

Law of Georgia

WASTE MANAGEMENT CODE

Chapter I – General provisions

Article 1 Purpose and objective of this Law

- (1) The purpose of this Law is to provide for the legal conditions for implementation of measures aiming at prevention of generation of waste and increased re-use, environmentally-sound treatment of waste (including recycling and extraction of secondary raw materials, energy recovery from waste, as well as safe disposal).
- (2) The objective of this Law is to protect the environment and human health:
 - a) by preventing and reducing the adverse impacts of the generation of waste;
 - b) by introducing effective mechanisms of management of waste;
 - c) by reducing damage caused by resource use and improving the efficiency of such use.

Article 2 Scope

- (1) This Law shall apply to all types of waste, except for those listed in paragraph 2.
- (2) The following shall be excluded from the scope of this Law:
 - a) radioactive waste;
 - b) gaseous effluents emitted into the atmosphere;
 - c) land (in situ) including unexcavated contaminated soil and buildings permanently connected with land;
 - d) uncontaminated soil, naturally occurring material excavated in the course of construction activities where it is certain that the material will be used for the purposes of construction in its natural state;
 - e) waste waters, pollution of water bodies (including the Black Sea) with waste waters and/or waste;
 - f) decommissioned explosives;
 - g) faecal matters / manure and other non-hazardous materials of a natural origin used in farming or forestry;
 - h) mining waste, i.e. waste resulting from the prospecting, extraction, processing and storage of mineral resources and the working of quarries.
 - i) decommissioned chemicals of military purposes
 - j) non-contaminated sludge excavated in the course of exploitation and rehabilitation measures of land reclamation systems, which are subject to disposal on the sale lines of the system.
- (3) The Government will approve a sub-law on the List of Waste and the classification of waste according to its types and properties.

Article 3 Definitions

For the purposes of the present Law:

- (a) **“waste”** means any substance or object which the holder discards or intends or is required to discard.
- (b) **“hazardous waste”** means waste which displays one or more of the hazardous properties listed in Annex III to this Law;
- (c) **“non-hazardous waste”** means waste which is not covered by the definition for hazardous waste;
- (d) **“household waste”** means waste generated from families;
- (e) **“municipal waste”** means household waste, as well as other waste which, because of its nature or composition, is similar to household waste;
- (f) **“inert waste”** means waste that does not undergo any significant physical, chemical or biological transformation, does not dissolve, burn or otherwise physically or chemically react, biodegrade or affect other matter in a manner that will give rise to environmental pollution or harm to human health.
- (g) **“biodegradable waste”** means any waste that is capable of undergoing anaerobic or aerobic decomposition, such as animal/human food and garden waste, and paper and paperboard;
- (h) **“liquid waste”** means any waste in liquid form;
- (i) **“healthcare waste”** means any waste produced by medical institutions, medical laboratories, medical research centres, nursing institutions and veterinary clinics and pharmaceutical industries and warehouses;
- (j) **“animal waste”** means waste associated with animals (such as animal bodies, or parts of animal bodies manure, meat production waste, animal testing waste and etc.);
- (k) **“specific waste”** means those types of waste arising from products, which in view of their nature and wide spreading when become waste require particular management measures and special care (such as packaging, oils, tyres, motor vehicles, batteries, accumulators and electric and electronic equipment and etc.);
- (l) **“producer of a product that becomes specific waste”** means any natural or legal person who, manufactures, processes, treats, sells or imports products that at the end of its life-cycle becomes specific waste;
- (m) **“product”** means all movable items, even if it is an integral part of other movable or immovable item. Product also includes goods, placed on the market, regardless of whether it is intended for the end consumer and whether new, used or repaired, whether it is delivered or otherwise made available, for commercial or non-commercial purposes, whether in return for payment or free of charge. For the purposes of this Law it does not include services related to products.
- (n) **“placing on the market”** means the first supply of a product to the market from local production, import, lease or in other way on the market on the customs territory of Georgia excluding free industrial zones , in the course of a commercial or non-commercial purposes, whether in return for payment or free of charge. Each subsequent supply of the product is not considered as placing on market;
- (o) **“waste producer”** means anyone whose activities produce waste (original waste producer) or anyone who carries out pre-treatment, mixing or other operations resulting in a change in the nature or composition of this waste;
- (p) **“waste holder”** means the producer of the waste or the natural or legal person who is in possession of it;
- (q) **“waste transporter”** means any natural or legal person carrying out transport of waste;

- (r) “**operator**”; means any natural or legal person who is given a right to manage whole or part of waste collection facility or temporary storage facility or waste treatment facility;
- (s) “**waste management**” means the collection, temporary storage, pre-treatment, transport, recovery and disposal of waste, including the supervision of such operations and the after-care of disposal sites;
- (t) “**waste treatment**” means recovery or disposal measures according to Annex I and II, including pre-treatment prior to recovery or disposal;
- (u) “**pre-treatment of waste**” means preliminary operations prior to recovery or disposal, including pre-processing such as dismantling, sorting, crushing, compacting, pelletising, drying, shredding, repackaging, separating or mixing etc.
- (v) “**littering**” means discarding, throwing and/or abandoning of waste in the environment, except in containers or collection facilities authorized for this purpose
- (w) “**prevention**” means that measures are taken before a substance, material or product has become waste, that reduce
 - a) the quantity of waste, including through the re-use of products or the extension of the life span of products;
 - b) the adverse impacts of the generated waste on the environment and human health; or
 - c) the content of harmful substances in materials and products;
- (x) “**recovery**” means any activity the principal result of which is waste serving a useful purpose by replacing other materials which would otherwise have been used to fulfil a particular function as listed in Annex I of this law, but not limited to it. Recovery includes recycling;
- (y) “**re-use**” means re-use of products and/or components before they become waste for the same purpose for which they were conceived;
- (z) “**preparation for re-use**” means recovery operation (namely checking, cleaning or repairing), by which products or components of products that have become waste are prepared so that they can be re-used without any other impact;
- (aa) “**recycling**” means any recovery operation by which waste materials are reprocessed into products, materials or substances whether for the original or other purposes. It includes the reprocessing of organic material but does not include energy recovery and the reprocessing into materials that are to be used as fuels or for backfilling operations;
- (bb) “**collection**” means the gathering of waste, including the preliminary sorting and preliminary storage of waste for the purposes of transport to a waste treatment facility;
- (cc) “**separate collection**” means the collection where a waste stream is kept separately by type and nature so as to facilitate further treatment;
- (dd) “**transport**” means the movement of waste to a waste storage and/or treatment facility;
- (ee) “**disposal**” means any of the operations which are listed in Annex II of this Law, but not limited to it;
- (ff) “**waste treatment facility**” means a stationary or mobile technical or non-technical unit where waste treatment operations are carried out (including, waste transfer stations and the places where the facilities are located);
- (gg) “**temporary storage facility**” means the facility where waste is stored, for less than 3 years if the waste is destined for recovery or for less than 1 year if it is destined for disposal;
- (hh) “**waste transfer station**” means facilities where waste is reloaded for further transport to waste treatment facilities;

