

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

Waste Management Law

Chapter I General Provisions

Section 1. The following terms are used in this Law:

- 1) **waste** – any object or substance which the holder thereof disposes of, or intends to or is forced to dispose of, and which conforms to the categories specified in the waste classification;
- 2) **producer of waste** – a natural or legal person by whose actions waste is produced, or who performs mixing of waste or other activities as a result of which the composition and characteristics of waste are changed;
- 3) **waste recovery facility** – a production complex or facility with the assistance of which waste recovery is performed;
- 4) **waste management** – the collection of waste (including the collection, sorting and mixing of waste in order to transport it), the storage, reloading, transportation, recovery (including waste incineration to obtain energy in facilities where the core activity is not waste incineration), the regeneration and disposal of waste (including, incineration in municipal waste incineration facilities), the supervision of such activities and the construction of sites for disposal of waste, and maintenance and after-care of recovery facilities after their closure;
- 5) **landfill site** – a specially constructed and equipped site for the disposal of waste, in which all the measures for environmental protection prescribed in regulatory enactments are ensured;
- 6) **waste dump** – a site for the disposal of waste, which does not conform to the requirements regarding landfill sites; and
- 7) **waste storage** – the storage of waste in specially designed and equipped sites for further waste recovery or disposal (except for short-term storage of less than three months at the sites where waste is generated, sorted, and collected in quantities which do not cause harm to the environment or threats to human health).

[with amendments of 19 February 2004]

Section 2. The purpose of this Law is:

- 1) to prescribe procedures regarding waste management in order to protect human life and health, property and the environment;
- 2) to facilitate waste management including segregated waste collection and recycling in order to reduce the amount of waste to be disposed of.

(19.02.2004. [amendments of 22 June 2005])

Section 3. This Law does not apply to:

- 1) gaseous effluents emitted into the atmosphere;
- 2) radioactive waste;

- 3) animal carcasses, manure and other substances of natural origin which are generated or used in agriculture;
- 4) waste waters except for waste in liquid form;
- 5) explosives; and
- 6) waste resulting from prospecting, extraction, recovery and storage processes of mineral deposits.

Section 4. Waste shall be divided into:

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

Section 5. (1) Waste management shall be performed in such a way as not to threaten human life and health or the property of persons.

(2) Waste management must not harm the environment including:

- 1) cause hazard to waters, air, soil, plant and animal life;
- 2) generate interfering noise or odours;
- 3) negatively affect landscapes and specially protected nature territories; and
- 4) pollute or litter the environment.

Section 6. In the organisation, planning and performing of waste management the following requirements shall be observed (in the following order of priority):

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

Chapter II Competence of State and Local Government Authorities

Section 7. The Cabinet shall:

- 1) approve the State waste management plan (including hazardous waste) and waste management regional plans;
- 2) [deleted by the law of 2 December 2004]
- 3) determine waste classification and characteristics which make waste hazardous;
- 4) determine the recording procedures for the recording, identification, storage, packing, labelling and transportation of hazardous waste;
- 5) determine the requirements to be set regarding the construction of landfill sites, the management of landfill sites and waste dumps, and the closure and re-cultivation of such landfill sites and waste dumps;
- 6) [deleted by the law of 19 February 2004]
- 7) determine waste management procedures for waste which due to its hazard or other properties need special requirements, and waste management procedures for oil product waste, waste containing polychlorinated biphenyls and polychlorinated terphenyls, battery and accumulator waste, waste from the titanium dioxide industry and asbestos waste;

- 8) determine the requirements to be set for the incineration of waste including hazardous waste and for the operation of waste incineration facilities;
- 9) determine the types of waste recovery, regeneration and disposal;
- 10) determine the procedures by which ferrous and non-ferrous metal cuttings and scrap are bought and sold and by which licences for the purchase of metal cuttings and scrap are issued in the Republic of Latvia;
- 11) determine the rate of State fee (in lats) for the licensing of the purchase of ferrous and non-ferrous metal cuttings and scrap in the Republic of Latvia and for the licensing of the purchase of ferrous metal cuttings and scrap in the Republic of Latvia, and the fee payment procedures;
- 12) determine the procedures for the collection and management of the excisable reusable containers of alcoholic beverages to which the deposit system is not applied, and requirements for the merchants who perform the collection of such containers; and
- 13) determine the types of waste collection points and waste sorting stations, the requirements for the construction and management of waste collection points, waste sorting stations and biodegradable waste composting sites.

[with amendments of 19 February 2004; 2 December 2004; 22 June 2005; 26 October 2006; 13 March 2008]

Section 8. The Ministry of Environment or its authorised institution shall:

- 1) formulate the State waste including hazardous waste, management plan and waste management regional plans;
- 2) co-ordinate the implementation of the State waste management plan;
- 3) prepare draft regulatory enactments in the field of waste management;
- 4) compile information regarding waste management;
- 5) co-ordinate and organise the management of hazardous waste in accordance with this Law and other regulatory enactments and carry out the management of abandoned hazardous waste;
- 6) organise the construction and management of hazardous waste recovery facilities of national importance as well as the construction and management of incineration plants and landfill sites;
- 7) co-ordinate the construction of municipal landfill sites; and
- 8) ensure the provision of waste management related information to the public, EU and international institutions.

