



CEL - LEGAL REGIME OF WASTE DISPOSAL

Outline

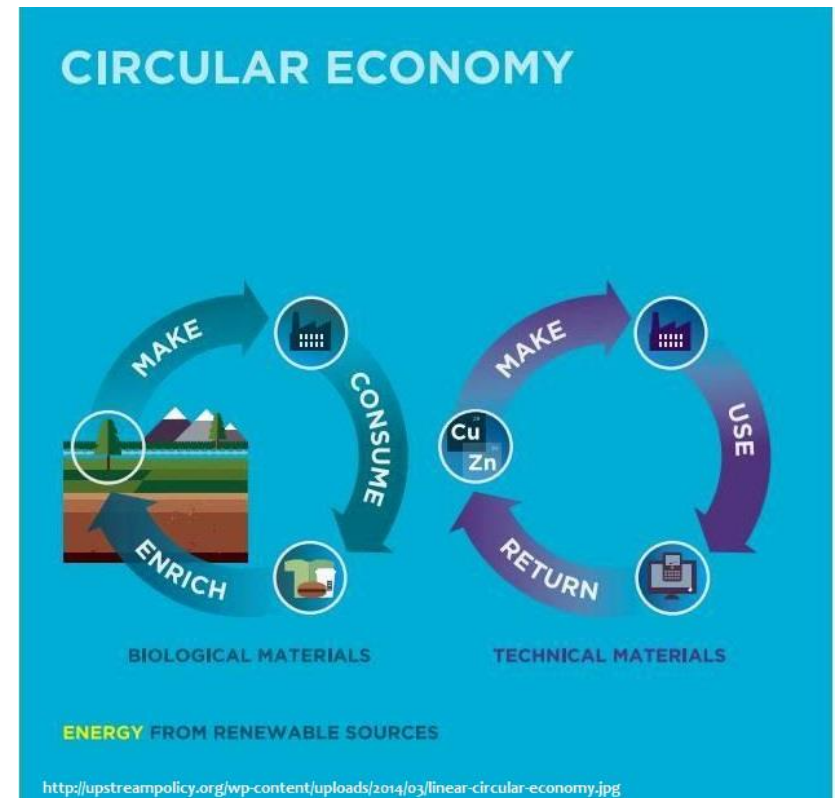
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1. Background and aims of waste legislation
2. Waste legislation – system
3. Definition of waste
4. Waste management hierarchy
5. Proper waste management
6. Municipal waste
7. Specific waste streams
8. Shipment of waste

Aims of waste legislation

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- **proper waste management**
 - without adverse impacts on environment and human health
- **reduce generation of waste**
 - limit hazardous substances in waste
- **improve resource efficiency**
 - waste as a resource



European Environment Agency



0:03 / 2:03



Circular Economy

https://www.youtube.com/watch?v=_9mHi93n2AI

Czech waste legislation: system

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□ general **framework**

- Directive 2008/98/EC on waste (WFD)

- Act no. 185/2001 Coll., on wastes (Waste Act)

 - [https://www.mzp.cz/ris/vis-legcz-en.nsf/0/2FE1CCCFB48F540EC125772D003BE2E6/\\$file/2001_185_ENrev.pdf](https://www.mzp.cz/ris/vis-legcz-en.nsf/0/2FE1CCCFB48F540EC125772D003BE2E6/$file/2001_185_ENrev.pdf)

- Municipal ordinances/decrees

□ **waste management operations**

- Regulation (EC) 1013/2006 on shipments of waste

□ **specific waste streams**

- Act no. 477/2001 Coll., on packaging

- Act no. 157/2009 Coll., on mining waste

Is it waste?

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<http://sitn.hms.harvard.edu/wp-content/uploads/2014/12/Sawdust.jpg>



http://vdeltafoods.com/content/images/thumbs/0001299_sawdust-briquette_600.jpeg

Definition of waste

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- „*any movable object which the holder discards or intends or is required to **discard***“
 - case law of ECJ
- subjective and objective elements
- restrictive interpretation is forbidden
 - high level of protection
- it is necessary to **consider all circumstances**

Is it waste?

