

# THE LAW OF THE REPUBLIC OF ARMENIA ON WASTE

(Adopted on November 24, 2004)

## *Chapter 1. General provisions*

### *Article 1. Subject of law*

This law shall regulate the relations on waste collection, transportation, storage, processing, recycling, removal, volume reduction and other relations regarding the before mentioned activities, as well as legal and economical bases for prevention of adverse effects of waste on human health and environment.

### *Article 2. Sphere of regulation and exceptions*

1. This law shall regulate management of waste derived from production activities and consumption.
2. The law shall not regulate <the relations on>:
  - a) Radioactive waste;
  - b) Substances discharged into natural water streams and mixed with waterfowls;
  - c) Substances emanating together with gas mixtures from emission sources into the atmosphere;
  - d) Capping layer rocks (stratum) extracted by mining companies.

Relations on waste management mentioned in Item 2 of this Article shall be regulated by other laws and legal acts of the RoA.

### *Article 3. Legal regulation of waste management*

Relations on management of production and consumption waste are regulated by the RoA Constitution, this law, the RoA international treaties and other legal acts.

If by the RoA international treaties other norms are provided than those set forth by this law, the provisions of the international treaties shall be implemented.

### *Article 4. Basic definitions used in the law*

The basic definitions used in this law are as follows:

**Industrial waste and household refuse** (hereafter referred to as “waste”) remains of materials, raw materials, output, products and production derived from industrial activities and consumption, as well as goods (products) that lost their initial consumer attributes.

**Waste producers** - legal or physical entities or private entrepreneurs, whose activities lead to production of waste.

**Waste management** -activities aimed at prevention of waste production, waste collection, transportation, disposal, processing, reprocessing, recycling, removal, disinfection and landfill (Note: landfill as an action not a noun).

***Dangerous waste***- waste having physical, chemical and biological characteristics that are or might be dangerous to human health and environment and require special treatment methods, modes and means.

***Waste collection***- an activity aimed at removal of waste and its disposal in the specially provided areas and structures, which also includes sorting of waste for further recycling or removal.

***Waste storage***- temporary placement of waste in the specially provided areas and structures for its further recycling or removal.

***Waste utilization***- use of waste for production of goods, generation of energy or other purposes.

***Waste processing, reprocessing***- implementation of technological operations related to change of physical, chemical or biological characteristics of waste.

***Waste recycling***- use of waste as a secondary material or energy resource.

***Waste removal***- waste management activities which do not result in recycling of waste.

***Waste disinfection***- decrease or elimination of dangerous characteristics of waste through mechanical, physical- chemical, biological processing.

***Waste disposal*** - isolation of waste, which eliminates its further utilization and is aimed at its neutralization and prevention of dangerous substances' emissions into environment.

***Landfill of waste*** - final placement of waste in the specially provided areas and structures to eliminate its impact on human health and environment.

***Waste management objects***- areas and structures for waste collection, storage, processing, reprocessing, recycling, removal, disinfection and landfill.

***Specially provided areas***- sites for placement of waste, polygons, waste receiving points, landfills, complexes, buildings and structures, Earth interior's zones, for use of which in the procedure provided by law a permit for removal of waste and other activities has been issued.

***Waste transportation***- transportation of waste from places of its production and its storage on sites or structures for processing, recycling or removal.

***Trans-boundary transportation of waste*** – transportation of waste from the territory of one state to another or through the territory that is not under the jurisdiction of a certain state conditioned upon the fact that such a transportation is related to both states.

***Waste state register***- a systematized list of codes and names of waste to be used in the state or administrative statistics for provision of comprehensive and valid data on waste production, collection, processing, reprocessing, disinfection and removal.

***Licensed landfills***- landfills for operation of which a permit is issued in the procedure established by law.

***Waste disposal quota***- marginal allowable quantity of a particular type of waste, which depending on the environmental situation of the specific territory can be placed in the waste disposal structures for a defined period of time in the procedure established by law.

**Waste production normative-** quota of a particular type of waste, originated from production of a particular unit of output.

**Passport of waste-** a document verifying type and risk level of waste, which provides information about waste composition.

**Type of waste-** a group of waste having similar characteristics, defined in accordance with the waste classification system.

**Issuance of waste passports -** activities aimed at identification of waste, carried out based on passport data of waste to ensure resource-saving and safe management of waste.