- (ii) **“landfill”** means a waste disposal facility for the deposit of the waste onto or into land. This includes internal waste disposal facility (i.e. landfill where a producer of waste is carrying out its own waste disposal at the place of production), but excluding the temporary storage facilities and waste transfer stations;
- (jj) **“existing landfill”** is the landfill that is operated at the date of entry into force of this Law;
- (kk) **“waste incineration plant”** means any stationary or mobile technical facility or equipment dedicated to the thermal treatment of waste, with or without recovery of the combustion heat generated, through the incineration by oxidation of waste as well as other thermal treatment processes, such as pyrolysis, gasification or plasma process, if the substances resulting from the treatment are subsequently incinerated;
- (ll) **“waste co-incineration plant”** means any stationary or mobile technical unit whose main purpose is the generation of energy or production of material products and which uses waste as a main or additional fuel or in which waste is thermally treated for the purpose of disposal through the incineration by oxidation of waste as well as other thermal treatment processes, such as pyrolysis, gasification or plasma process, if the substances resulting from the treatment are subsequently incinerated;
- (mm) **“permit”** means the permit issued under Environmental Impact Permit Law of Georgia, this Law and sub laws adopted herein;
- (nn) **“Ministry”** means the Ministry of Environment and Natural Resources Protection of Georgia;
- (oo) **“Natural and legal persons”** means those registered within the meaning of the Law of Georgia on Entrepreneurship (except for chapter X of the mentioned law);
- (pp) **“waste oils”** means any mineral or synthetic lubrication or other industrial oils which have become unfit for the use for which they were originally intended, such as used engine oils, gearbox oils, lubricating oils, oils for turbines, hydraulic oils and etc.
- (qq) **“pollution”** means introduction of waste containing contaminants into the environment that may cause harmful impacts on the environment or the human health;
- (rr) **“resource”** means all primary and/or secondary material resources, including waste when it is used instead of other primary resources.

Article 4 Waste management hierarchy

- (1) Waste management policy and waste management legislation of Georgia is based on the following priority order:
 - a) prevention;
 - b) preparation for re-use;
 - c) recycling;
 - d) other recovery, including energy recovery;
 - e) disposal.
- (2) When determining the actual obligations in connection with the waste management hierarchy, as defined in paragraph 1, the following shall be taken into account:
 - a) ecological benefits;
 - b) technical feasibility, using best available techniques as appropriate; and,
 - c) economic feasibility.

Article 5 Principles of waste management

- (1) Waste management shall be carried out without endangering human health and the environment and in particular without:
 - a) causing risk water, air, soil and plants and animals,
 - b) causing a nuisance through noise or odours,
 - c) adversely affecting the whole territory of the country, in particular protected areas and cultural heritage sites.
- (2) Waste management shall be carried out in accordance with the following principles:
 - a) **Precaution** means that in order to avoid the threat or danger to the environment deriving from waste, measures shall be taken even if full scientific certainty is not available;
 - b) **Polluter pays** means that the producer or holder of waste, , shall cover the costs of waste management;
 - c) **Proximity** means that the treatment of waste shall be undertaken in the nearest appropriate waste treatment facility, taking into consideration environmental and economic efficiency;
 - d) **Self-sufficiency** means that an integrated and adequate network of facilities for waste disposal and recovery of municipal waste is established and operated.

Chapter II – Competences and general obligations in the field of waste management

Article 6 Competent authorities for waste management

- (1) The Ministry shall be the competent authority for performing the following waste management tasks:
 - a) development and implementation of a uniform state policy on waste management;
 - b) keeping state register for waste and waste data base pursuant to Article 29 and 30;
 - c) developing a National Waste Management Strategy and a Strategy on municipal biodegradable waste management pursuant to Article 11;
 - d) developing, coordinating of and reporting on the implementation of the National Waste Management Action Plan pursuant to Article 12;
 - e) issuing permits and registration for waste management activities under this Law;
 - f) promotion of waste prevention, separation, pre-treatment, re-use and recycling measures;
 - g) state control of waste management.
- (2) The Ministry together with the Ministry of Finance of Georgia shall regulate the trans-boundary movement of waste pursuant to Article 28.
- (3) The Ministry of Labor, health and Social Protection of Georgia together with the Ministry shall regulate and control the management of healthcare waste, under legislation of Georgia.
- (4) The Ministry of Agriculture of Georgia together with the Ministry shall regulate and supervise the management of animal waste, under legislation of Georgia.
- (5) A relevant unit within the system of the Ministry of Economy and Sustainable Development of Georgia shall be in charge of issuing allowance certificates for vehicles for transport of hazardous waste.
- (6) The Ministry of Economy and Sustainable Development of Georgia and a relevant unit within

its system, together with the Ministry shall elaborate draft(s) of sub law(s) determining the requirements for the transport of waste and present them to the Government of Georgia for approval, regarding:

- a) the standards of vehicles to be used for waste transport,
 - b) the containers to be used for waste transport,
 - c) the expertise of hazardous waste transport drivers.
- (7) The Ministry of Regional Development and Infrastructure of Georgia shall be responsible for construction, operation and closure of non-hazardous waste landfills, as well as construction and management of waste transfer stations in accordance with the requirements of this law and relevant sub-legislation. The competences under this paragraph can be assigned to a third person under a relevant decision of Government.
- (8) The municipalities in accordance with the provisions of this law and the Code of Self-governance shall be responsible for: municipal waste management (including elaboration of municipal waste management plan), pursuant to Article 16 of this Law (excluding the competences pursuant to paragraph 7 of this Article).
- (9) Construction, operation and closure of non-hazardous waste landfills within the administrative borders of Autonomous Republic of Adjara and city of Tbilisi is a competence of the relevant units of Tbilisi Municipality and Autonomous Republic of Adjara.

Article 7 General waste management requirements

- (1) Waste, depending on its type, properties and composition, shall be collected, transported and treated in a manner not impeding its further recovery.
- (2) Waste shall be collected, transported and treated in a manner which excludes, to the maximum extent possible, pollution of the environment and risks for human health.
- (3) In case of waste pollution caused by waste transport activities, the waste transporter shall be responsible for taking clean up measures.
- (4) The producer and holder of waste is obliged to treat their waste on their own or hand it over for collection, transport and treatment to persons entitled to carry out such operations in accordance with this Law and legislation of Georgia.
- (5) Where waste has been submitted for recovery or disposal, the original producer's and/ or holder's responsibility shall remain until recovery or disposal is completed.
- (6) Persons who collect and transport waste shall hand it over for treatment to appropriate facilities, holding the relevant permit or registration.
- (7) Transporters of hazardous waste require an allowance certificate for waste transporting vehicle before they carry out hazardous waste transport activities. A driver of waste transporting vehicle shall have the allowance certificate with him when transporting hazardous waste
- (8) The burning of waste outside permitted incinerators shall be prohibited.
- (9) The Government shall determine conditions for waste incineration and waste co-incineration in a by-law.