[with amendments of 19 February 2004; 2 December 2004; 26 October 2006; 13 March 2008]

Section 8.¹ *[deleted by the law of 22 June 2005]*

Section 9. (1) Territorial local governments shall:

- 1) within their administrative territories, organise the management of municipal waste, including municipally produced hazardous waste, in conformity with the State waste management plan and regional waste management plans;
- 2) take decisions regarding the placement of new municipal waste recovery facilities and landfill sites within their administrative territories;
- 3) issue binding regulations which govern the management of municipal waste within their administrative territories, the division of their administrative territories into municipal waste management zones, requirements for the collection, transport, re-

loading and storage of waste and the procedures by which payments for such waste management shall be made;

4) take decisions regarding the placement of new hazardous waste recovery facilities, incineration plants and landfill sites within their administrative territories;

5) may fund the establishment and maintenance of waste management systems in conformity with waste management plans; and

6) organise a segregated waste collection within their administrative territories.

(2) The Cabinet shall issue recommendations applicable to the local government regulations which govern the management of municipal waste.

(3) Prior to the issue of the binding regulations referred to in Paragraph 1 of this Section, the local government shall receive an opinion of the Ministry of the Environment on the conformity of the regulations with the requirements of regulatory enactments governing waste management and the State and regional waste management plans.

[with amendments of 19 February 2004; 22 June 2005 and 13 March 2008]

Chapter III Waste Management Plans

[in the wording of 2 February 2004]

Section 10. (1) Waste management shall be performed in conformity with State, regional and local government waste management plans.

(2) Waste management plans shall include information regarding:

1) the waste management situation, describing the type of waste produced, collected (sorted and unsorted), processed and disposed of, and its composition, amount and origin;

2) the prescribed requirements (in order of priority) to be observed in the further development of the planned waste management, indicating the extent of each activity (the relevant type of waste, amount and origin) and the time provided for their implementation;

3) the necessary measures for the implementation of the planned activities;

4) the facilities (newly constructed, re-constructed, existing) necessary for the implementation of the planned activities, and the equipment of such facilities;

5) the authorities that shall be responsible for the implementation of the relevant planned activity;

6) the calculated costs and sources of funding for the implementation of the planned activities;

7) possibilities for improving waste management;

8) the measures to reduce the disposable amount of waste that may decompose in aerobic or anaerobic conditions by recovering and composting the waste and extracting gas from it;

9) the measures, time periods and financing for the closing of municipal waste dumps.

(3) The State waste management plan shall, in addition to the conditions of Paragraph 2 of this Section, determine the municipal waste management regions and the basic principles for the establishment and management of municipal waste landfill sites.

(4) After the development of a draft waste management plan, the developer of the plan shall ensure a public debate of the plan with a 30 day period for submitting suggestions regarding the relevant project. The opinions of the general public shall be evaluated prior to the taking of a decision regarding approval of the plan.

Section 10.¹ (1) The Ministry of Environment in co-operation with the local governments of the municipal waste management regions specified in the State waste management plan, shall develop regional waste management plans, except the City of Riga. The City of Riga local government shall organise the development of a waste management plan for its administrative territory and after agreeing it with the Ministry of Environment, shall approve it. The regional waste management plans shall determine the borders of waste management regions.

(2) In addition to the information referred to in Section 10, Paragraph 2 of this Law, the regional waste management plan shall include information regarding municipal waste, hazardous waste, used packaging, end-of-life vehicles and electrical and electronic equipment waste and the management of construction rubble.

(3) The Cabinet shall approve the regional waste management plan.

(4) Local governments, if necessary, shall organise the development of a municipal waste management plans for their own administrative territories and approve them. The local government decisions regarding the approval of the local government waste management plan shall be submitted to the relevant regional environmental board.

[with amendments of 19 February 2004 and 22 June 2005]

Chapter IV Waste Management Permits

Section 11. (1) Prior to the performance of the relevant waste management activities the merchant shall obtain a permit from the State Environmental Service for the collection, transportation, reloading, sorting and storage of waste. A permit that has been issued for the collection and transportation of waste shall be valid in the territory of the whole country.

(2) *[deleted by the law of 13 March 2008]*

(3) The Cabinet shall determine the procedures for the issue, extension, review and cancellation of waste management permits, the requirements to be set in the waste management permits, and shall approve permit forms for the collection, transportation, reloading, sorting and storage of waste.

(4) The time period for the taking of a decision regarding the issue, extension, review or cancellation of permits may not be longer than 90 days.

[wording of the law of 19 February 2004 with amendments of 13 March 2008]

Section 11.¹ (1) The decisions taken by the State Environmental Service in relation to waste management permits shall, within a period of one month from the day the decision comes into effect, may be disputed in the State Environment Bureau.

(2) If in accordance with the conditions of a waste management permit it is possible to commence or continue polluting activities that may pose threats to human life or have detrimental impact on health or the environment, the conditions of the permit may be disputed at any time during its validity period.

(3) If a decision is disputed in the State Environment Bureau within the time periods specified in Paragraphs 1 and 2 of this Section, the operation of the relevant permit shall not be suspended. If the continuation of the operation of the permit may cause significant negative impact upon the environment, the State Environment Bureau shall take a decision to suspend the operation of the relevant permit.

(4) If a decision is disputed regarding the operation of an existing installation which needs to extend the time period of the waste management permit or which needs another type of permit, the operation of the installation shall not be suspended, except

when the operation of the undertaking is suspended according to the procedures specified in regulatory enactments.

(5) A decision taken by the State Environment Bureau may be appealed according to the procedures specified by law. An application to a court shall not suspend the operation of an administrative act.

[wording of the law of 22 June of 2005 with amendments of 13 March 2008]

Chapter V Duties of Producers and Holders of Waste and those who Perform the Management of Waste

[Title of the chapter with amendments of 19 February 2004]

Section 12. (1) The collection, sorting, accumulation, storage, reloading, disposal or recovery of waste shall be permitted only in designated places.

(2) A land owner, in whose property municipal waste has been produced, shall allocate a place for a waste container and provide access to the waste collection point or site so that the vehicle of the merchant who engages in waste management subject to the contract made with the local government for municipal waste management can collect the waste.