**Restricted waste-** waste a restriction on further management of which shall be made by the RoA Governmental Decree.

**Waste state cadastre-** a database comprising waste indicators, lists of waste production, reprocessing, recycling structures and removal areas, as well as information about waste recycling and disinfection technologies. [

#### **Article 5. Objectives of the law**

The main objectives of this law are:

- a) Provision of main principles of the state unified policy in the area of waste management;
- b) Provision of main conditions, requirements and rules of environmentally safe management of waste, as well as economic incentive measures for recourse-saving (*activities*);
- c) Assurance of conditions for generation of minimal quantity of waste, promotion of waste utilization in the economical activity, mitigation of adverse effects of waste on human health and environment; and,
- d) Legal regulation of relations in the area of waste management.

#### **Article 6. Principles and the main approaches of the state regulation in the area of waste management**

1. The main principles of state regulation in the area of waste management are as follows:

- a) Protection of human health and environment from adverse effects of waste;
- b) Assurance of reasonable use of raw material and energy resources;
- c) Balancing of environmental, economical and social interests of public in the area of waste management.

2. The main approaches of the state policy in the area of waste management are reduction of waste production and risk level through:

- a) Use of modern scientific and technological achievements for implementation of non-waste or low-waste technologies;
- b) Complex utilization of raw material resources for reduction of waste quantity (volumes);
- c) Maximal consumption of waste which has a raw material value, through its direct, double and alternative utilization;

- d) Assurance of safe removal of non-recyclable waste through development of waste disinfection and elimination technologies, environmentally safe methods and means;
- e) Assurance of information accessibility in the area of waste management.
- f) Provision of economical incentives' system,

## ***Chapter 2. Authorities of the state government and local self- government bodies in the area of waste management***

### ***Article 7. Authorities of the RoA Government in the area of waste management***

In the area of waste management the RoA Government shall:

- a) Develop the state policy for the sector and ensure its implementation;
- b) Coordinate activities of the state authorized bodies in the area of waste management;
- c) Ensure system of economical incentives for implementation of less- wasteful technologies, waste collection and recycling;
- d) Provide a waste inventory, generation, removal (elimination, disinfection, disposal) and recycling procedure;
- e) Provide a procedure on licensing of activities in the area of dangerous waste reprocessing, disinfection, storage, transportation and disposal, as well as carry out licensing of those activities;
- f) Provide lists of dangerous and restricted waste;
- g) Provide a procedure on trans- boundary transportation and removal of waste;
- h) Ensure establishment of structures for placement of disinfected and non-recyclable waste;
- i) Carry out international cooperation in the area of waste management;
- j) Carry out other authorities provided by law.

### ***Article 8. Authorities of the environmental sector state authorized body in the area of waste management***

In the area of waste management the environmental sector state authorized body shall:

- a) Participate in development of the state policy in this area;
- b) Prepare target programs for the waste management sector;
- c) Carry out inventory of waste;
- d) Approve waste disposal quotas for legal entities and private entrepreneurs;
- e) Develop lists of dangerous and restricted waste;
- f) Provide a list of waste classified by risk level;
- g) Submit proposals on issuance of permits for trans- boundary transportation of dangerous waste;
- h) Approve sites for location of waste management objects;
- i) Coordinate (*harmonize*) waste passports, prepared by the waste producers;
- j) Establish a database on quantity of waste generation volumes;

- k) In the procedure set by law carry out state environmental impact assessment for construction and remodeling of polygons, complexes, buildings and other specially provided areas and structures, as well as environmental impact assessment of operation's design documents and complex programs for waste production, processing, recycling, disposal and removal;
- l) Carry out state waste cadastre;
- m) Share information about non- or less-wasteful technologies with other governmental agencies;
- n) Develop and update registry of objects designed for waste production, reprocessing and recycling, waste removal areas, as well as carry out monitoring <over those places>;
- o) Draft legal acts for regulation of the waste management sector and approve normative acts within the limits of its jurisdiction;
- p) Carry out international cooperation in the area of waste management and sign intergovernmental contracts on trans- boundary transportation of waste;
- q) Exchange information on waste management with international organizations and foreign countries;
- r) Carry out other authorities provided by law.