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http://codez.savonia.fi/cdio3_2013_gtk/gtk/uploadkuvat/M1_Sivukivi_1.jpg

Case C-9/00 (Palin Granit)

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- *A company in Finland operates a granite quarry.*
- *storing of leftover stone and the possibility of recovering that stone by using it as gravel or filling material in constructing breakwaters and embankments*
- no **intention to produce** the leftover stone
- **economic value**
- **composition** of the stone
- no danger to environment
- degree of **likelihood that the stone will be used**

By-products

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- substance (object) is result from production process
 - but primary aim is not the production of the substance
- conditions:
 - the substance is produced as an **integral part** of a production process
 - the substance can be used directly **without any further processing** other than normal industrial practice
 - further use is **lawful**
 - i.e. the substance fulfils all relevant product, environmental and health protection requirements for the specific use
 - will not lead to overall adverse environmental or human health impact
 - **further use** of the substance is **certain**



End-of-waste criteria

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- waste has **undergone a recovery** and complies with specific **criteria** based on these conditions:
 - *the substance is commonly used for specific purposes*
 - *a market or demand exists for such a substance*
 - *the substance fulfils the technical requirements for the specific purposes and meets the existing legislation and standards applicable to products*
 - *the use of the substance will not lead to overall adverse environmental or human health impacts*
- Regulation (EU) No 333/2011 establishing criteria determining when certain types of scrap metal cease to be waste or No 1179/2012 (glass cullet)
- MS may decide case by case

Hazardous waste

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- is mentioned in the List of waste (*)
 - ▣ Commission Decision 2000/532/EC
- displays one or more of the **properties** listed in Annex III of WFD; Regulation (EU) No 1357/2014
 - ▣ delisting petition
- **ban on the mixing** of hazardous waste with other waste or substances
- packaging and labelling requirements
- **traceability** from production to final destination

Persons dealing with waste

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State authorities

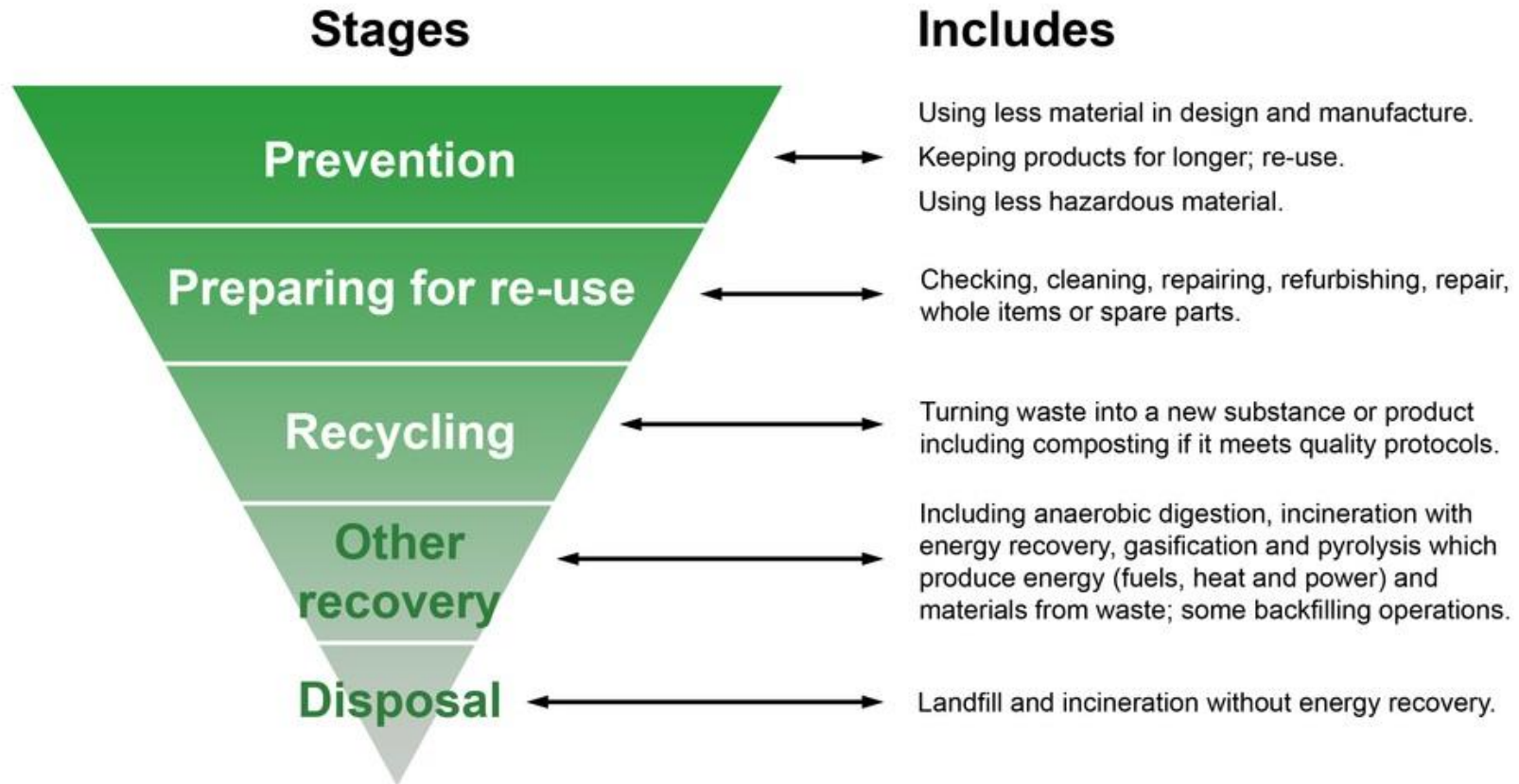
- Ministry of Environment
- Czech Environmental Inspectorate
- regional governments and authorities
- municipalities and municipal authorities

