, waste containing polychlorinated biphenyls and polychlorinated terphenyls, batteries and accumulators containing hazardous substances, waste from the titanium dioxide industry and asbestos waste;
- 8) determine the requirements to be set for the incineration of waste, including hazardous waste, and for the operation of waste incineration facilities; and
- 9) determine types of waste recovery and disposal.

Section 8.

The Ministry of Environmental Protection and Regional Development or its authorised institution shall:

- 1) formulate the State waste, including hazardous waste, management plan;
 - 2) co-ordinate the implementation of the State waste management plan;
 - 3) prepare draft regulatory enactments in the field of waste management;
 - 4) compile information regarding waste management;
 - 5) co-ordinate and organise the management of hazardous waste in accordance with this Law and other regulatory enactments;
 - 6) organise the construction and management of hazardous waste recovery facilities and landfills;
- and
- 7) co-ordinate the construction of municipal landfills.

Section 9.

Parish and city local governments in their administrative territories shall:

- 1) organise the management of municipal waste;
- 2) take decisions regarding the placement of new municipal waste recovery facilities and landfills;
- 3) issue binding regulations which regulate the management of municipal waste, and the procedures by which payments for municipal waste management shall be made; and
- 4) take decisions regarding the placement of new hazardous waste recovery facilities and landfills.

Chapter III Waste Management Plans

Section 10.

(1) Waste management plans shall include information regarding:

- 1) the waste management situation, describing the type of waste produced, collected (sorted and unsorted), processed and buried, and its composition, amount and origin;
- 2) the prescribed requirements (in priority order) to be observed in the further development of the planned waste management, indicating the extent of each activity (the relevant type of waste, amount and origin) and the time provided for the implementation thereof;
- 3) the measures necessary for the implementation of planned activities;
- 4) the facilities (newly constructed, re-constructed, existing) necessary for implementation of the planned activities, and the technical equipping of such facilities;
- 5) the authorities that shall be responsible for the implementation of the relevant planned waste management activity;
- 6) the calculated costs and sources of funding for the implementation of the planned activities; and
- 7) how the management of waste can be improved.

(2) Local governments shall organise municipal waste management plans for their own administrative territories and approve them. Several local governments may prepare joint municipal waste management plans.

Chapter IV Waste Management Permits

Section 11.

(1) Regional environment administrations, informing the city council (parish council) in which administrative territory waste management activities are planned to be performed, prior to the performance of the relevant activity shall issue the following waste management permits:

- 1) permits for the recovery of waste;
- 2) permits for the disposal of waste; and
- 3) permits for the collection, storage and reloading of waste.

- (2) The regional environment administration shall, in accordance with the final destination of hazardous waste to be transported, issue permits for the transportation of the hazardous waste in the territories under its supervision and inform the relevant city council (parish council) of such.
- (3) The Cabinet shall determine the procedures for the issue, extension and cancellation of waste management permits, the requirements to be set in the waste management permits, and shall approve the forms for waste management permits.

Chapter V

Duties of Producers of Waste, Holders, and those Persons who Perform the Management of Waste

Section 12.

The collection, accumulation, storage, disposal or recovery of waste shall be permitted only in places intended therefor.

Section 13.

- (1) The producer of waste or owner of municipal waste shall:
- 1) participate in the management of municipal waste organised by local government, complying with the binding regulations issued by the local government; and
 - 2) cover the costs of municipal waste management.
- (2) As holders of waste shall be considered persons who conform to at least one of the following conditions:
- 1) they are producers of waste; or
 - 2) they are natural or legal persons in whose ownership the waste is found.

Section 14.

- (1) The producer of waste or holder of hazardous waste shall:
- 1) separate hazardous waste from other types of waste;
 - 2) store hazardous waste so that it does not threaten human life and health, the environment, or the property of persons;
 - 3) deliver the hazardous waste to specially equipped hazardous waste collection places or enter into a contract regarding the management of hazardous waste with a person who performs hazardous waste management and has obtained a permit to manage hazardous waste; and
 - 4) cover the costs of hazardous waste management.
- (2) Legal persons who store hazardous waste for longer than 12 months shall obtain a permit for the storage of hazardous waste and shall perform the activities referred to in Paragraph three, Clause 3 of this Section.
- (3) A person who performs the management of hazardous waste shall:
- 1) obtain a permit for the collection, storage, reloading, recovery, and disposal of hazardous waste;
 - 2) obtain a permit to transport hazardous waste;
 - 3) ensure the recording, packing, labelling and identification of hazardous waste; and
 - 4) organise specially equipped hazardous waste collection sites.

Section 15.

Persons who are engaged in the management of municipal waste shall:

- 1) obtain a permit in accordance with procedures prescribed by the Cabinet; and
- 2) enter into a contract with those local governments in whose administrative territory the relevant activities are performed.

Section 16.

It is prohibited to mix hazardous wastes, which conform to different hazardous waste categories, as well as to mix hazardous waste with municipal waste.

Section 17.

Municipal waste that is not processed shall be buried at a municipal landfill or a dump where disposal of waste is permitted.

Section 18.

Establishment and management of municipal landfills shall be organised by local governments, in whose administrative territory shall be collected municipal waste for disposal at the relevant municipal landfill, together with those local governments in whose administrative territory landfills are located, or establishment of a landfill is planned.

Section 19.