***Article 9. Authorities of the public health sector state authorized body in the area of waste management***

In the area of waste management the public health sector state authorized body shall:

- a) Develop public health safety requirements to be incorporated into the normative-technical documents on waste management; elaborate sanitary and epidemic rules, norms and hygienic standards aimed at prevention of dangerous and adverse effects of waste on human health in the process of waste production, collection, transportation, storage, processing, recycling, removal, disinfection and landfill; oversee implementation of these requirements;
- b) Develop main directions for measures aimed at protection of human health from adverse effects of waste and submit those to the RoA Government;
- c) Approve location sites for the waste management objects;
- d) Provide sanitary-hygienic requirements of output produced from waste and issue hygienic expert opinion;
- e) Participate in development of a risk level classification list of waste;
- f) Carry out other authorities provided by law.

***Article 10. Authorities of the territorial administration bodies in the area of waste management***

The territorial administration bodies in the area of waste management shall:

- a) Participate in development of the state policy in the area of waste management;
- b) Participate in preparation of state programs in the area of waste management;
- c) Develop local waste management programs and oversee their implementation within the boundaries of an administrative- territorial division;
- d) In collaboration with authorized body in the area of waste management issue permits for allocation of waste within the boundaries of an administrative-territorial division;

- e) Prepare sanitary cleaning schedules and oversee waste collection within the boundaries of an administrative- territorial division;
- f) Prepare and update entries to register of waste production, processing and recycling structures and waste removal areas;
- g) Carry out an inventory of waste production, processing, disinfection, recycling and removal and organize waste passports issuance;
- h) Liquidate not-controlled and not licensed landfills within the boundaries of an administrative- territorial division;
- i) Within the boundaries of an administrative- territorial division organize public participation in collection of not dangerous waste, which has a resource value;
- j) Carry out other authorities provided by law.

***Article 11. Authorities of the local self-government bodies in the area of waste management***

1. Local self- government bodies in the area of waste management shall:

- a) Oversee waste collection;
- b) Prepare sanitary cleaning schemes of territories;
- c) Eliminate (liquidate) not-controlled and not licensed landfills;
- d) Organize public participation in collection of not dangerous waste, which was a resource value.

2. Local self- government bodies in the area of waste management carry out other authorities set forth by the Law on local self- government bodies.

***Chapter 3. State normatization, issuance of waste passports, statistical reporting and standardization in the area of waste management***

***Article 12. State normatization in the area of waste management***

- 1. To protect human health and environment and to reduce the waste volumes, waste disposal quotas shall be set for legal entities and private entrepreneurs involved in the waste management.
- 2. Quotas for disposal of waste shall be set by the state authorized body in the area of waste management in accordance with the approved norms of marginal allowable level of impact.
- 3. Legal entities and private entrepreneurs involved in the waste management shall submit drafts of proposed norms of waste production and disposal to the state authorized body in the area of environmental protection for approval in the procedure provided by the RoA Government.

***Article 13 State inventory of waste, passportization, submission of statistical report***

- 1. Waste state inventory and passportization shall be carried out in accordance with the procedure established by the RoA Government.
- 2. Legal entities involved in the waste management (including foreign and private entrepreneurs) are obliged to carry out initial inventory of produced, utilized, disinfected, transferred to or received from other entities and disposed waste.

3. Legal entities (including foreign and private entrepreneurs) producing and transporting dangerous waste are obliged to submit administrative statistical reports to the state authorize body of the sector in the procedure established by law and other legal acts.
4. The state authorized body in the environmental protection area shall develop a sample of an administrative statistical report, as well as an instruction on its completion based on the state waste classification <system>.

***Article 14. State waste cadastre***

1. State waste cadastre comprises waste classification <system>, lists of waste production, reprocessing and recycling structures, as well as a database on waste utilization and disinfection technologies.
2. The state authorized body in the environmental protection sector shall carry out waste cadastre in accordance with the procedure established by law.

***Article 15. Register of the waste production, reprocessing and recycling objects***

1. For receiving, processing, storage and analysis of information on waste production, reprocessing and recycling structures a register, providing information on waste index names, production quantities, qualitative and quantitative characteristics, waste treatment, reduction of waste volumes and risk level shall be kept. Information kept in the registry shall be verified annually.
2. Recording of information in the register of waste production, reprocessing and recycling objects shall be carried out by the state authorized body in the area of environmental protection based on reports of the waste producers.
3. The procedure of the waste production, reprocessing and recycling register record keeping shall be provided by the RoA Government.