Article 8 Prohibition on littering

- (1) No waste shall be thrown, discarded or abandoned in the environment outside designated waste collection containers or collection facilities.
- (2) The organizer of an event shall be responsible for cleaning up a littered area, if the event leads to littering of the environment.

- (3) The municipality in which littering occurs can order a litterer to clean the littered area. If the litterer cannot be ascertained or reached, the municipality may order the owner of the littered area to clean it in a reasonable period.
- (4) If a littered area is the property of a municipality it shall care of the cleanup of the concerned area itself.

Article 9 Extended producer responsibility

- (1) The manufacturer of a product, which after its use becomes specific waste, and who places this product on the market, should design the product in a way that ensures:
 - a) reduction of their negative environmental impacts and the generation of waste during manufacturing and subsequent use of products;
 - b) recovery and disposal of the waste from these products.
- (2) The obligation under paragraph 1 may be fulfilled through development, production and placing on the market of products that are suitable for multiple use, that are technically durable and that are, after having become waste, suitable for recovery and safe for disposal in environment.
- (3) The producer of a product that after its use becomes specific waste and who places such product on the market shall be obliged to ensure the separate collection, transport, recovery (including recycling) and environmentally sound disposal of waste generated by their products.
- (4) The obligation under paragraph 3 shall be implemented individually or collectively by an association of producers.
- (5) The Ministry in cooperation with the Ministry of Economy and Sustainable Development of Georgia and other authorities shall propose for adoption through government detailed obligations on the extended producer responsibility pursuant to the present Article.

Article 10 Product charges, subsidies and restrictions

- (1) In order to ensure the achievement of the objectives of this law as set in Article 1 paragraph 2 of this Law, through law it is possible to:
 - a) introduce charges or subsidies on the use of certain products, or,
 - b) exceptionally, prohibit or restrict placement on the market of certain products.
- (2) Measures pursuant to paragraph 1 of this Article must be suitable, necessary and proportionate to the objectives of this Law and the specific goal intended to be reached and shall only be taken after hearing of the parties concerned.

Chapter III – Waste management planning

Article 11 Waste Management Strategies

- (1) The Ministry shall develop a National Waste Management Strategy in compliance with the requirements of this Law. The Strategy shall set out the policy and the objectives in the field of waste management in Georgia. It will cover a period of 15 years.
- (2) The Ministry shall develop a Strategy on management of biodegradable municipal waste. This strategy shall contain targets and measures for the reduction of the amount of biodegradable

municipal waste going to landfill.

Article 12 National Waste Management Action Plan

- (1) In order to achieve the objectives and to comply with the principles established by this Law and the National Waste Management Strategy under Article 11 paragraph 1 of this Law a National Waste Management Action Plan every 5 years for a period of 5 years shall be elaborated by the Ministry together with the competent authorities determined by Article 6 of this Code and submitted to the Government.
- (2) The adoption of the National Waste Management Plan shall be preceded by appropriate public consultations held by the Ministry, involving the relevant stakeholders.
- (3) After its adoption the National Waste Management Action Plan shall be published in an appropriate manner by the Government of Georgia.
- (4) The Ministry shall submit reports on the implementation of the National Waste Management Action Plan to the Government every three years.
- (5) The National Waste Management Plan shall set out the measures to be taken to ensure prevention, improve environmentally sound preparing for re-use, recycling, recovery and disposal of waste.
- (6) The plan shall contain the following:
 - a) the type, quantity and source of waste generated within the territory of Georgia, and an evaluation of the development of waste streams expected in the future;
 - b) available data related to the import and export of waste including forecasts on the waste likely to be shipped from or to the territory of Georgia;
 - c) existing waste collection systems and major disposal and recovery facilities, including for specific waste streams or hazardous waste;
 - d) an assessment of the need for the closure of existing waste treatment facilities, additional waste treatment infrastructure and new collection systems;
 - e) information on the location criteria for site identification and on the capacity of future disposal or recovery facilities;
 - f) the locations for the regional landfills and the timeframe in which the operation shall start;
 - g) planned waste management technologies and methods, including for waste posing specific management problems;
 - h) measures for the prevention of waste and progress indicators for the planning period;
 - i) organisational aspects related to waste management including a description of the allocation of responsibilities between public and private actors carrying out the waste management;
 - j) any existing and planned arrangements for inter-municipality waste collection and waste treatment facilities;
 - k) information provision and the use of awareness campaigns relating to waste management;
 - l) historically contaminated waste disposal facilities and measures for their rehabilitation;
 - m) the way and timeframe in which the proposed measures shall be implemented, the responsible person(s) and estimated costs and sources for financing;
 - n) other information considered relevant.
- (7) Action plans on the management of individual waste types such as – but not limited to – POPs,

mercury, healthcare and animal waste, asbestos waste may be adopted additionally. These plans must be in conformity with national waste management plan.

Article 13 Municipal waste management plan

- (1) Each municipality shall adopt a plan for the management of the municipal waste produced within its territory for a period of five years. A Municipal Waste Management Plan may be prepared jointly by neighbouring municipalities.
- (2) The Municipal Waste Management Plan shall be compliant with the National Waste Management Plan and other plans under Article 12 paragraph 7 of this Law.
- (3) The adoption of the Municipal Waste Management Plan shall be preceded by public consultations, involving the relevant stakeholders and the neighbouring municipalities. These public consultations shall be carried out by the respective municipality(ies).
- (4) The Municipal Waste Management Plan shall contain the following:
 - a) information on the existing system for collection of waste from population;
 - b) data on the types and the amounts of non-hazardous waste collected, recovered and disposed of;
 - c) data on the types and the amounts of hazardous waste from population collected, recovered and disposed of;
 - d) location of the waste treatment facilities;
 - e) planned measures to be taken for the establishment of separate collection and recovery of municipal waste, including of biodegradable waste and packaging waste;
 - f) planned construction of new waste treatment facilities;
 - g) programmes to raise awareness of the public on waste management issues;
 - h) implemented and planned measures for co-operation with other municipalities in the field of waste management;
 - i) the way and timeframe in which the proposed measures shall be implemented, responsible persons, estimated costs and sources of financing for their implementation.