Private subjects

- waste producers
- person licensed to manage waste
- waste managers
- inhabitants

Waste management hierarchy

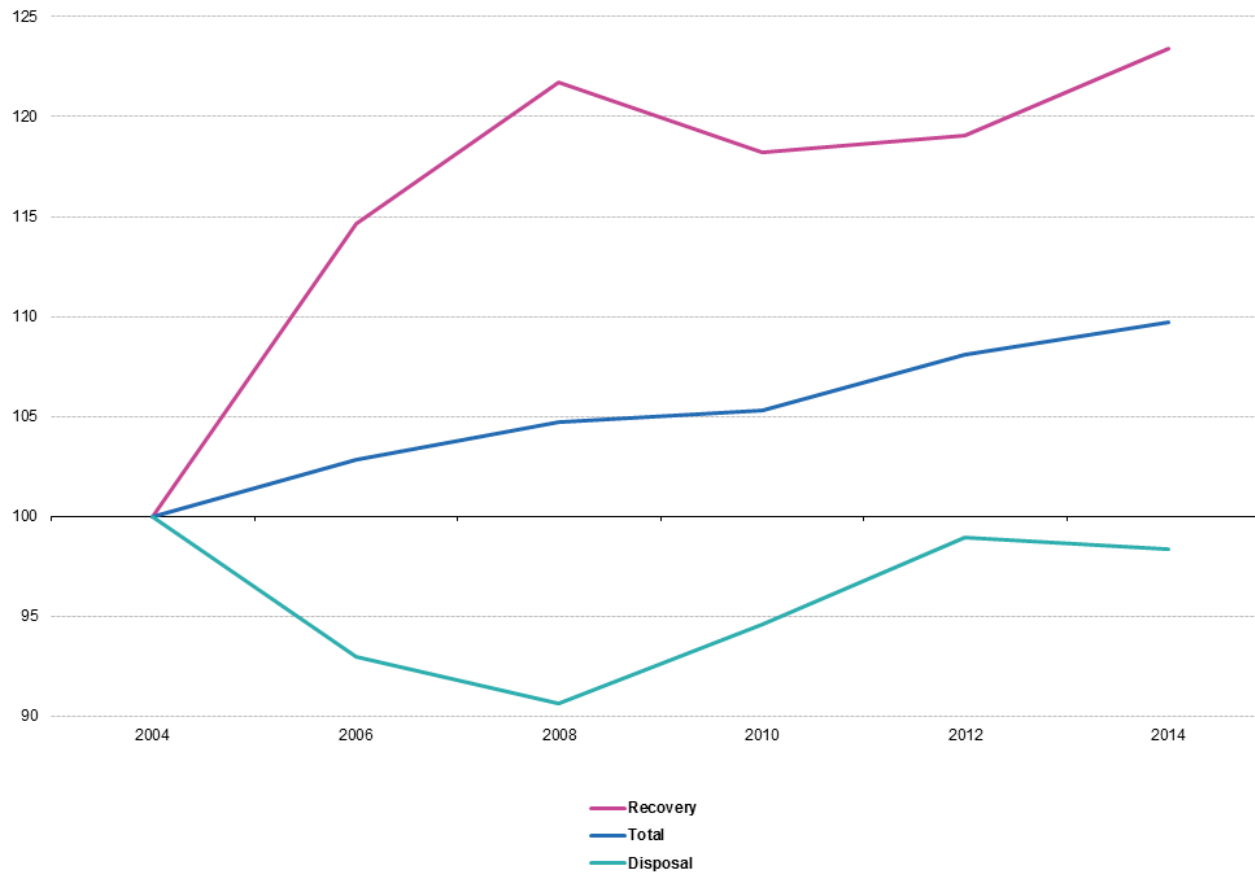
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<https://andrewtmarlow.files.wordpress.com/2012/05/waste-hierarchy.jpg>