***Article 16. Register of waste removal sites***

1. Based on waste passports and the waste producers' reports the register of waste removal sites (active, closed or conserved) for their inventory and description shall be kept. Information of the waste removal sites' register shall be verified annually.
2. Recording of information in the waste removal register shall be carried out by the state authorized body in the environmental protection area in accordance with the procedure established by the RoA Government.

***Article 17. Monitoring of the waste removal sites***

To evaluate and forecast impact of waste on environment, as well as to discover and prevent negative results of such impact on time, the waste producers and managers, as well as the state authorized body in the environmental protection area shall carry out periodical monitoring.

Monitoring of waste removal areas is an integral part of the state system of environmental monitoring.

***Chapter 4. Rights and responsibilities of entities in the area of waste management***

***Article 18. Rights of physical entities in the area of waste management***

In the area of waste management the physical entities have the following rights:

- a) To have safe health and life conditions while implementing activities related to waste management;
- b) To receive information about safety of operating waste management structures, as well as those under construction or to be constructed;
- c) In the procedure established by law to receive compensation for injuries and damages to the property caused by violation of legislation on waste.

***Article 19. Rights of the legal entities and private entrepreneurs in the area of waste management***

Legal entities and private entrepreneurs in the area of waste management have the following rights:

- a) In the procedures established by the law and other legal acts to receive information about waste recycling technologies, waste management objects construction and operation from the relevant state government bodies;
- b) To submit proposals on location, design, construction and operation of waste management objects to the state government bodies;
- c) On cases and in the procedure established by the RoA laws and other legal acts to receive privileges, while establishing waste management facilities;
- d) To participate in development of the local, regional and state programs in the area of waste management.

***Article 20. Responsibilities of the legal and physical entities and private entrepreneurs in the area of waste management***

Legal and physical entities and private entrepreneurs in the area of waste management shall:

- a) Follow the requirements of this law and other legal acts in the area of waste management;
- b) Place waste only in the areas specially provided for that by this law;
- c) Notify about emergency situations for human health and environment that occur during waste management <activities> and take measures to eliminate negative results of such situations.

**Chapter 5. Insurance of economical incentives for waste recycling and reduction of waste production volumes**

***Article 21. Organizational and economical measures aimed at waste recycling and reduction of production volumes***

The measures aimed at waste recycling and reduction of production volumes include:

- a) Provision of waste production and disposal quotas;
- b) Setting of environmental fees for allocation of waste based on payment rates, determined depending on the waste risk level and cadastral price of land given for the waste disposal structure;
- c) On cases and in the procedure established by law provision of privileges to the enterprises and organizations reducing waste generation volumes and introducing low-

waste technologies in the production process, as well as to those involved in the collection, storage and delivery of the secondary resource waste;

- d) Preparation of a list of waste having value of a secondary resource for which a special regime shall be established to promote its collection, storing and utilization.
- e) Target financing of scientific research of waste recycling and reduction of waste production volumes in the procedure established by law;
- f) Target use of waste disposal fees set by law to finance activities aimed at utilization of waste and reduction of waste production;
- g) Establishment of funds for financing of waste recycling activities using financial sources of waste producers and waste owners as well as Armenian and foreign legal entities' voluntary contributions and other sources allowed by the RoA legislation.

#### ***Article 22. Environmental fees for disposal of waste***

Environmental fees for disposal of waste shall be set in accordance with the provisions of the RoA Law on nature protection and utilization payments.

#### ***Article 23. Promotion of activities aimed at waste recycling and waste production volumes reduction***

To promote activities aimed at recycling of waste and reduction of waste volumes, legal entities introducing waste volume reduction technologies during collecting, storing of waste and putting up the waste management structures while producing goods (implementing works and rendering services), as well as those producing waste volume reduction equipment/installations, having share participation in waste recycling or financing activities to reduce waste production volumes may be granted privileges in the procedure established by law.

### ***Chapter 6. Supervision in the area of waste management***

#### ***Article 24. Supervision in the area of waste management***

Supervision over waste management shall be exercised by the state government authorized body in the procedure established by law.

### ***Chapter 7. Liability for violations in the area of state management***

#### ***Article 25. Violations in the area of state management***

In the procedure defined by law legal and physical entities bear responsibility for violations of provisions set forth by this law.

### ***Chapter 8 . Final Provision***

#### ***Article 28. Final provisions***

1. The law shall become effective on the tenth day after its publication.
2. Prior to approval of legal acts to be adopted based on this law the legal acts having equal legal force shall be effective.

***The RoA President R. Kocharyan  
21.12.2004  
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