

Regulation on Waste Management

13/2006
Of 15 June

CHAPTER I General provisions

ARTICLE 1

Definitions

In this Regulation the following words and expressions shall have the following meanings:

- a) **Utilization or Recovery** – the use of waste or its components by means of refining, recovery, reclaiming, recycling, reuse processes or any other action (appearing in the list of Appendix VI) tending to obtain secondary raw materials for the purpose of reintroduction of waste in the generation circuits and/or consumption in similar use and without changing the same;
- b) **Storage** – the provisional and controlled deposition of waste, for an indeterminate period of time, before its treatment, utilization or disposal;
- c) **Deposition** – the final destination to be given to the waste;
- d) **Holder** – the producer of waste or any other person or entity who holds its ownership or control;
- e) **Disposal** – the turning to any of the operations specified in Appendix VI of this Regulation;
- f) **Hazardous or Toxic Plants** – places engaged in the management of hazardous waste;
- g) **Waste management** – all feasible procedures aiming at ensuring a management environmentally safe, sustainable and rational of waste, taking into account the need for its reduction, recycling and reuse, including the separation, collection, handling, transport, storage and/or disposal of waste, as well as the subsequent protection of the disposal points, in order to protect human health and the environment against the harmful effects that might result from the same;
- h) **Risk management** – the systematic identification of hazards, assessment of risks related to the identified hazards and subsequent development of control measures in order to manage the risks associated with each one of the identified hazards;
- i) **Operator** – entities that carry out activities associated with waste management;
- j) **Waste management plan** – a document containing systematized technical information on operations of collection, transport, storage,

treatment, utilization or disposal of waste, including the monitoring of places of unloading during and after the closing of the respective facilities, as well as the planning of such operations;

- k) **Hazard** – the existing potential to degrade the quality of the environment, harm people's health and life or damage properties;
- l) **Waste** – Substances or objects usually disposed of or that are intended to be disposed of or that are compulsory to be disposed of by law, also called trash;
- m) **Hazardous waste** – waste bearing risk characteristics for being flammable, explosive, corrosive, toxic, infectious or radioactive, or for showing any other characteristic that constitutes hazard for the life and health of mankind and other living creatures and for environmental quality;
- n) **Non hazardous waste** – waste with no risk characteristics;
- o) **Biomedical waste** – waste resulting from human medical and veterinary activities of diagnosis, treatment and research;
- p) **Radioactive waste** – waste containing any material or substances contaminated by radioisotopes;
- q) **Collection** – the operation of collection, sorting and/or mixing of waste, aiming at its transportation;
- r) **Risk** – the probability of occurrence of an hazard and the consequences resulting from such occurrence;
- s) **Transport** – any operation of physical movement of waste within the national territory;
- t) **Treatment** – the mechanical, physical, thermal, chemical or biological processes, including the separation, which change the characteristics of the waste in order to reduce its volume or hazard and facilitate its deposition.

ARTICLE 2

Purpose

The purpose of this Regulation is to lay down the rules concerning the production, deposit on soil and subsoil, throwing to the water or to the atmosphere, of any toxic and polluting substances, as well as the practice of polluting activities which could accelerate impairment of the environment, in order to prevent or minimise their negative impacts on the health and environment.

ARTICLE 3 Scope of Application

1. This regulation shall be applicable to any public or private natural person and legal entities engaged in waste management.

2. The rules laid down by this Regulation shall not be applicable to the management of:

- a) Biomedical waste;
- b) Residual waters, except for those containing risk characteristics as described in Appendixes III and IV hereof;
- c) Hazardous waste subjected to a specific regulation.

ARTICLE 4 Competencies in waste management

1. In matter of hazardous waste management, it is the competency of the Ministry for the Environmental Coordination (MICOA) to:

- a) Issue and divulge the rules for compulsory performance on the procedures to be observed within the scope of hazardous waste management;
- b) Issue environmental licenses for the facilities or places for storing and/or disposal of hazardous waste;
- c) Issue certificates, in coordination with the licensing authorities, after hearing the institutions concerned, hazardous waste transport operators and the vehicles used for the transportation of the same;
- d) Register the public or private entities that handle hazardous waste;
- e) Adopt, in coordination with the competent authorities, the measures necessary to suspend the storage, disposal or transportation of hazardous waste, performed illegally and/or in conditions that constitute hazard for the public health or for the environment;
- f) Monitor the performance of the provisions of this Regulation.

2. In matter of non-hazardous waste management it is the competency of the Ministry for the Environmental Coordination to:

- a) Issue and divulge the rules for compulsory performance on the procedures to be observed within the scope of waste management;
- b) Issue environmental licenses for the facilities or places for storing and/or disposal of waste;

- c) Monitor the performance of the provisions of this Regulation as well as the rules for waste management;
- d) Ensure the public participation in the licensing process provided for in paragraph *b)* of the present number, as well as the access to any relevant information on waste management.

