



LEGAL REGULATION OF THE WASTE MANAGEMENT

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Waste management:

- storage,
- treatment,
- disposal
- transportation
- export, import etc.
- collection,
- handling,
- sorting
- usage and other activities related to the waste



Techniques, how to discard the waste:

- burning
- dumping into water – water act
- putting into lagoons
- landfilling
- biological and other methods

EU LAW

- Directive 2008/98/EC on waste
- Regulation (EC) No 1013/2006 on shipments of waste
- Many others

CZECH LAW:

- Act N. 185/2001 Coll., on wastes
- Directive 2008/98/EC on waste

Problem of waste disposal is related to other laws:

- Construction Act N. 183/2001 Coll.
- Act N. 477/2001 Coll. on packaging
- Air Act N. 86/2002 Coll.

Act N. 185/2001 Coll., on wastes

Goals:

- to regulate the generation, handling and transportation and disposal of waste
- to prevent careless disposal practices
- to ensure it in safe and regulated manner

Act N. 185/2001 Coll., on wastes

- to protect human health and environment
- to reduce or eliminate the generation of waste and the toxicity of hazardous waste

DEFINITION OF THE WASTE

Waste –
any movable thing which a person intends to dispose of or which must to be disposed of according to special laws (Alimentary Act)
different groups of waste are listed in the annex of the Waste Act

C-1/03 Paul Van der Walle and Others v Texaco Belgium SA (ECJ)

WASTE - DEFINITION

Waste Act applies to the management of all wastes except of those listed in the Act:

- radioactive waste
- effluents discharged under the Water act (waste waters)
- pollutants emitted into the air
- human and animal corpses etc.

BY-PRODUCTS

By-products – a substance or object, resulting from a production process, the primary aim of which is not the production of that item is not considered to be a waste if:

- Further use of the substance is certain
- The substance can be used directly without any further processing
- The substance is produced as an integral part of a production process
- Further use is lawful

END-OF-WASTE STATUS

Certain specified **waste shall cease to be waste** when it has undergone a recovery, including recycling, operation and complies with specific criteria ... if

- The substance is commonly used for specific purposes
- A market or demand exists for it
- The substance fulfills the technical requirements and meets existing legislation
- The use of the substance will not lead to overall adverse environmental or human health impacts

WASTE - DEFINITION

- Hazardous waste
- Municipal waste
- Selected waste with special regime
- Other waste, including biowaste

Hazardous waste:

- waste listed as hazardous waste in the regulation
- any other waste having one or more dangerous characters defined in annex 2 of the Act
- mixture of wastes containing hazardous compound or listed HW

Hazardous waste:

➤ 3 criteria to determine HW:

- list
- characteristics
- mixture rule

Delisting petition

Municipal waste

- waste produced in the municipality by natural persons except of natural persons while doing business
- the originator of municipal waste is considered to be the municipality

Selected wastes with special requirements:

- Wastes containing PCBs
- Waste oils
- Accumulators
- Waste water treatment plant sediments
- Wastes from the production of titanium oxide
- Asbestos
- End-of-life vehicles
- Electric and electronic appliances

Persons engaged in waste management :

- generators
- transporters
- waste collection facilities
- treatment and usage facilities
- disposal facilities

- everybody

WASTE HIERARCHY

- Prevention
- Preparing for re-use
- Recycling
- Other recovery, e.g. Energy recovery
- Disposal

Regulatory tools

- **Catalogue/register of wastes**
- **Special regime for hazardous waste**
- **Duties of persons**
- **Approvals and opinions**
- **Technical requirements (BAT)**
- **Waste manager**
- **Waste management plans**
- **Economic tools**

Regulatory tools

- **Liability insurance for landfills**
- **Post closure requirements for the landfills**
- **Special rules for export, import and transit of wastes**
- **Record-keeping and reporting requirements**
- **Sanctions**
- **Criminal liability under Penal Code**

State administration

- MOE
- Ministry of Health
- hygienic offices
- Ministry of agriculture – inspection of the use of sediments
- Czech Environmental Inspectorate
- custom offices
- regions
- municipalities