[wording of the law of 19 February 2004 with amendments of 13 March 2008]

Section 13. (1) The producer or holder of municipal waste shall:

1) participate in the management of municipal waste organised by local government, by complying with the regulations issued by the local government and by entering into a contract with the merchant who has made a contract with the local government under Section 15 of this Law; and

2) cover the costs of municipal waste management including municipally produced hazardous waste and costs for segregated waste collection and sorting.

(2) As holders of waste shall be considered persons who conform to at least one of the following conditions:

1) they are producers of waste; or

2) they are natural or legal persons under whose actual authority the waste is placed.

(3) After municipal waste is transferred to commercial operators of waste recovery or storage the title to the waste passes onto to the commercial operators.

(4) The owner, holder or user of a summer cottage or a summer residence (including summer cottages and summer residences situated within the territory of a horticultural association) or a person authorised by him or her shall, for the time of their residency, in compliance with the regulations issued by the local government and Paragraph 1 of this Section, enter into a contract with the merchant who has made a contract with the local government and shall cover the municipal waste management costs.

[with amendments of 19 February 2004; 22 June 2005 and 13 March 2008]

Section 14. (1) The producer of waste or holder of hazardous waste shall:

1) separate hazardous waste from other types of waste;

2) store hazardous waste so that it does not threaten human life and health, the environment, or the property of persons;

3) deliver the hazardous waste to specially equipped hazardous waste collection places or enter into a contract for the management of hazardous waste with a person who performs hazardous waste management and has obtained a permit to manage hazardous waste; and

4) cover the costs of hazardous waste management.

(2) Legal persons who store hazardous waste for longer than 12 months shall obtain a permit specified in regulatory enactments for the management of hazardous waste and shall perform the activities referred to in Paragraph 3, Clause 3 of this Section.

(3) A person who performs the management of hazardous waste shall:

1) obtain a permit for the collection, storage, reloading, recovery or disposal of hazardous waste, except in cases where for such activities a Category A or B permit for the performance of polluting activities has been issued;

2) obtain a permit to transport hazardous waste;

3) ensure the recording, packing, labelling and identification of hazardous waste; and

4) organise specially equipped hazardous waste collection sites.

[with amendments of 19 February 2004]

Section 15. (1) Pursuant to the regulations referred to in Section 9, Paragraph 1, Clause 3 of this Law, territorial local governments shall select a merchant for the collection, transport, re-loading and storage of municipal waste in the relevant municipal waste management zone under the procedures specified in regulatory enactments governing procurement by organising a procurement procedure for the management of municipal waste in a specified zone. Local governments may specify a common service provision zone in which several local government territories are included. Each local government shall enter into a separate contract with the selected merchant. In the work assignment the local governments shall also include requirements for the qualifications of the employees of the tenderer, the ability to perform the management of municipal waste and the technical or financial capacity to perform the management of municipal waste in a concrete zone. The local government may include in the procurement commission a representative from the relevant State Environmental Service regional environmental board.

(1¹) Within the scope of the public procurement procedure the local government is entitled to require that the tenderer (candidate) for the role of the municipal waste manager provide a detailed calculation of the charge for municipal waste management.

(2) Following the procurement procedures a local government shall award the contract to the municipal waste manager who shall have obtained a municipal waste management permit.

(3) The contract between a local government and the municipal waste manager shall be entered into for a period that does not exceed the time period specified in the regulatory enactments governing public procurement.

(4) A local government shall inform producers of waste within its administrative territory of the division of such territory into municipal waste management zones and of the municipal waste manager with whom it has entered into a contract for the collection, transport, re-loading and storage of municipal waste in the relevant municipal waste management zone.

(5) Persons who pursuant to regulatory enactments governing public procurement are the contracting authority, may choose not to arrange for a public procurement for municipal waste collection and transportation and instead enter into a contract for the collection, transportation, reloading and storage of municipal waste with the merchant who has been selected by the local government in accordance with the procedures specified in this Section.

(6) Producers of waste who in accordance with regulatory enactments are exempted from paying the natural resources tax for the management of segregated waste or who participate in segregated waste management systems are entitled to enter into a contract with a merchant selected by the waste producer himself or herself regarding the collection, transportation, reloading and storage of segregated municipal waste, notifying the relevant local government accordingly.

(7) Cases where the public procurement procedure is not applied shall be specified in the Public Procurement Law.

(22.06.2005. [wording of the law of 22 June 2005 with amendments of 26 October 2006 and 13 March 2008])

Section 16. It is not allowed to mix various types of hazardous waste that conform to different hazardous waste categories nor is it allowed to mix hazardous waste with municipal waste.

Section 17. Unprocessed municipal waste shall be disposed of at a municipal landfill site or a waste dump where waste disposal is permitted in conformity with the State waste management plan and regional plans.

[with amendments of 22 June 2005]

Section 18. Local governments shall determine the landfill sites where the municipal waste collected in their territory shall be disposed of. Not later than 30 days after the commencement of the operation of the regional waste landfill site, all municipal waste dumps which are located in the administrative territory of local governments and whose municipal waste is taken to the landfill site, shall be closed. The closed waste dumps shall be re-cultivated in accordance with the State waste management plan and regional plans. After the commencement of the operation of a regional municipal waste landfill site, municipal waste produced within the territories of the relevant region shall be disposed of only in this landfill site or handed over to the relevant reloading stations.