Article 14 Company waste management plan

- (1) Legal and natural persons that produce more than 200 tonnes of non-hazardous waste or 1 000 tonnes of inert waste or any amount of hazardous waste annually, shall prepare a company waste management plan, which contains in particular the following:
 - a) information about waste generated (origin, types of waste according to the list of waste, composition, quantity);
 - b) measures to be taken for the prevention of waste generation and its recovery, especially in the case of hazardous waste;
 - c) a description of the applied method for separation of the waste generated, in particular of hazardous waste from the other waste;
 - d) methods and conditions for the temporary storage of waste ;
 - e) waste treatment methods applied and/or information about the person to whom the waste is handed over for further treatment.
- (2) The company waste management plan shall be submitted to the Ministry. The procedure for discussion and approval of a plan is set by the Minister of Environment and Natural Resources Protection of Georgia. The plan shall be made available to the municipalities concerned and

others, upon their request.

- (3) The company waste management plan shall be updated every 3 years or when there is a substantial change in waste treatment operations or in the types and quantities of waste generated.

Article 15 Environmental manager

- (1) The persons under Article 14 of this Law shall nominate a suitable person as a company environmental manager. Information about such nomination shall be given to the Ministry (indicating the name and surname of the manager) without a delay.
- (2) The waste related tasks of the environmental manager shall be the following:
 - a) to draft and update the waste management plan of the company;
 - b) to organise implementation of the waste management plan;
 - c) to supervise internal compliance with legal requirements on waste management.
- (3) The responsibility of the environmental manager determined in paragraph 2 of this article does not limit the liability of the entrepreneur for complying with relevant waste management requirements as prescribed by this law and its by-laws.

Chapter IV - Management of municipal waste

Article 16 Collection and treatment of municipal waste

- (1) Municipalities shall provide for:
 - a) municipal waste collection, establishment of collection system for this purpose and ensuring proper functioning of such system;
 - b) the gradual introduction and operation of waste collection systems for separate collection of municipal waste.
- (2) Waste producers generating municipal waste are obliged to make their waste generated available to the municipal waste collection service, if such system exists.
- (3) Waste producers other than population generating municipal waste may be exempted from using the municipal waste collection service if they hand over the waste generated on their premises for collection and treatment to persons who possess an authorisation to conduct such services. In such case the waste producer shall notify the relevant municipality beforehand.
- (4) When a separate waste collection system is introduced on the territory of a municipality, producers of municipal waste are obliged to use the system.
- (5) Municipal waste shall be collected and treated according to a governmental sub-law on municipal waste collection and treatment services.
- (6) The municipalities are entitled to create, implement and manage a joint municipal waste management system.
- (7) A person who implements waste collection, transportation and/or treatment activities shall possess the necessary permit or registration as required pursuant to the provisions in Chapter VII of this Law.

Chapter V - Management of hazardous waste

Article 17 General obligations for hazardous waste management

- (1) The production, collection and transportation of hazardous waste, as well as its storage and treatment, shall be carried out in conditions providing protection for the environment and human health .
- (2) It shall be prohibited to
 - a) discard hazardous waste outside waste collection containers;
 - b) discharge it into the sewerage systems or underground or surface waters, including the sea;
 - c) burn it outside waste incinerators permitted for that purpose;
 - d) treat it outside waste treatment facilities permitted to treat such type of waste.
- (3) Population shall be obliged to discard municipal hazardous waste generated by them only in special containers provided by the municipalities for that purpose, if such separate collection system exists.

Article 18 Special obligations for hazardous waste management

- (1) Waste producers that produce more than 2 tons of hazardous waste per year shall
 - a) create and implement a suitable separation and collection system for such waste;
 - b) designate an environmental manager, pursuant to Article 15 of this Law, responsible to make arrangements for the safe management of said waste;
 - c) make arrangements for briefing and training for staff handling hazardous waste.
- (2) Until the exact content of waste is unknown, the waste shall be regarded as hazardous.
- (3) Hazardous waste for which no appropriate treatment techniques and/or technologies are available in accordance with the requirements of this Law within the territory of Georgia shall be exported for treatment. Until the export is carried out, the waste shall be safely stored at temporary storage facilities.
- (4) In cases determined by paragraph 3, the Ministry may exceptionally once allow for an extended storage period of up to one year if this is justified and does not harm human health or the environment.
- (5) Hazardous waste may only be collected and transported by a natural or legal person after its registration pursuant to this Law.
- (6) Hazardous waste shall be transported in compliance with the requirement of Article 17 paragraph 1 of this Law and the sublaw(s) in Article 6 paragraph 6 of this Law.

Article 19 Prohibition of mixing hazardous waste with other waste

- (1) It is prohibited to mix hazardous waste with other types of hazardous waste or with other waste, substances or materials (except for the cases determined by Article 17, paragraph 3 of this law). Mixing includes the dilution of hazardous substances.
- (2) In exemption from paragraph 1 of this Article the mixing of hazardous waste shall only be allowed by prior written consent issued by the Ministry, if it is requested by an operator and mixing does not entail a risk to human health and the environment.

Article 20 Special requirements for hazardous waste collection and treatment

- (1) Special requirements for hazardous waste collection and treatment shall be defined by the relevant acts of Government.

- (2) Acts under the first paragraph of this article, along with other requirements shall determine:
 - a) traceability mechanisms from generation until the final disposal of hazardous waste;
 - b) packaging and labeling requirements for hazardous waste;
 - c) requirements for temporary storage facility of hazardous waste;
 - d) requirements of the waste persistent organic pollutants;
 - e) Requirements for hazardous wastes such as - waste oils, asbestos and etc.

Chapter VI - Landfills

Article 21 Landfill categories

- (1) The following landfill categories shall exist:
 - a) landfill for hazardous waste,
 - b) landfill for non-hazardous waste,
 - c) landfill for inert waste.
- (2) Hazardous waste may only be assigned to a hazardous waste landfill.
- (3) Landfills for non-hazardous waste may only be used for municipal waste or non-hazardous waste of any other origin only if they fulfil the waste acceptance criteria for this landfill category in accordance with the by-law on landfill of waste pursuant to Article 22 of this Law.
- (4) The operator of a landfill for non-hazardous waste is obliged to accept municipal waste generated within the territory of a municipality, including those municipal waste which is generated by waste producers determined in Article 16 paragraph 3 of this Law.
- (5) Inert waste landfills shall only be used for inert waste. Inert waste which is suitable for backfilling or for construction purposes does not require to be landfilled. Details shall be regulated by a by-law pursuant to Article 22 paragraph 1 of this Law.
- (6) On permitted landfills only treated waste may be landfilled. This provision may not apply to inert waste for which treatment is not technically feasible, nor to any other waste for which such treatment does not contribute to the objective of this Law.