(1) The owner or manager of a landfill, dump or recovery facility shall:

- 1) prior to the commencement of operations, obtain a permit for the disposal of waste or the recovery of waste;
- 2) manage the landfill, dump or waste recovery facility in accordance with the requirements referred to in the permit for the disposal of waste or the recovery of waste, in this Law and in other regulatory enactments;
- 3) perform or finance the measures for the closure of the landfill or dump, or the termination of the operation of the waste recovery facility; and
- 4) cover the costs associated with closure of the landfill or dump, or the termination of the operations of the waste recovery facility.

Section 20.

(1) Persons who engage in waste management shall:

- 1) record the amount (volume), type, origin, frequency of collection, transportation, type of recovery and disposal, and place of recovery and disposal regarding waste under management, and once per year submit the compiled information to the Ministry of Environmental Protection and Regional Development or its authorised institution, as well as to the relevant local government, and shall preserve such materials for three years;
- 2) at their request, provide information to State authorities, local governments and the general public regarding waste management; and
- 3) at the request of the previous holder of the waste, issue a certification regarding the collection, storage, reloading and transportation, recovery and disposal of the relevant waste.

Chapter VI Payment Regarding Waste Management

Section 21.

(1) Payment regarding collection, storage, reloading, transportation and recovery of hazardous waste, and regarding the recovery of municipal waste shall be determined by the producer of waste or holder of the waste in agreement with the manager of the waste.

(2) Payment for the disposal of hazardous waste shall be regulated in accordance with the procedures prescribed by the Cabinet.

Section 22.

Payment for the management of municipal waste, except for recovery, shall be regulated in accordance with the procedures prescribed in the Law On Public Services Regulators.

Chapter VII Transboundary Movement of Waste

Section 23.

- (1) Exportation of hazardous waste for recovery or disposal to states which have acceded to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal is permitted in compliance with the procedures prescribed in the Convention referred to.
- (2) It is prohibited to import into the territory of the Republic of Latvia any waste for disposal or long-term storage.
- (3) It is permitted to import hazardous waste for recovery only if there are hazardous waste recovery facilities in operation in the territory of the Republic of Latvia, the owner of which has obtained a permit for the recovery of the relevant hazardous waste, and which have the necessary capacity.
- (4) Permits for the import of hazardous and municipal waste for recovery in the territory of the Republic of Latvia, as determined by the Cabinet, shall be issued by the Ministry of Environment Protection and Regional Development.
- (5) The procedures for export, import and transit of waste shall be regulated by regulations of the Cabinet, which shall also regulate the procedures for the issue, extension and cancellation of permits referred to in Paragraph four of this Section.

Transitional Provisions

1. With the coming into force of this Law, the Law On Municipal Waste (*Latvijas Republikas Saeimas un Ministru Kabineta Ziņotājs*, 1998, No. 23) and the Law On Hazardous Waste (*Latvijas Republikas Augstākās Padomes un Ministru Padomes Ziņotājs*, 1993, No. 14/15; *Latvijas Republikas Saeimas un Ministru Kabineta Ziņotājs*, 1997, No. 3) are repealed.
2. Until the day when the relevant Cabinet regulations come into force, but not longer than until 1 January 2002, the following Cabinet Regulations shall be in force insofar as they are not in contradiction with this Law:
 - 1) 17 September 1996 Cabinet Regulation No. 353, Procedures regarding Completion of Documents for Operations with Hazardous Waste;
 - 2) 12 August 1997 Cabinet Regulation No. 298, Regulations Regarding the Classification of Hazardous Waste and Hazardousness Criteria;
 - 3) 8 February 2000 Cabinet Regulation No. 56, Regulations regarding Construction, Management and Closure of Municipal Landfills;
 - 4) 9 February 1999 Cabinet Regulation No. 39, Municipal Waste Classification Regulations; and
 - 5) 8 June 1999 Cabinet Regulation No. 205, Regulations On Registration of Natural Persons and Legal Persons who Perform Collection, Storage, Recovery, Reloading or Transportation of Municipal Waste.
3. Permits issued on the basis of the requirements of the Law On Municipal Waste and the Law On Hazardous Waste shall be in effect until the end of their terms.
4. Section 11, Paragraph one; Section 14, Paragraph two and Paragraph three, Clause 1; Section 15, Clause 1 and Section 19, Clause 1 of this Law do not apply to persons who perform waste management, if they have obtained permits for all facilities in which waste management is performed in accordance with the procedures prescribed in the Law On Pollution.
5. Section 7, Clause 1 of this Law shall come into force on 1 January 2003.
6. The Cabinet shall adopt the Cabinet Regulations referred to in Section 7, Clauses 3, 5 and 9; Section 11, Paragraph three and Section 15, Clause 1 of this Law by 1 January 2002, but shall adopt the Cabinet Regulations referred to in Section 7, Clauses 4, 6 and 7; Section 21, Paragraph two and Section 23,

Paragraph five, and approve the placement of the facilities and landfills referred to in Section 7, Clause 2 of this Law by 1 January 2003.

7. The Cabinet shall adopt the Cabinet Regulations referred to in Section 7, Clause 8 in relation to the incineration of hazardous waste by 1 July 2001, but in relation to the incineration of all waste, by 1 January 2003.

8. Section 14, Paragraph one, Clause 3 of this Law shall come into force on 1 January 2004.

This law shall come into force on 1 March 2001.

This Law has been adopted by the *Saeima* on 14 December 2000.

President

V.Vīķe-Freiberga

Rīga, 29 December 2000