Development of waste treatment

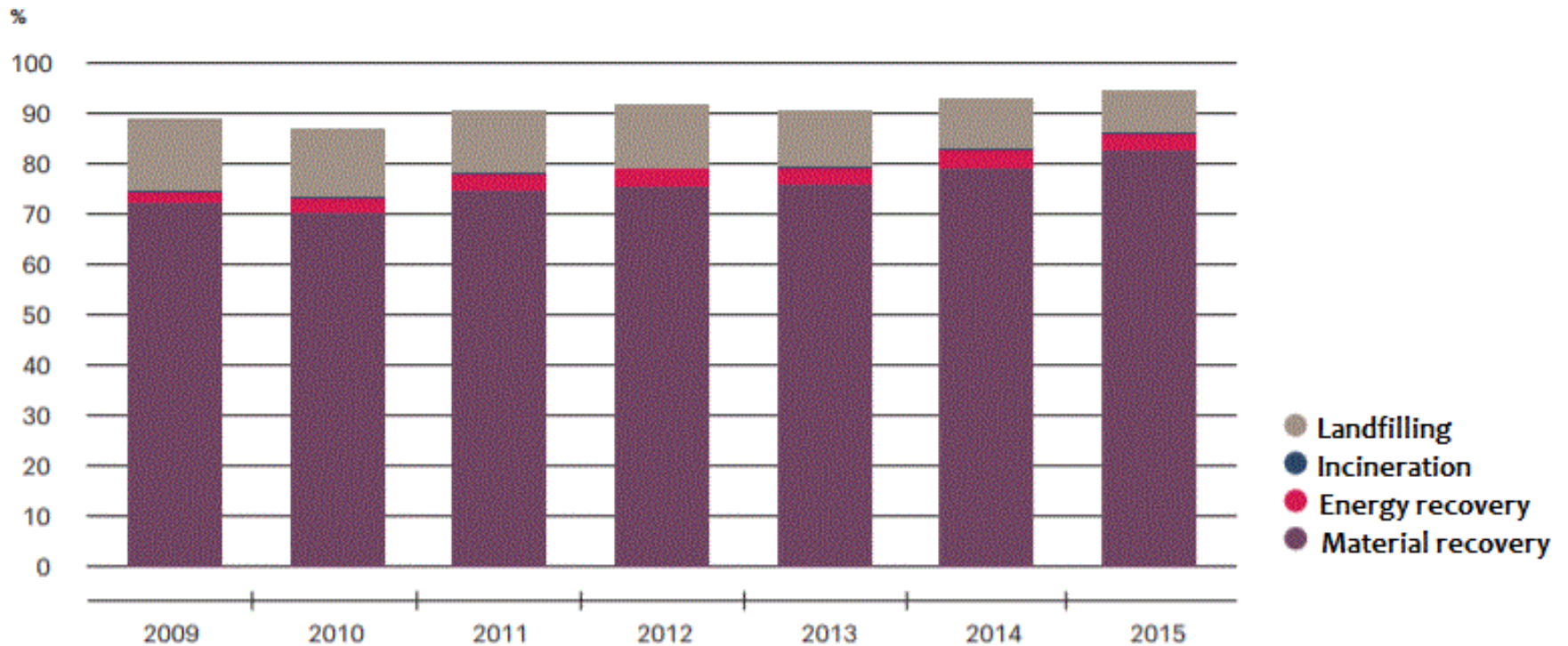
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Source: Eurostat (online data code: env_wastrt)

Waste treatment in the Czech Republic (2015)