Article 22 Requirements for the construction, operation, closure and aftercare of the landfills of waste

- (1) The Government shall determine through a by-law on construction, operation, closure and aftercare of landfills of waste in particular the following:
 - a) technical and other requirements for the construction of a landfill;
 - b) technical and other requirements for operation of landfills, including the monitoring and application of the criteria for acceptance of the waste at the different categories of landfills;
 - c) technical and other requirements for the closure and after-care of the landfill;
 - d) the conditions and the measures that shall be undertaken by the landfill operators, related to prevention of the health hazards and environmental damages;
- (2) Waste which does not fulfil the acceptance criteria determined in accordance with the by-law under paragraph 1 of this Article shall not be accepted in a landfill.

Article 23 Existing Landfill

- (1) After entry into force of this Law an existing landfill may only be operated if it has a valid permit under Law on Environmental Impact Permit of Georgia.
- (2) If an existing landfill does not have a permit determined in paragraph 1 of this Article, no later than 6 months after the Governmental sub-law on Construction, Operation, Closure and Aftercare of Landfills enters into force the operator of the landfill shall address the Ministry to agree upon a conditioning plan of the landfill, under which the landfill comes into compliance with the requirements of the mentioned sub-law. . During the mentioned period of time operation of the landfill is continued. The Ministry will discuss the documents submitted by the operator and taking into consideration the requirements of the Governmental sub-law on Construction, Operation, Closure and Aftercare of Landfills, will carry out the following decision:
 - a) an existing landfill poses serious risk for environment and human health, which cannot be prevented by the operator. Such landfills shall be closed not later than 4 years after the entry into force of this Law. The landfills for which a conditioning plan is not submitted to the Ministry shall be closed within the same timeframe.
 - b) an existing landfill, which does not pose a serious risk for environment and human health, that cannot be brought in compliance with this Law and by-laws adopted therein shall operate under conditions determined by the Ministry. Such landfill shall be closed not later than 8 years after the entry into force of the by-law envisaged under this article.
 - c) an existing landfill that can be brought in compliance with this Law and by-laws adopted can be authorized to operate for the requested period.

Chapter VII – Permitting and registration of waste management activities

Article 24 Waste treatment activities subject to ecological expertise

- (1) According to procedures on the Law on EIA permit the following activities are subject to ecological expertise:
 - a) recovery of waste, except for pre-treatment of non-hazardous waste;
 - b) disposal of waste, except for pre-treatment of non-hazardous waste
 - c) pre-treatment of hazardous waste,
 - d) construction of a temporary storage facility of hazardous waste exceeding a maximum construction capacity of 10 tonnes.
- (2) The list of documents and requirements of the content of this documents to be submitted at the Ministry for the activities envisaged under paragraph 1 is defined by the present Law, Georgian Law on EIA and by the sublaws developed on the basis of these laws
- (3) A permit may address more than one of the activities listed above if it is carried out by the same person.

Article 25 Information to be submitted in order to receive permit for waste treatment

In addition to the information required by the Law on Environmental Impact Permit of Georgia and the secondary legislation adopted therein, in relation to waste treatment the following

additional information shall be submitted to the Ministry:

- a) type of waste (waste code and name according to the by-law pursuant to Article 2 paragraph 3 of this Law);
- b) quantity and origin of waste to be treated;
- c) description and the codes of the waste recovery and disposal operations under Annex I or II;
- d) the means and equipment that will be used, as well as the capacity thereof;
- e) information on the landfill to be constructed, in accordance with legislation.

Article 26 Registration of waste management activities

- (1) The following activities may only be carried out on the basis of a prior registration:
 - a) Collection and/or transport of waste;
 - b) Construction and operation of temporary storage facilities for non-hazardous waste with a capacity of more than 50 tonnes;
 - c) pre-treatment of non-hazardous waste;
 - d) Construction and operation of temporary storage facilities for hazardous waste with a capacity of no less than 2 tonnes and no more than 10 tonnes;
 - e) Construction and operation of waste transfer stations.
- (2) The registration shall be issued only to persons registered as merchants within the meaning of the Law on Entrepreneurship, to state-owned and municipality-owned enterprises and associations (unions) of municipalities.
- (3) Details of the registration of waste collection, transportation, pre-treatment and temporary storage, shall be defined through a governmental by-law.

Article 27 Register of permits and registrations

The permits and registrations issued under this Law shall be recorded in the Waste Management Data Base pursuant to Article 30 of this Law.

Chapter VIII – Trans-boundary movement of waste

Article 28 Trans-boundary movement of waste

The import, export and transit (trans-boundary movement) of waste on the territory of Georgia shall be regulated taking into account the requirements and procedures of the Law on transit and import of waste on the territory of Georgia and the Basel Convention on the control of trans-boundary movements of hazardous wastes and their disposal.

Chapter IX – Record keeping, reporting and waste management data base

Article 29 Obligations for keeping records and reporting on waste

- (1) Records on waste shall be kept and waste reports shall be submitted to the Ministry by natural

and legal persons:

- a) dealing professionally with collection, transport and/or treatment of waste;
- b) which produced more than more than 2 tones non-hazardous (excluding municipal waste) waste or any amount of hazardous waste per year.

(2) Natural and legal persons shall keep the data of the records referred to in paragraph 1 of this Article for 3 years, except landfill operators which are obliged to keep the data of the records until the end of the period designated for operation of the landfill as well as during the phase of further care after the closure of the landfill.

(3) The obligation for record keeping and reporting does not apply to the population.

(4) The Government of Georgia determines the form and the content of the records and reports to be prepared, through a by-law.

Article 30 Waste Data Base

The Ministry shall keep and update a data base, which includes:

- a) information determined by Article 29 of this Law;
- b) information about the persons that received permits under Article 24;
- c) information about the persons that received registration under Article 26.

Chapter X

Administrative violations and Proceedings

Article 31. Littering the environment with municipal waste

1. Littering the environment with municipal waste up to 2 kg - will result in a fine of 80 GEL
2. The same action (committed) from living houses or other buildings - will result in a fine of 100 GEL.
3. Same action committed from a vehicle – will result in fining a driver of the vehicle and in case of public transport – the violator – the fine amounts to 120 GEL.
4. Littering the environment with up to 5 tyres (except for bicycle tyres) – will result in a fine of 150 GEL.
5. Littering the environment with 5 or more tyres (except for bicycle tyres) in the environment – will result in a fine of 500 GEL.
6. Littering the environment with up to 2 kg of batteries, accumulators, electric bulbs, electric equipment, graphite electrodes, as well as sharp items, including glass fragments, nails and other similar waste – will result in a fine of 100 GEL.
7. Littering the environment with 2 kg or more of the municipal waste (except for the case determined by paragraph 8 of this Article) – will result in a fine of 150 GEL for natural person and 500 GEL for legal person.
8. Littering the environment with more than 1 m³ of the municipal waste– will result in a fine of 300 GEL for natural person and 1000 GEL for legal person.
9. Littering the environment with bulk waste (including motor vehicles, electric and electronic equipment, construction equipment and other similar equipment) – will result in a fine of 500 GEL for natural person and 1500 GEL for legal person.