[wording of the law of 19 February 2004 with amendments of 2 December 2004 and 13 March 2008]

Section 19. (1) The owner or manager of a waste landfill site, waste dump, incineration installation or waste recovery facility shall:

1) prior to the commencement of operation of the landfill site, waste dump, incineration instalment or waste recovery facility, obtain permits specified in regulatory enactments governing polluting actions;

2) manage the waste landfill site, waste dump, incineration equipment or waste recovery facility in accordance with the requirements referred to in the permit for waste management, this Law and other regulatory enactments governing environment protection; and

3) perform measures and cover the expenses associated with the closure of the waste landfill site or waste dump, as well as the termination of the operation of the incineration equipment or waste recovery facility.

(2) The owner or manager of a waste landfill site, when obtaining the permits prior to the commencement of operation of the landfill site, shall provide financial guarantee in the form of a security deposit, an insurance policy for the performance of commitments or a guarantee from a credit institution with a view to ensuring the fulfilment of the requirements specified in the relevant permits including requirements

for the closure of a landfill site and environmental monitoring to be performed after the closure of the landfill site.

[wording of the law of 13 March 2008]

Section 19.¹ Subject to the procedures, time, and format specified by the Cabinet, the owner or manager of a waste recovery facility shall submit to the State Environmental Service a report on the volume and types of the waste recovered in the previous calendar year.

[wording of the law of 13 March 2008]

Section 20. Persons who engage in waste management shall:

1) record the amount (volume), type and origin of waste, waste collection frequency and transportation, type of waste recovery and disposal, place of waste recovery and disposal and once a year submit the compiled information to the Ministry of Environment or its authorised institution and the relevant local government, and shall keep the records for three years;

2) at their request, provide information to State authorities, local governments and the general public regarding waste management including the information referred to in Clause 1 of this Section and other environmental information; and

3) at the request of the previous holder of hazardous waste, issue a report regarding the collection, storage, reloading and transportation, recovery and disposal of the relevant waste.

[with amendments of 19 February 2004]

Chapter V¹ Management of Electrical and Electronic Equipment, Battery and Accumulator Waste

[chapter in the wording of the law 19 February 2004 with amendments of 13 March 2008]

Section 20.¹ (1) Electrical and electronic equipment is defined as equipment operated by electric power or electromagnetic field, and equipment for the generation, supply and measurement of electric power or electromagnetic field which is designed for use with a voltage not exceeding 1000 volts for alternating current and 1500 volts for direct current, and which conforms to the categories specified by the Cabinet.

(2) Electrical and electronic equipment waste is defined as waste electrical and electronic equipment, including all components, subassemblies and ancillary materials which are part of the relevant equipment at the time the equipment becomes waste.

(3) Household electrical and electronic equipment waste is defined as electrical and electronic equipment which are produced in households or elsewhere if in respect of its nature and quantity it is comparable to electrical and electronic equipment waste produced in households.

(4) Prevention of the generation of electrical and electronic equipment waste is defined as a set of measures aiming to reduce the amount of electric and electronic equipment, materials and substances found therein, and the environmental harm caused by them.

[with amendments of 13 March 2008]

Section 20.² (1) An electrical and electronic equipment manufacturer is defined as any person who, irrespective of the used selling technique and irrespective of a distance contract:

1) manufactures and sells electrical and electronic equipment with his or her own trademark;

2) sells electrical and electronic equipment with his or her own trademark, which has been manufactured by other persons, except in cases where the trademark of the manufacturer is also on the equipment; or

3) within the scope of his or her commercial activities or economic activities imports from other states or exports to other states electrical and electronic equipment.

(2) A person who fully ensures payments in accordance with the made contract (loan, lease, rental or instalments purchase contract or other contract in relation to the equipment irrespective of whether the contract provisions provide for the transfer of the ownership rights of the equipment), shall not be deemed to be a manufacturer if the conditions of Paragraph one of this Section do not apply him or her.

(3) An electrical and electronic equipment manufacturer shall register according to the procedures specified by the Cabinet with the institution authorised by the Ministry of Environment or an association founded by persons who are electrical and electronic equipment manufacturers, which has operated for not less than five years and which has been delegated such tasks by the Ministry of Environment. Electrical and electronic equipment manufacturers shall submit to the institution authorised by the Ministry of Environment or the mentioned association of persons information regarding the quantity and categories of electrical and electronic equipment supplied to the Latvian market, as well as regarding the quantity and categories of collected, reused, recovered, regenerated and exported electrical and electronic equipment waste.

(4) The cabinet shall determine the procedures for the registration of foreign manufacturers of electrical and electronic equipment and the obligations of foreign manufacturers in relation to the provision of information regarding the quantity and categories of the electrical and electronic equipment placed on the Latvian market, as well as regarding the volume and categories of the collected, reused, recycled, recovered and exported electrical and electronic equipment waste.

[with amendments of 12 February 2004; 22 June 2005 and 13 March 2008]

Section 20.³ An electrical and electronic equipment manufacturer shall design and manufacture electrical and electronic equipment so that the equipment can be dismantled and regenerated and the recovered components and materials can be recycled. The methods used in designing and manufacturing electrical and electronic equipment may not make it difficult to recycle electrical and electronic equipment waste, except in cases when the use of such methods significantly improve the application of environmental protection or safety requirements.

Section 20.⁴ (1) An electrical and electronic equipment manufacturer shall ensure the acceptance, processing, recycling, recovery, regeneration and disposal of electrical and electronic equipment waste utilising the best available techniques.

(2) An electrical and electronic equipment manufacturer may himself or herself perform the measures referred to in Paragraph 1 of this Section or enter into a contract with an electrical and electronic equipment waste manager (commercial company which under the contract made with the electrical and electronic equipment manufacturer shall organise and co-ordinate the management of electrical and electronic equipment waste).

(3) An electrical and electronic equipment manufacturer shall ensure that the acceptance of household electrical and electronic equipment waste in the established collection system is free of charge.