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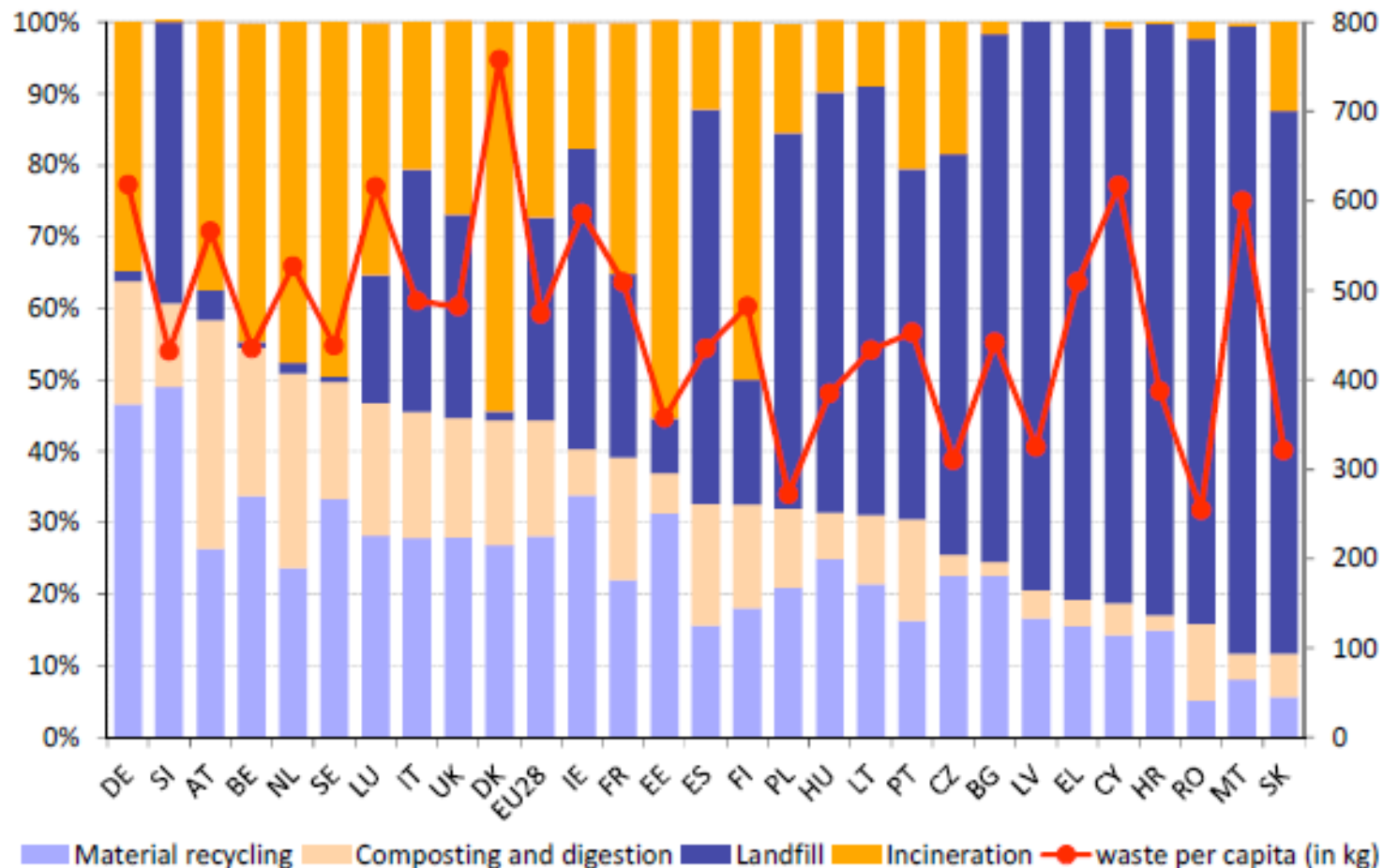


Targets (e.g.)

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- by 2016/2020 - **biodegradable municipal waste going to landfills** must be reduced to 35 % of the total amount (by weight) of biodegradable municipal waste produced in 1995
- by 2020 - the preparing for re-use and the recycling of waste materials such as at least paper, metal, plastic and glass **from households** and possibly from other origins as far as these waste streams are similar to waste from households, shall be increased to a minimum of overall **50 % by weight**

Figure 1 – Municipal waste treatment methods and waste per capita in the EU-28 (2014)



Data source: Eurostat ([env_wasmun](http://ec.europa.eu/eurostat/tgm/table.do?tab=table)), 2016. Data for IE, EL and RO relate to 2013.

Proper waste management

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- MS shall take the necessary measures to ensure that waste management is carried out without endangering human health and the environment
- **permits** for waste treatment facilities (see later)
- transfer waste only to **persons licensed to handle** waste
- enforcement: inspections ⇒ **penalties**

Waste installations

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- shall obtain a permit from the competent authority
 - may be granted for a specified period
 - shall contain
 - the types and quantities of waste that may be treated
 - the method to be used for each type of operation
 - technical and any other requirements
 - after-care provisions
- EIA, IPPC
 - e.g. landfill of hazardous waste, waste incineration plants

Landfilling of waste

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- landfilling is the worst waste management option
 - greenhouse gas – loss of resources – soil and water pollution
- landfill: „*waste disposal site for the deposit of the waste onto or into land (i.e. underground)*“
- landfill **classes**
 - for hazardous – non-hazardous – inert waste
- **proper treatment**
 - permit is necessary
 - technical conditions (requirements)

Landfilling of waste (2)