Note:

1. In order to qualify as bulk waste pursuant to paragraph 9, the size of waste shall be more than 2

m².

2. If in case of throwing household waste from a vehicle (except for public transport) on a road the Protocol on Administrative Offence (receipt for a fine) is not formed at the place of violation by the police or a local authority or administrative fine has not been imposed and the violation is detected on a video and/or photo tape, the fine determined by Paragraph 1 of this Article will be imposed on the owner of the motor vehicle. The Decision on imposing the administrative fine will be sent to the latter to the registered address.

3. In cases determined under paragraph 7 of this Article, a person against which the administrative offence protocol is formed shall clean up the littered territory without a delay.

Article 32. Littering the environment with construction or other inert waste

1. Littering the environment with up to 1 m³ of construction or other inert waste– will result in a fine of 200 GEL for a natural person and 500 GEL for a legal person.

2. Littering the environment with 1 m³ or more of construction and other inert waste– will result in a fine of 500 GEL for natural person and 1500 GEL for legal person.

Note: In case determined under paragraph 1 of this Article, a person against which the administrative offence protocol is formed shall clean up the littered territory without a delay.

Article 33. Polluting a territory with sludge waste – fecal matter or sewage waste

1. Polluting a territory with fecal matter of a dog or other domestic animal in small amounts – will result in a fine of 50 GEL.

2. Polluting a territory with fecal matter or sewage waste up to 1 m³ – will result in a fine of 150 GEL for a natural person and 500 GEL for a legal person.

3. Polluting a territory with 1 m³ or more of fecal matter or sewage waste – will result in a fine of 500 GEL for a natural person and 2000 GEL for a legal person.

Note:

1. Fine determined under paragraph 1 of this article will be imposed on a person for actions performed on the populated territories as determined by a normative act of a relevant municipality.

2. Fine determined under paragraph 1 of this article will not be imposed on the owner of a dog or other domestic animal if he/she cleans up the territory polluted with faecal matter entirely and without a delay.

Article 34. Littering the environment with parts of animal bodies

1. Littering the environment with parts of animals up to 20 kg (including from slaughterhouses) – will result in a fine of 150 GEL for a natural person and 500 GEL for a legal person.

2. Littering the environment with 20 kg or more of parts of animals (including from slaughterhouses) – will result in a fine of 300 GEL for a natural person and 1000 GEL for a legal person.

Note: In case determined under paragraph 1 of this Article, a person against which the administrative offence protocol is formed shall clean up the littered territory without a delay.

Article 35. Burning nonhazardous waste outside or inside a non-conforming burning equipment

1. Burning non-hazardous municipal waste (including leaves, garden waste, household waste) outside or inside a non-conforming burning equipment – will result in a fine of 200 GEL.

2. Burning non-hazardous municipal waste(except for the waste mentioned in paragraph 1 of this article) (including tyres, rubber and other elastomeric materials) outside or inside a non-conforming burning device – will result in a fine of 500 GEL.

Article 36. Violation of requirements and obligations for hazardous waste management

1. Discarding hazardous waste into sewage system or surface or underground water bodies - will

result in a fine of 400 GEL for a natural person and 1000 GEL for a legal person.

2. Littering the environment or committing other action with hazardous waste outside waste collection containers – will result in a fine of 400 GEL for a natural person and 1000 GEL for a legal person.

3. Incinerating hazardous waste outside an incinerator holding a relevant permit – will result in a fine of 500 GEL for a natural person and 1500 GEL for a legal person.

4. Treatment of hazardous waste outside a waste treatment facility holding a relevant permit – will result in a fine of 500 GEL for a natural person and 1500 GEL for a legal person.

Note: For the purposes of this Article, in case the expertise shows that the waste were hazardous, the cost of carrying out the expertise is borne by the person against which the administrative offense protocol is formed.

Article 37. Polluting of environment or littering while transporting waste

1. Causing pollution or littering of environment with non-hazardous waste while transporting the waste – will result in a fine of 200 GEL for a natural person and 400 GEL for legal person.

2. Causing pollution or littering of environment with hazardous waste while transporting the waste – will result in a fine of 350 GEL for a natural person and 800 GEL for a legal person.

Article 38. Transporting hazardous waste without having obtained an allowance certificate for a vehicle

Transporting hazardous waste without having obtained an allowance certificate for a vehicle – will result in a fine of 200 GEL.

Article 39. Mixing hazardous waste with other waste, substances or materials

1. Mixing up to 20 kg of hazardous waste with other waste, substances or materials, without prior consent of the Ministry – will result in a fine of 200 GEL for a natural person and 300 GEL for a legal person.

2. Mixing 20 kg or more of hazardous waste with other waste, substances or materials, without prior consent of the Ministry – will result in a fine of 550 GEL for a natural person and 1500 GEL for a legal person.

Article 40. Violation of registration requirements for collection, transportation, pre-treatment and temporary storage of waste or violation of the rules for collection and treatment of municipal waste

1. Collection and transportation of waste without relevant registration – will result in a fine of 1000 GEL.

2. Construction and operation of a pre-treatment facility for non-hazardous waste, without relevant registration – will result in a fine of 2000 GEL.

3. Construction and operation of a temporary storage facility for hazardous waste with capacity of 2-10 tons a year, without relevant registration – will result in a fine of 2000.

4. Construction and operation of waste transfer stations without relevant registration – will result in a fine of 2000 GEL.

5. Violation of the registration conditions, determined pursuant to this Law - will result in a fine of 1000 GEL.

6. Violation of the rules for collection and treatment of municipal waste – will result in a fine of 2000 GEL.

7. Failure to prepare a municipal waste management plan in the term determined under this Code and/or failure to carry out the measures determined by the mentioned plan – will result in a fine of 5000 GEL.

Article 41. Violation of the terms and conditions of the operation of existing

landfills

Violation of the terms and conditions determined for the operation of existing landfills pursuant to this Law – will result in a fine of 3000 GEL.

Article 42. Violation of the requirement of appointing an environmental manager and notifying to the Ministry

Failure to appoint environmental manager and notifying the person to the Ministry – will result in a fine of 200 GEL.

Article 43. Violation of the requirement of submitting a company waste management plan

1. Failure to send the company waste management plan to a municipality, in case of a demand – will result in a fine of 200 GEL.
2. Failure to submit the company waste management plan on time – will result in a fine of 250 GEL.

Article 44. Violation of reporting and record keeping obligations

Violation of reporting and record keeping obligations – will result in a fine of 200 GEL.

Article 45. Violation of the special obligations of hazardous waste management

1.
 1. Failure to make arrangements for briefing and training for staff handling hazardous waste – will result in a fine of 200 GEL.
 2. Failure to establish separation and collection system for hazardous waste – will result in a fine of 600 GEL.