(4) A distributor of electric and electronic equipment is defined as any person who, within the scope of his or her commercial activities or economic activities, supplies electric and electronic equipment to persons who intend to use such equipment. A distributor of electric and electronic equipment who supplies new electrical and electronic household equipment directly to the user shall ensure the acceptance of waste equipment without charge if the relevant equipment is of a similar type and has performed the same functions as the supplied equipment.

(5) The collected electrical or electronic equipment waste shall be transferred to waste processing undertakings (facilities) if the operators of such equipment have received the permits specified in regulatory enactments except for undismantled electrical or electronic equipment which is intended for reuse.

[with amendments of 12 February 2004; 22 June 2005 and 13 March 2008]

Section 20.⁵ (1) *[deleted by the law of 13 March 2008]*

(2) *[deleted by the law of 13 March 2008]*

(3) By 13 August 2005, the waste management costs for marketed household electrical and electronic equipment shall be covered by all manufacturers of electric and electronic equipment.

(4) By 13 August 2005, the waste management costs for marketed electrical and electronic equipment which is not considered as household electrical and electronic equipment shall be covered by the users of such equipment. Manufacturers of such equipment shall cover the mentioned waste management costs if the equipment is replaced with new identical equipment or new equipment which performs equivalent functions.

(5) When selling new household electrical and electronic equipment placed on the market before 13 August 2005, the manufacturers of such equipment may provide to purchasers information regarding the expenses related to the collection, recovery and disposal of waste equipment in a safe manner.

(6) When selling household electrical and electronic equipment placed on the Latvian market after 13 August 2005 information regarding the expenses related to the collection, recovery and disposal of such equipment in a safe manner will not be provided to purchasers.

[with amendments of 12 February 2004; 22 June 2005 and 13 March 2008]

Section 20.⁶ A manufacturer who places on the market electrical and electronic equipment after 13 August 2005 without having chosen the types of electrical and electronic equipment waste management referred to in Section 20.⁴, Paragraph 2 of this Law shall provide a bank guarantee or a civil liability insurance for the performance of the measures referred to in Section 20.⁴, Paragraph 1 of this Law.

[with amendments of 13 March 2008]

Section 20.⁷ (1) *[deleted by the law of 2 December 2004]*

(2) The Cabinet shall determine:

- 1) the requirements for the labelling of electrical and electronic equipment;
- 2) the requirements for the collection and processing of electrical and electronic equipment waste;

3) the volume and time limits for the collection, reuse, recovery and regeneration of electrical and electronic equipment waste, as well as the requirements for the submission of a report regarding the implementation of such operations; and

4) the requirements for the provision of information to consumers and operators of electrical and electronic equipment waste processing, reuse, recovery and regeneration facilities, as well as requirements for informing the general public and the European Commission.

Section 20.⁸ (1) A battery or accumulator is defined as a source of electrical energy in which energy is generated by direct transformation of chemical energy and which consists of one or several primary (non-rechargeable) battery cells or secondary (rechargeable) battery cells.

(2) Batteries and accumulators are divided into the following categories:

1) a battery pack is a set of batteries or accumulators that are connected together or are encapsulated within an outer casing to form a complete unit, and the end user is not expected to take it apart or open.

2) a portable battery or accumulator is any sealed battery, button cell, battery pack or accumulator that can be hand-carried and that is neither an industrial battery or accumulator nor a battery or accumulator designed for use in vehicles or other self-propelled machinery;

3) button cells are any small, round portable batteries or accumulators with a diameter greater than its height which are used for special purposes such as in hearing aids, wrist watches, small portable equipment and back-up source;

4) a battery or accumulator designed for use in vehicles or in other self-propelled machinery is a battery or accumulator that is used in order to operate the automotive starter, lighting or ignition of a vehicle or other self-propelled machinery (hereinafter – batteries and accumulators of vehicles); and

5) an industrial battery or accumulator is any battery or accumulator designed for exclusively industrial or professional use or that is used in any type of electric vehicle.

(3) The provisions of this Law shall apply to batteries and accumulators of all types regardless of their use, shape, volume, weight or material composition. The requirements specified in this Law shall not apply to batteries and accumulators that are used in equipment intended for national security, in weapons, munitions and war material, as well as in equipment designed to be sent into space, except for the products that are not intended for specific military purposes.

(4) battery or accumulator waste is any battery or accumulator that qualifies as waste within the meaning of the term “waste” as specified in section 1, Clause 1 of this Law.

[wording of 13 March 2008 taking effect on 26 September 2008]

Section 20.⁹ (1) A producer of batteries and accumulators is defined as any person who, irrespective of the used selling technique and irrespective of the distance contract, within the scope of his or her commercial activities or economic activity places on the Latvian market unused batteries or accumulators, including batteries and accumulators incorporated into appliances or vehicles in accordance with the commercial activities of the producer.

(2) A distributor of batteries and accumulators is defined as any person who, within the scope of his or her commercial activities or economic activity, supplies batteries and accumulators to end users.

(3) The Cabinet shall determine the procedures for the registration pertaining to producers of batteries and accumulators and the holder of the register. Producers of batteries and accumulators shall provide information for the register regarding the amount and the types of batteries and accumulators placed on the Latvian market, the amount and the types of collected, recycled and exported batteries and accumulators.

[wording of 13 March 2008 taking effect on 26 September 2008]

Section 20.¹⁰ Placing on the market means that batteries and accumulators are supplied or made available to consumers within the territory of the Latvian State, for a payment or for free.

[wording of 13 March 2008 taking effect on 26 September 2008]

Section 20.¹¹ (1) A producer of batteries and accumulators shall ensure the acceptance, collection, treatment and recycling of battery and accumulator waste, utilising the best technologies available.