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- the following waste **may not be deposit:**
 - liquid waste, tyres, waste with certain properties (e.g. explosive, flammable), infectious clinical waste
 - residual municipal waste and recyclable waste: since 2024
- **closing and after-care**
 - closed after final on site inspection carried out by competent authority
 - operator remains responsible for maintenance and control of the site
 - as long as is required by the authority (at least 30 years)
 - adequate financial security

Economic instruments

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- Art. 14 WFD – „*In accordance with the polluter-pays principle, the **costs of waste management shall be borne by the original waste producer or by the current or previous waste holders.***“
- broad discretion by MS
- in the Czech Republic (e.g.)
 - landfilling fee
 - local fee for handling of household waste
 - payment for recovery and recycling of packaging waste

WMP&WPP

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□ **Waste management plans**

- obligation of MS
- WMP shall cover the whole territory of the MS
 - CZ: state – regional – cities
 - https://www.mzp.cz/cz/plan_odpadoveho_hospodarstvi_aj
- evaluation at least every sixth year ⇒ review

□ **Waste prevention programmes**

- description and evaluation of existing prevention measures
- [https://www.mzp.cz/C1257458002FoDC7/cz/predchazeni_vzniku_odpadu_navrh/\\$FILE/OO-EN_WPP_Czech-20150407.pdf](https://www.mzp.cz/C1257458002FoDC7/cz/predchazeni_vzniku_odpadu_navrh/$FILE/OO-EN_WPP_Czech-20150407.pdf)

Municipal waste: definition

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- all waste generated in the territory of a municipality in connection with the activities of natural persons and which is **stated to be municipal waste** in an implementing legal regulation, with the **exception** of waste produced by legal entities or natural persons authorized to conduct business
- proposal of new definition in WFD
 - waste from other sources that is **comparable to household waste in nature, composition and quantity**
 - waste from street cleaning services, the content of litter containers, waste from park and garden maintenance

Municipal waste: obligations

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- municipality is a **waste producer** of municipal waste
 - municipality acquire ownership of the waste when it is deposited in containers
- **separate collection** of paper, plastic, metal, glass and bio-waste (since April to October)
- waste collection **fee**
 - fee for municipal waste (PAYT) vs. local fee

Bin there, done that! Thrifty nurse, 34, saves \$30,000 on groceries by DUMPSTER DIVING for four years - and she now owns a \$1 million apartment

- Mel Humphreys, 34, is a savvy nurse from Sydney's west
- She has been dumpster diving for the past four years and saved \$30,000
- She recently was able to afford a \$1 million apartment just outside of the CBD
- Mel has shared photos of her incredible grocery hauls from the bins
- 'I couldn't believe I could get all this food for free from a bin,' she said

By CATERS NEWS AGENCY

PUBLISHED: 03:31 GMT, 17 August 2017 | UPDATED: 04:30 GMT, 17 August 2017



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A savvy nurse is now the proud owner of a \$1 million Sydney apartment after saving more than \$30,000 by eating out of bins for four years

<http://www.dailymail.co.uk/femal/article-4797870/Sydney-woman-saves-30-000-groceries-DUMPSTER-DIVING.html>

[Home](#) > [Student from abroad](#) > [International Student Guide](#) > Waste collection fee

Waste Collection fee

Masaryk University is not responsible for this waste collection fee and is not able to provide further information. If you have any queries, please use contact details below.

WHO PAYS

From 1st January 2013, the local fees for Brno municipal waste collection shall be paid by all foreign nationals (EU and non-EU) staying in Brno for **more than 3 months** (detailed description is also available at [the City of Brno web pages](#)). The foresaid are obliged to 1) pay the fee for the respective number of months and a 2) report this fact to the fee administrator (read on).

This is only informative list of details, the description in full is available at [the web pages of the City of Brno](#).

<https://czs.muni.cz/en/student-from-abroad/international-student-guide/waste-collection-fee>



Waste collection fee

Brno Expat Centre > Our services & FAQ > Waste collection fee

All foreign citizens who intend to stay in Brno for longer than 3 months have the responsibility to pay the waste collection fee.

The fee needs to be paid **by May 31** (if you arrive before May 31) **or within 15 days after the commencement date** (if you arrive after May 31).

New residents **register** through the [online form to the Environmental Department](#) (in Czech). As for the final line of the form – *Datum vzniku poplatkové povinnosti* (commencement date) – fill in the date when you arrived in Brno. Residents already registered in previous years don't have to register again, skip this step and proceed to the payment.

2.

Pay online to 111220022/0800 with your birth identification number (issued by the Czech Immigration office as *rodné číslo*) or your date of birth (in the format DD.MM.YYYY) as the payment's identification symbol (*variabilní symbol*).

OR

Pay in cash on [Šumavská 33](#), building A, 9th floor.