Article 46. Not complying with the requirements of the Authorities determined by Article 47 that are authorized to form an Administrative Offence Protocol

1. After performing a violation determined by this Law, failure to comply on time with the requirement of a relevant authority set in a protocol about elimination of the violation – will result in imposing an administrative fine, in an amount determined by a relevant article of this Law, for violation of which a person was requested to eliminate the offence.
2. Obstruction of the enforcement authorities authorized to form an Administrative Offence Protocol pursuant to this Law from performing their rights and duties – will result in a fine of 5000 GEL.
3. Failure to comply with lawful requests of the enforcement authorities authorized to form an Administrative Offence Protocol pursuant to this Law (refusing to pass documents, material and information, refusing to ensure representation during inspection) – will result in a fine of 500 GEL.

Article 47. Administrative proceedings

1. The procedure for establishing of violations and imposing fines under this Law is determined by this Law and the Administrative Offence Code of Georgia.
2. In case of repeated violations pursuant to articles from 31 to 46, the amount of respective fine is doubled.
3. In case a violation pursuant to articles 31, 35 and 37 is committed on the territory of a state protected area, national park, strict natural protection zone, natural monument, biosphere reserve core (strict natural protection) zone, world heritage territory, wetlands of international importance – the relevant fine will be doubled, in case of repeated violation the relevant fine will be quadruplicated.
4. In case of violation of permit conditions provisions of the Law of Georgia on Licences and Permits and the Administrative Offence Code of Georgia shall apply.

5. The fact that the offender has paid the fine for the violation under this Chapter does not release him or her from the obligation to cover the cost for reimbursement of damage to the environment.
6. An Administrative Offence Protocol for violations under Articles 31-36, 39-42, paragraph 2 of article 43 and Articles 44-46 shall be formed by competent person of the institution in the system of the Ministry.
7. An Administrative Offence Protocol for violations under Articles 31, 32, 33, 34, 36 paragraph 2, Article 37, 38 and 40 paragraph 1 shall be formed by competent authority of the Ministry of Internal Affairs of Georgia.
8. An Administrative Offence Protocol for violations under Articles 31-35, 36 paragraph 1 and 2, article 39 and 43 paragraph 1 shall be formed by a competent person of the local self-government authority.
9. Administrative offence cases, under articles 31-46 shall be heard at Regional (City) Court.
10. The competent persons of an institution in the system of the Ministry are entitled to discuss and sanction the administrative offence cases under Article 31, paragraph 1, 2, 4 and 9, Articles 32, 36, 39, 42, 43 paragraph 2, Articles 44- 46.
11. Competent authority of the Ministry of Internal Affairs of Georgia is entitled to discuss and sanction the administrative offence cases under Article 31, 32, 33, 34, 36 paragraph 2, 37, 38 and 40 paragraph 1.
12. Competent authority of the local self-government is entitled to discuss and sanction the administrative offence cases under Article 31-35, 36 paragraph 1 and 2, Article 39 and 43 paragraph 1.
13. When an administrative offence determined by this Law is committed and the offence does not require further administrative investigation, a person authorized to form an Administrative Offence Protocol shall discuss the administrative offence case and determine the administrative sanction on the spot.
14. In cases under paragraph 12 of this Article, the fine is not payable on the spot and a fine bill is issued, which at the same time is an Administrative Offence Protocol.
15. Form and procedure for filling in, delivering and handing in the fine bill under paragraph 13 of this Article is determined by a respective by-law of the Ministry of Environment and Natural Resources Protection of Georgia, the Ministry of Internal Affairs of Georgia or an authority of a local self-government.
16. An Administrative Offence Protocol about an administrative offence determined under this Law may be appealed in court by the offender.

Chapter XI

Transitional and Closing Provisions

Article 48. Transitional Provisions in relation with entry into force of this Law

1. The Waste Management Strategy pursuant to Article 11 paragraph 1 and National Waste Management Plan pursuant to Article 12 paragraph 1, shall be adopted not later than December 31, 2015.
2. The Ministry shall elaborate strategy for reduction of the amount of biodegradable municipal waste going to landfill pursuant to Article 11 paragraph 2, no later than December 31, 2019.
3. Each municipality shall adopt a municipal waste management plan pursuant to Article 13 of this Law no later than December 31, 2017.

4. The first company waste management plan pursuant to Article 14 paragraph 1 of this Law shall be elaborated no later than December 31, 2016.

5. On a populated territory determined by an act of a relevant municipality, where the waste collection service is not in place, sanctions determined under article 31 paragraph 1, paragraph 7 (except for legal person), paragraph 9 (except for legal person) and article 35 paragraph 1 shall not be imposed during 1 year of entry into force of this Code.

Article 49 Legal Acts to be adopted under this Law

1. The Government of Georgia shall no later than August 1, 2015 adopt:

- a) a by-law “on the List of Waste and Classification of Waste, according to its types and properties” pursuant to Article 2 paragraph 3 of this Law;
- b) a by-law “on the construction, operation, closure and after-care of landfills” pursuant to Article 22 paragraph 1 of this Law;
- c) a by-law “on form and content of records to be kept and reports to be made” pursuant to Article 29 paragraph 4 of this Law;

2. The Government of Georgia shall no later than February 1, 2016 adopt:

- a) a by-law “on the municipal waste collection and treatment” pursuant to Article 16 paragraph 5 of this Law;
- b) a by-law “on the rules and conditions for registration of collection, transportation, pre-treatment and temporary storage of waste” pursuant to Article 26, paragraph 3 of this Law;
- c) a by-law “on special requirements for collection and treatment of hazardous waste” pursuant to article 20 of this Law.

3. The Government of Georgia shall no later than February 1, 2017 adopt a by-law on Incineration of Waste and Co-incineration of Waste, pursuant to article 7 paragraph 9 of this law.

4. The Ministry together with the Ministry of Economy and Sustainable Development of Georgia, in cooperation with relevant stakeholders, shall elaborate and pass to the Government of Georgia for adoption by-laws on different types of specific waste, pursuant to Article 9, paragraph 5 of this Law no later than February 1, 2019.

5. The Ministry of Economy and Sustainable Development of Georgia together with the Ministry shall adopt one or more sub-laws setting requirements for transport of waste pursuant to Article 6, paragraph 6 and Article 7, paragraph 7 of this Law no later than February 1, 2016.

6. The Ministry of Labor, Health and Social Protection of Georgia and the Ministry shall adopt a joint by-law on healthcare waste management pursuant to Article 6 paragraph 3 of this law no later than February 1, 2017.

7. The Ministry of Agriculture of Georgia and the Ministry shall adopt a joint by-law on animal waste management, pursuant to Article 6 paragraph 4 of this Law no later than February 1, 2017.

8. The Minister of Environment and Natural Resources Protection of Georgia shall issue an order on the “Rule for discussion and approval of company waste management plans”, pursuant to article 14 paragraph 2 of this law no later than August 1, 2015.