(2) A producer of batteries and accumulators may perform the measures referred to in Paragraph one of this Section himself or herself, or may enter into a contract with a merchant who, on the basis of the concluded contract, shall organise and co-ordinate the management of waste batteries and accumulators.

[wording of 13 March 2008 taking effect on 26 September 2008]

Section 20.¹² (1) Waste portable batteries and accumulators shall be collected or accepted free of charge, without obligating the end users to purchase a new battery or accumulator, even if the collection or acceptance is ensured by the distributor of batteries and accumulators.

2) A producer or distributor of batteries and accumulators for vehicles shall ensure the collection or acceptance of waste batteries and accumulators from private land vehicles or other self-propelled machinery not intended for commercial purposes (non-commercial vehicles) for free, without obligating the end users to purchase a new battery or accumulator.

(3) A producer or distributor of industrial batteries and accumulators shall ensure the collection and acceptance of waste batteries and accumulators regardless of the chemical composition and origin of such batteries.

[wording of 13 March 2008 taking effect on 26 September 2008]

Section 20.¹³ Waste industrial batteries and accumulators and waste vehicle batteries and accumulators shall neither be accepted for disposal at landfill sites, nor incinerated. Residues from the treatment and recycling of waste batteries or accumulators may be disposed of in landfill sites or may be incinerated.

[wording of 13 March 2008 taking effect on 26 September 2008]

Section 20.¹⁴ The cabinet shall determine:

1) the requirements to be met during the collection, treatment and recycling of waste batteries and accumulators; and

2) the volumes and time limits for the collection and recycling of batteries and accumulators, as well as the requirements for drawing up a report on the performance of such activities.

[wording of 13 March 2008 taking effect on 26 September 2008]

Chapter VI Payment for Waste Management and Support for Commercial Activities *[name of chapter as worded by the law of 26 October 2006]*

Section 21. (1) Payment for the collection, storage, reloading, transportation and recovery of hazardous waste, and the recovery of municipal waste shall be determined by agreement between the producer or holder of waste and the manager of waste.

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

[with amendments of 19 February 2004]

Section 21.¹ (1) Payment for the management of municipal waste (except for municipal waste recovery) payable by producers or holders of waste (except for the waste producers referred to in Section 15, Paragraph 6 of this Law) shall be determined by the local government. Payment for the management of municipal waste is made up of the following:

1) payment for the collection, transportation, reloading and storage of municipal waste; and

2) the tariff on municipal waste disposal in landfill sites and waste dumps which has been approved by the Public Utilities Commission.

(2) The local government shall determine the payment for the collection, transportation, reloading and storage of municipal waste on the basis of the contract made between the local government and the merchant who was selected by the local government in accordance with Section 15 of this Law and who will manage municipal waste. The procedures for the calculation of the payment for the collection, transportation, reloading and storage of municipal waste shall be specified by the Cabinet.

(3) The Merchant who has been selected by the local government pursuant to Section 15 of this Law shall ensure the collection, transportation, reloading and storage of municipal waste for all municipal waste producers in the relevant waste management zone for the same charge subject to the contract made between the merchant and the local government under the procedures set out in this Law.

[wording of the law of 13 March 2008]

Section 22. The tariff for the disposal of municipal waste in landfill sites and waste dumps shall be governed by the Law on Public Services Regulators.

[wording of the law of 26 October 2006]

Section 22.¹ *[deleted by the law of 13 March 2008]*

Section 22.² All expenses related to the construction and operation of a landfill site, expenses related to landfill site manager's financial guarantee in the form of a security deposit, an insurance policy for the performance of commitments or a guarantee from a credit institution, landfill site closure expenses and expenses related to the monitoring of the closed landfill site extending for at least for 30 years after the closure of the landfill site shall be included in the payment for waste disposal in landfill sites.

[wording of the law of 13 March 2008]

Chapter VII Transboundary Movement of Waste

Section 23. (1) Exportation of hazardous waste for recovery or disposal to states which have acceded to the Basel Convention on the Control of Transboundary

Movements of Hazardous Wastes and Their Disposal is permitted in compliance with the procedures prescribed in the Convention referred to.

(2) It is prohibited to import into the territory of the Republic of Latvia any waste for any disposal, incineration or long-term storage.

(3) It is permitted to import hazardous waste for recovery only if in the territory of the Republic of Latvia there operate hazardous waste recovery facilities the owner of which has obtained a permit for the recovery of the relevant hazardous waste and the facilities have the necessary capacity.

(4) A permission to import waste for recovery into the territory of the State in conformity with Council Regulation [259/93/EEC](#) of 1 February 1993 on the supervision and control of shipments of waste within, into and out of the European Community, shall be issued by the State Environmental Service.

(5) [pursuant to the law of 22 April 2004 not valid as of 1 May 2004]
[with amendments of 19 February 2004 and 2 December 2004]

Transitional Provisions

1. With the coming into force of this Law, the Law On Municipal Waste (*Latvijas Republikas Saeimas un Ministru Kabineta Ziņotājs*, 1998, No. 23) and the Law On Hazardous Waste (*Latvijas Republikas Augstākās Padomes un Ministru Padomes Ziņotājs*, 1993, No. 14/15; *Latvijas Republikas Saeimas un Ministru Kabineta Ziņotājs*, 1997, No. 3) are repealed.