The waste collection fee is set to 670 CZK in 2017. If you arrive later in 2017, you can [deduct 56 CZK for each month](#) you hadn't lived here.

Extended producer liability

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- duties of producers of products from which the waste came
 - an **acceptance of returned products**
 - **subsequent management of the waste** and financial responsibility for such activities
 - costs of waste management could be borne partly or wholly by the producer of the product
 - **e.g.** packaging waste, end of life vehicles, batteries, electric and electronic equipment

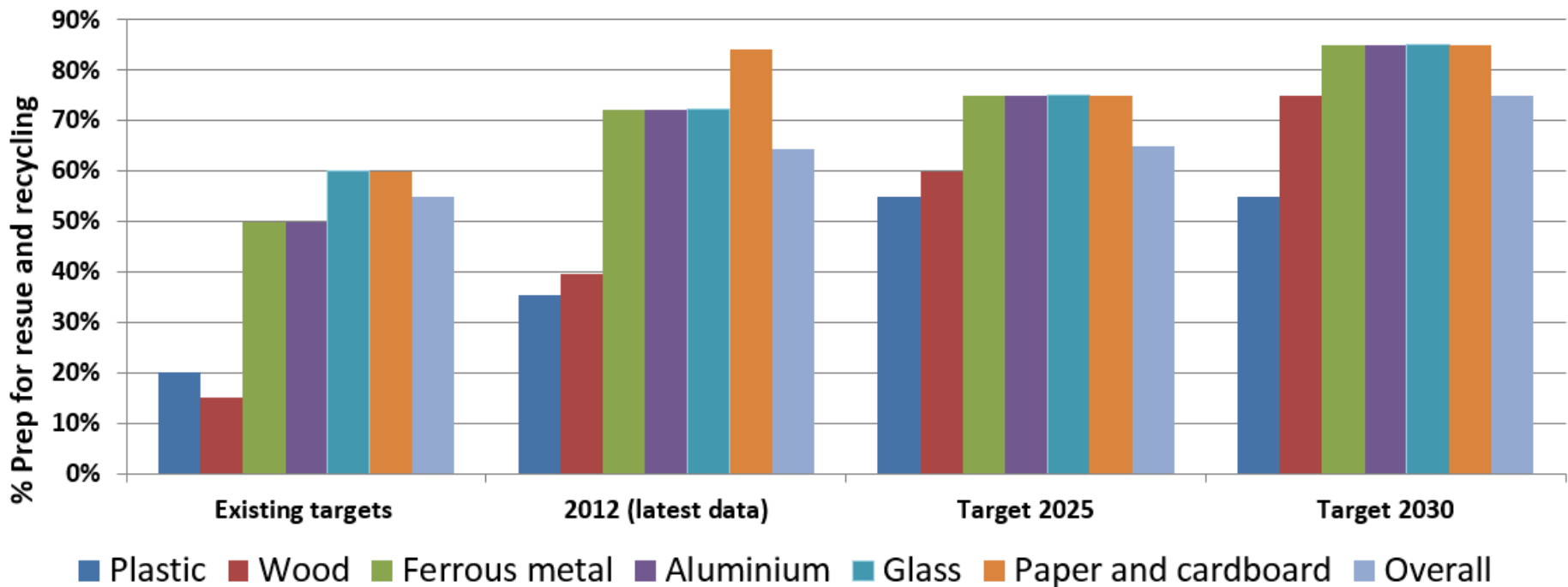
Packaging waste

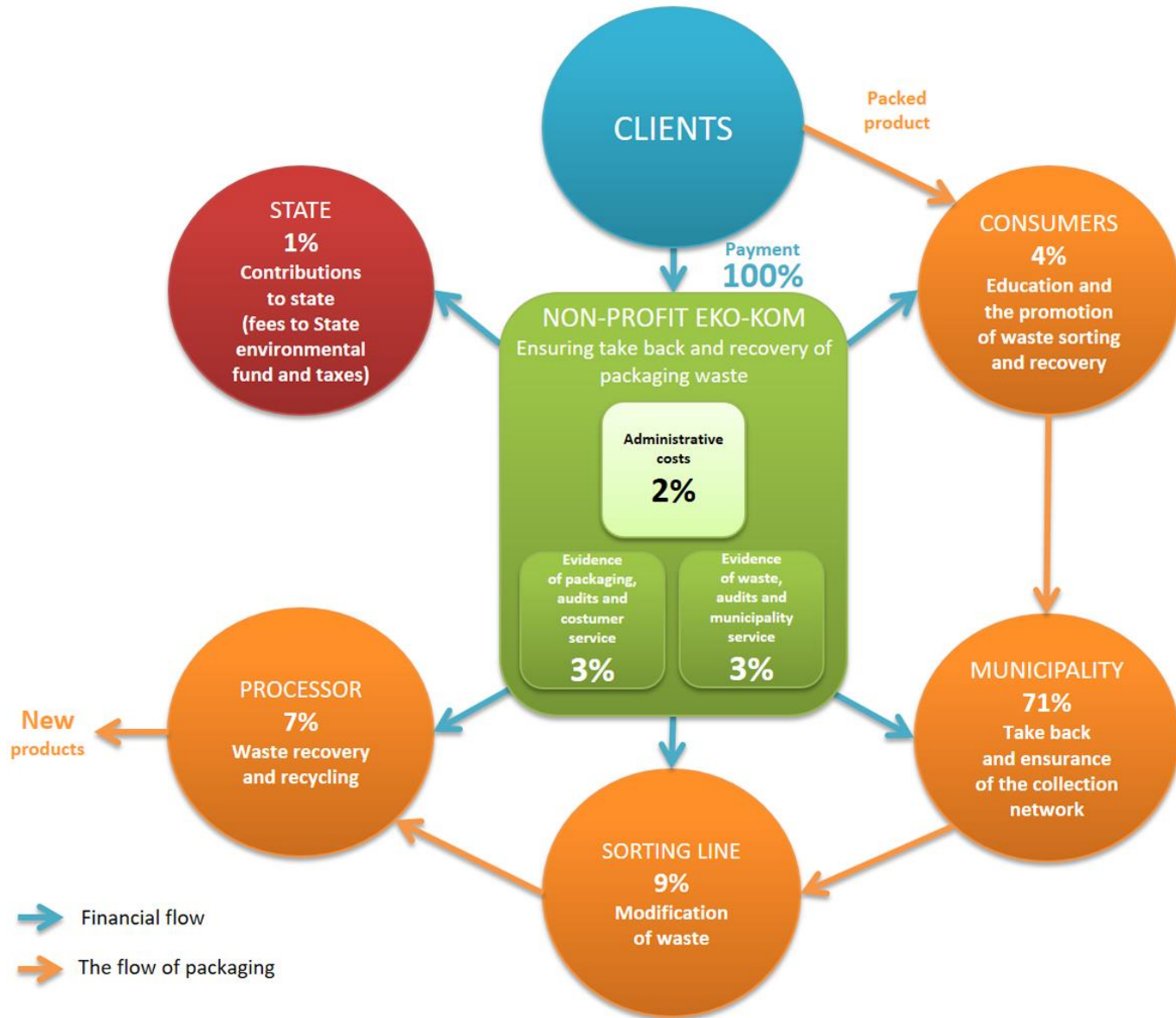
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- packaging: *„all products made of any materials of any nature to be used for the containment, protection, handling, delivery and presentation of goods“*
- **technical requirements**
 - standards – concentration levels of heavy metals
- **recycling targets** for materials contained in packaging waste
 - collection systems
 - by 2015 - separate collection shall be set up for at least the following: paper, metal, plastic and glass (art. 11 WFD)

Packaging waste recycling targets

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<http://www.ekokom.cz/uploads/images/klienti/obrazky/Struktura%20on%C3%A1tklad%C5%AF%202016%20velk%C3%BD%20English.jpg>

Shipment of waste

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- *Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal*
 - Basel Ban: no export of hazardous waste and waste for disposal to non-OECD countries ⇒ WSR in EU
- 1. **notification** through competent authority of dispatch
- 2. **prior consent** of the authority of destination
- 3. **confirmation** of disposal or **re-import** into the State of dispatch



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08 August 2017

Hazardous materials seized in largest global operation against illegal waste

SINGAPORE – More than 1.5 million tonnes of illegal waste were discovered worldwide during a global operation coordinated by INTERPOL targeting the illegal shipment and disposal of waste.

The month-long '30 days of action' (1-30 June) was the largest global enforcement action against waste crime and trafficking, with police, customs, border and environmental agencies from 43 countries participating. While previous actions have focused on electronic waste, this operation widened its scope to include all types of illegal waste, such as industrial, construction, household and medical waste.

Waste crime is a worldwide concern: of the 275 million tonnes of plastic waste generated in 2010, up to 12.7 million tonnes were illegally dumped into the ocean; while in 2014, only 10-40 per cent of the 42 million tonnes of electronic waste generated globally was disposed of through the proper channels. When hazardous waste is improperly disposed, it contaminates the water, soil and air, threatening global health and safety.

<https://www.interpol.int/News-and-media/News/2017/N2017-100>