Article 50 Entry into force

1. The present code shall become effective on January 15, 2015 with the exception of Article 7 paragraph 7, article 9, article 15 paragraph 1, article 16 paragraph 1 sub paragraph b, article 18 paragraph 1 sub paragraph a, articles 26, 29, 30 and 38, article 40 paragraphs 1-6, articles 42, 44 and 45.

2. Article 15 paragraph 1, article 40 paragraph 6 and article 42 of this Code shall become effective on February 1, 2016.
3. Articles 29, 30 and 44 of this Code shall become effective on August 1, 2016.
4. Article 26 and article 40 paragraphs 1-5 of this Code shall become effective on September 1, 2016.
5. Article 7 paragraph 7, article 18 paragraph 1 sub paragraph 1, articles 38 and 45 of this Code shall become effective on February 1, 2017.
6. Article 9 and article 16 paragraph 1 sub paragraph b of this Code shall become effective on February 1, 2019.

The President of Georgia

Giorgi Margvelashvili

Kutaisi,

December 26, 2014

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Annexes

Annex I. Recovery Operations

- R 1 Use principally as a fuel or other means to generate energy
- R 2 Solvent reclamation/regeneration
- R 3 Recycling/reclamation of organic substances which are not used as solvents (including composting and other biological transformation processes)¹
- R 4 Recycling/reclamation of metals and metal compounds
- R 5 Recycling/reclamation of other inorganic materials²
- R 6 Regeneration of acids or bases
- R 7 Recovery of components used for pollution abatement
- R 8 Recovery of components from catalysts
- R 9 Oil re-refining or other reuses of oil
- R 10 Land treatment resulting in benefit to agriculture or ecological improvement
- R 11 Use of waste obtained from any of the operations numbered R 1 to R 10
- R 12 Exchange of waste for performing of any of the operations numbered R1 to R11³
- R 13 Storage pending any of the operations numbered R1 to R12 (excluding temporary storage, pending collection, on the site where the waste is produced)

Annex II. Disposal Operations

- D 1 Deposit into or on to land (e.g. landfill, etc.)

¹ (This includes gasification and pyrolysis).

² (This includes soil cleaning resulting in recovery of the soil and recycling of inorganic construction materials).

³ (If there is no other R code appropriate, this can include preliminary operations prior to recovery including dismantling, sorting, crushing, compacting, pelletising, drying, shredding, repackaging, separating or mixing etc. prior to submission to any of the operations numbered R1 to R11).

- D 2 Soil treatment (e.g. biodegradation of liquid or sludgy discards in soils, etc.)
- D 3 Deep injection (e.g. injection of pumpable discards into wells, salt domes or naturally occurring repositories, etc.)
- D 4 Surface impoundment (e.g. placement of liquid or sludgy discards into pits, ponds or lagoons, etc.)
- D 5 Specially engineered landfill (e.g. placement into lined discrete cells which are capped and isolated from one another and the environment, etc.)
- D 6 Release into a water body except seas/oceans
- D 7 Release to seas/oceans including sea-bed insertion
- D 8 Biological treatment not specified elsewhere in this Annex which results in final compounds or mixtures which are discarded by means of any of the operations numbered D 1 to D 12
- D 9 Physico-chemical treatment not specified elsewhere in this Annex which results in final compounds or mixtures which are discarded by means of any of the operations numbered D 1 to D 12 (e.g. evaporation, drying, calcination, etc.)
- D 10 Incineration on land
- D 11 Incineration at sea⁴
- D 12 Permanent storage (e.g. emplacement of containers in a mine, etc.)
- D 13 mixing prior to submission to any of the operations numbered D 1 to D 12⁵
- D 14 Repackaging prior to submission to any of the operations numbered D 1 to D 13
- D 15 Storage pending any of the operations numbered D 1 to D 14 (excluding temporary storage, pending collection, on the site where the waste is produced)

Annex III. Properties of waste which render it hazardous

- H 1 "Explosive": substances and preparations which may explode under the effect of flame or which are more sensitive to friction than dinitrobenzene.
- H 2 "Oxidizing": substances and preparations which exhibit highly exothermic reactions when in contact with other substances, particularly flammable substances.
- H 3-A "Highly flammable"
 - liquid substances and preparations having a flash point below 21°C (including extremely flammable liquids), or
 - substances and preparations which may become hot and finally catch fire in contact with air at ambient temperature without any application of energy, or
 - solid substances and preparations which may readily catch fire after brief contact with a source of ignition and which continue to burn or to be consumed after removal of the source of ignition, or
 - gaseous substances and preparations which are flammable in air at normal pressure, or
 - substances and preparations which, in contact with water or damp air, evolve highly flammable gases in dangerous quantities.
- H 3-B "Flammable": liquid substances and preparations having a flash point equal to or greater than 21 °C and less than or equal to 55 °C.
- H 4 "Irritant": non-corrosive substances and preparations which, through immediate, prolonged or repeated contact with the skin or mucous membrane, can cause

⁴ (This operation is prohibited by international conventions)

⁵ (If there is no other D code appropriate, this can include preliminary operations prior to disposal including sorting, crushing, compacting, pelletising, drying, shredding or separating etc. prior to submission to any of the operations numbered D1 to D12).

- inflammation.
- H 5 "Harmful": substances and preparations which, if they are inhaled or ingested or if they penetrate the skin, may involve limited health risks.
- H 6 "Toxic": substances and preparations (including very toxic substances and preparations) which, if they are inhaled or ingested or if they penetrate the skin, may involve serious, acute or chronic health risks and even death.
- H 7 "Carcinogenic": substances and preparations which, if they are inhaled or ingested or if they penetrate the skin, may induce cancer or increase its incidence.
- H 8 "Corrosive": substances and preparations which may destroy living tissue on contact.
- H 9 "Infectious": substances and preparations containing viable micro-organisms or their toxins which are known or reliably believed to cause disease in man or other living organisms.
- H 10 "Toxic for reproduction": substances and preparations which, if they are inhaled or ingested or if they penetrate the skin, may induce non-hereditary congenital malformations or increase their incidence.
- H 11 "Mutagenic": substances and preparations which, if they are inhaled or ingested or if they penetrate the skin, may induce hereditary genetic defects or increase their incidence.
- H 12 Waste which releases toxic or very toxic gases in contact with water, air or an acid.
- H 13⁶ "Sensitizing": substances and preparations which, if they are inhaled or if they penetrate the skin, are capable of eliciting a reaction of hypersensitization such that on further exposure to the substance or preparation, characteristic adverse effects are produced.
- H 14 "Ecotoxic": waste which presents or may present immediate or delayed risks for one or more sectors of the environment.
- H 15 Waste capable by any means, after disposal, of yielding another substance, e.g. a leachate, which possesses any of the characteristics listed above.

⁶ If testing methods are available