2. Until the day when the relevant Cabinet regulations come into force, but not later than until 1 January 2002, the following Cabinet Regulations shall be in force insofar as they are not in contradiction with this Law:

1) Cabinet Regulation No. 353 17 September 1996, Procedures regarding the Completion of Documents for Operations with Hazardous Waste;

2) Cabinet Regulation No. 298 of 12 August 1997, Regulations Regarding the Classification of Hazardous Waste and Hazardousness Criteria;

3) Cabinet Regulation No. 56 of 8 February 2000, Regulations regarding Construction, Management and Closure of Municipal Landfill Sites;

4) Cabinet Regulation No. 39 of 9 February 1999, Municipal Waste Classification Regulations; and

5) Cabinet Regulation No. 205 of 8 June 1999, Regulations for the registration of Natural Persons and Legal Persons who Perform Collection, Storage, Recovery, Reloading or Transportation of Municipal Waste.

3. Permits issued on the basis of the requirements of the Law on Municipal Waste and the Law On Hazardous Waste shall be in effect until the end of their terms.

4. Section 11, Paragraph 1; Section 14, Paragraph 2 and Paragraph 3, Clause 1; Section 15, Clause 1 and Section 19, Clause 1 of this Law do not apply to persons who perform waste management, if they have obtained permits for all facilities in which waste management is performed in accordance with the procedures prescribed in the Law on Pollution.

5. Section 7, Clause 1 of this Law shall come into force on 1 January 2003.

6. The Cabinet shall adopt the Cabinet Regulations referred to in Section 7, Clauses 3, 5 and 9; Section 11, Paragraph three and Section 15, Clause 1 of this Law by 1 January 2002, and by 1 January 2003 shall adopt the Cabinet Regulations referred to in Section 7, Clauses 4, 6 and 7; Section 21, Paragraph 2 and Section 23, Paragraph 5, and approve the placement of the facilities and landfill sites referred to in Section 7, Clause 2 of this Law.

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

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

9. The Cabinet shall issue by 1 July 2005:

- 1) the recommendations referred to in Section 9, Paragraph 2 of this Law; and
- 2) the regulations referred to in Section 7, Clause 9 and Section 11, Paragraph 3 of this Law. Until the day of the coming into force of these regulations, but not longer than by 1 July 2005, Cabinet Regulation No. 191 of 15 May 2001, Regulations regarding the Types of Disposal and Recovery of Waste (*Latvijas Republikas Saeimas un Ministru Kabineta Ziņotājs*, 2002, No. 12) and Cabinet Regulation No. 432 of 9 October 2001, Procedures for the Issue, Extension and Cancellation of Waste Management Permits (*Latvijas Republikas Saeimas un Ministru Kabineta Ziņotājs*, 2002, No. 21) shall be applied, insofar as they are not in contradiction with this Law.

[wording of the law of 19 February 2004 with amendments of 2 December 2004]

10. Waste recovery and disposal permits, which have been issued in accordance with this Law, shall be in effect until the end of their term of validity. Category A or B waste recovery and disposal permits for polluting activities may be extended until the time period in which according to the procedures specified in regulatory enactments Category A or B permits for polluting activities shall be obtained. For disposal of waste in a landfill it is necessary to obtain a waste disposal permit. Issued waste disposal permits may be extended up to the closing of the landfill.

[in the wording of the law of 19 February 2004 as amended by the law of 22 June 2005]

11. By 1 July 2005 the Cabinet shall include in the State waste management plan the requirements specified in Section 10, Paragraph 2, Clause 8 and Paragraph 3 of this Law.

[wording of the law of 12 February 2004]

12. Chapter V¹ of this Law shall come into force on 1 August 2004.

[wording of the law of 19 February 2004]

13. Section 20.⁴, Paragraphs 1, 2, 3 and 4 of this Law applying to household electrical and electronic equipment waste shall come into force on 13 August 2005.

[wording of the law of 19 February 2004]

14. Section 20.⁵ of this Law shall come into force simultaneously with the relevant amendments to the Law on Natural Resources Tax.

[wording of the law of 19 February 2004]

15. *[deleted by the law of 13 March 2008]*

16. The local government shall organise a public procurement procedure regarding the municipal waste management in a specific area within a time period that is sufficient to ensure the continuity of the provision of municipal waste management services. At the closure of the public procurement procedure the local government shall make a contract with a merchant who has been selected in accordance with the procedures specified in the regulatory enactments governing public procurement and who shall perform the collection, transportation, reloading and storage of municipal waste in the relevant municipal waste management zone after the expiry of the term of the previous contract.

[wording of the law of 26 October 2006]

17. If a contract between the local government and the merchant who performs the collection, transportation, reloading and storage of municipal waste in the relevant municipal waste management zone was concluded prior to 31 December 2006 and all the activities specified in the relevant regional waste management plan have not been provided for, the local government and the relevant merchant shall amend such contract in accordance with the corresponding regional waste management plan. Amendments to the contract made subject to the corresponding regional waste management plan shall not entitle a contracting party to request an extension of the term of the contract or any amendment of the other provisions of the contract.

[wording of the law of 26 October 2006]

18. Until the conclusion of a contract between the local government and the merchant who has been awarded the contract following the procedures specified in regulatory enactments governing public procurement and who will perform the collection, transportation, reloading and storage of municipal waste in the relevant municipal waste management zone, the tariff on municipal waste management (except for municipal waste recovery) shall be approved by the Regulator.

[wording of the law of 26 October 2006]

19. Section 21¹ of this Law and the new wording of Section 22 (regarding the disposal of municipal waste in landfill sites and waste dumps) shall enter into force on 1 January 2007.

[wording of the law of 26 October 2006]

20. The provisions of Section 21¹ of this Law shall apply to municipal waste management contracts that are made for the management of municipal waste management within the territory of the City of Riga local government after 1 January 2007.

[wording of the law of 26 October 2006]

21. The provisions of Section 21¹ of this Law shall apply to municipal waste management contracts that are made for the management of municipal waste in the relevant territory of the local government after 1 January 2008, except for the territory of the City of Riga local government.

[wording of the law of 26 October 2006]

22. Not later than by 1 September 2008 the Cabinet shall issue the regulations provided for in Section 7, Clause 12 of this Law.

[wording of the law of 13 March 2008]

23. *[deleted by the law of 13 March 2008]*

24. By 1 January 2009 the Cabinet shall issue the regulations referred to in section 7, Clause 13; Section 20.², Paragraph 4 and Section 21.¹, Paragraph 2 of this Law.

[wording of the law of 13 March 2008]

25. By 1 July 2008 the Cabinet shall issue the regulations referred to in Section 19.¹ of this Law. The report referred to in Section 19.¹ of this Law shall be submitted starting from the year 2009, when the report regarding the year 2008 is to be submitted.

[wording of the law of 13 March 2008]

26. Sections 20.⁸, 20.⁹, 20.¹⁰, 20.¹¹, 20.¹², 20.¹³ and 20.¹⁴ of this Law shall enter into force on 26 September 2008.

[wording of the law of 13 March 2008]

27. By 1 July 2008 the Cabinet shall issue new regulations provided for in Section 11, Paragraph 3 of this Law. Until the date of entry into force of these regulations, but not later than until 1 July 2008, Cabinet Regulation No. 413 of 23 May 2006, Procedures for the Issue, Extension, Review and Cancellation of Waste Management Permits, shall remain in force insofar as it is not in contradiction to this Law.

[wording of the law of 13 March 2008]

28. Permits that have been issued on the basis of Cabinet Regulation No. 342 of 17 May 2005, Procedures for the Issue, Extension, Review and Cancellation of Waste Management Permits, and Cabinet Regulation No. 413 of 23 May 2006, Procedures for the Issue, Extension, Review and Cancellation of Waste Management Permits, shall remain in force until the expiry of the term of validity of the permits.

[wording of the law of 13 March 2008]

29. The provisions of Section 20.⁵, Paragraph 6 of this Law shall not be applicable in relation to large electrical and electronic household equipment until 13 February 2013, but in relation to other electrical and electronic household equipment – until 13 February 2011. The expenses that have been indicated to buyers as expenses for the collection, treatment and disposal of waste equipment in a safe manner shall not exceed the actual costs for the management of waste electrical and electronic equipment.

[wording of the law of 13 March 2008]

30. Not later than by 1 September 2008 the Cabinet shall issue the regulations provided for in Section 7, Clause 7 of this Law. Until the date of entry into force of these regulations, but not later than until 1 September 2008, Cabinet Regulation No. 529 of 18 December 2001, Management Procedures for Different Types of Hazardous Waste, shall remain in force, insofar as it is not in contradiction to this Law.

[wording of the law of 13 March 2008]

Informative Reference to European Union Directives

[reference in the wording of the law of 2 December 2004 with amendments of 13 March 2008]

Legal norms arising from the following directives have been included in this Law:

- 1) Council Directive [75/439/EEC](#) of 16 June 1975 on the disposal of waste oils;
- 2) Council Directive [87/101/EEC](#) of 22 December 1986 amending Directive [75/439/EEC](#) on the disposal of waste oils;
- 3) Council Directive [75/442/EEC](#) of 15 July 1975 on waste;
- 4) Council Directive [91/156/EEC](#) of 18 March 1991 amending Directive [75/442/EEC](#) on waste;
- 5) Council Directive [78/176/EEC](#) of 20 February 1978 on waste from the titanium dioxide industry;
- 6) Council Directive [82/883/EEC](#) of 3 December 1982 on procedures for the surveillance and monitoring of environments concerned by waste from the titanium dioxide industry;
- 7) Council Directive [83/29/EEC](#) of 24 January 1983 amending Directive [78/176/EEC](#) on waste from the titanium dioxide industry;
- 8) Council Directive [91/157/EEC](#) of 18 March 1991 on batteries and accumulators containing certain dangerous substances;
- 9) Commission Directive [93/86/EEC](#) of 4 October 1993 adapting to technical progress Council Directive [91/157/EEC](#) on batteries and accumulators containing certain dangerous substances;
- 10) Commission Directive [98/101/EC](#) of 22 December 1998 adapting to technical progress Council Directive [91/157/EEC](#) on batteries and accumulators containing certain dangerous substances (Text with EEA relevance);
- 11) Council Directive [91/689/EEC](#) of 12 December 1991 on hazardous waste;
- 12) Council Directive [94/31/EC](#) of 27 June 1994 amending Directive [91/689/EEC](#) on hazardous waste;
- 13) Council Directive [91/692/EEC](#) of 23 December 1991 standardising and rationalising reports on the implementation of certain Directives relating to the environment;
- 14) Council Directive [96/59/EC](#) of 16 September 1996 on the disposal of polychlorinated biphenyls and polychlorinated terphenyls (PCB/PCT);
- 15) Council Directive [1999/31/EC](#) of 26 April 1999 on the landfill of waste;
- 16) Directive [2000/76/EC](#) of the European Parliament and of the Council of 4 December 2000 on the incineration of waste;
- 17) Directive [2002/96/EC](#) of the European Parliament and of the Council of 27 January 2003 on waste electrical and electronic equipment (WEEE);
- 18) Directive [2003/108/EC](#) of the European Parliament and of the Council of 8 December 2003 amending Directive [2002/96/EC](#) on waste electrical and electronic equipment (WEEE); and
- 19) Directive [2006/66/EC](#) of the European Parliament and of the Council of 6 September 2006 on batteries and accumulators and waste batteries and accumulators and repealing Directive [91/157/EEC](#).

This law shall come into force on 1 March 2001.

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

President V. Vīķe-Freiberga
Riga, 29 December 2000