3. In matter of waste management it is the competency of the municipalities, in the areas of their jurisdiction to:

- a) Approve specific regulations on waste management;
- b) Establish tariffs for the rendering of services to the public through their own means, namely within the scope of the collection, deposit and treatment of waste;
- c) Approve the procedures for removal, treatment and deposit of solid waste, including waste from hospitals and the toxic waste;
- d) Issue licenses to facilities engaged in the management of hazardous or toxic waste.

4. In matter of waste management it is the competency of District Governments, in the areas of their jurisdiction to:

- a) Approve specific regulations on waste management;
- b) Define the method, procedures for the removal and the means for collection, transportation, deposit and treatment of waste, especially, waste from hospital and toxic waste;
- c) Establish rates, provide removal, collection, transport, deposit and treatment services of waste, including waste from hospitals and toxic waste;
- d) Issue licenses to facilities engaged in the management of hazardous or toxic waste;

ARTICLE 5 Classification of waste

Waste is classified as hazardous and non-hazardous waste.

- a) Hazardous waste is that waste containing any of the characteristics described in Appendix III hereof;
- b) Non-hazardous waste is that waste not containing any of the characteristics described in Appendix III hereof.

ARTICLE 6 Category of waste

1. Dangerous waste is subdivided into those categories established in Appendix IV hereof;

2. Non-hazardous waste, also named municipal solid waste (MSW) is subdivided into the following categories:

- a) Paper or paperboard;
- b) Plastic;
- c) Glass;
- d) Metal;
- e) Rubbish;
- f) Metal scrap;
- g) Organic matter;
- h) Any other type of waste.

3. Non-hazardous waste is classified as:

- a) Domestic solid waste, or other similar waste – that one originating from houses or other similar places respectively;
- b) Commercial solid waste –from business houses, offices, restaurants and similar places, not exceeding a daily volume of 1,100 litres, and deposited in containers in similar conditions as the waste referred to in the foregoing paragraph;
- c) Bulky domestic waste – from houses, whose removal is not possible by ordinary means due to its volume, shape or dimensions or whose deposition in existing containers is considered improper by the Municipality;
- d) Garden waste – waste resulting from the maintenance of private gardens, such as trimmings, boughs, tree trunks or leaves;
- e) Solid waste resulting from the public cleansing of gardens, parks, streets, cemeteries, and other public spaces;
- f) Solid industrial waste, resulting from accessory activities and compared to municipal solid waste – waste with characteristics similar to the waste referred to in paragraphs *a)* and *b)*, namely that one from refectories, canteens and offices as well as supermarket waste or non-contaminant matter
- g) Non-contaminant hospital solid waste, similar to domestic waste;
- h) Waste from animal defecation in the streets.

ARTICLE 7

Waste management plan

1. All public or private bodies developing activities related to the management of waste shall elaborate a plan for the management of waste of their own, before starting their activity, containing at least accurate information as described in Appendix I and/or Appendix II, depending on it being about a landfill or any other operation of waste management, respectively.

2. The plan mentioned in the foregoing number shall be submitted to the Ministry for the Environmental Coordination, for approval, within a maximum period of 45 working days, as from the date of its submission.

3. Waste management plans are valid for a period of five years, as from the date of their approval.

4. The waste management plan referred to in the foregoing paragraph shall be updated and submitted to the Ministry for the Environmental Coordination, not later than 180 days before the expiring date of its validity, and this Ministry shall renew the respective environmental license, in terms of the provisions of Article 10 hereof.

5. Application for the renewal of the environmental license for waste management, referred to in the foregoing number shall be made through a letter addressed to the competent authority containing the following data:

- a) Name of the entity;
- b) Activity carried on;
- c) Reference of the attributed license;

6. The updated waste management plan taking into account the statements of the public or private environmental audits occurred during the period referred to the plan shall be attached to the application for renewal.

ARTICLE 8

Methods of deposition, utilization or recovery of waste

1. The entities engaged in deposition, utilization or recovery of waste, have the responsibility to show, through a process of risk assessment carried out during the development of the waste management plan, managed by them, the environmental feasibility of the treatment, deposition, utilization or recovery operation to be adopted for the specific case.

2. Any entities engaged in the process of waste deposition not using the more advisable deposition option from the technical-scientific point of view for the treatment of their waste, must review their waste management plan every three years, for the purpose of attaining the more advisable deposition method from the technical-scientific point of view, for the deposition of their waste.

ARTICLE 9

Specific obligations of the entities handling waste

1. Besides the obligations appearing in the foregoing article, the specific obligations of the entities generating or handling waste are to:

- a) Minimise the production of waste of any category;
- b) Ensure the segregation of the different categories of waste;
- c) Ensure the treatment of the waste before its deposition;
- d) Ensure the protection of all workers engaged in the handling of waste against accidents and diseases resulting from their exposure to the same;
- e) Ensure that all waste to be transported contains minimum hazard of contamination, for the workers engaged in this process, for the general public and for the environment;
- f) Build the capacity of their workers in matter of health, occupational safety and environment;
- g) Ensure that the disposal of waste inside and outside the production site does not have a negative impact on the environment or on the public health and safety;
- h) Make a detailed annual record of the origins, quantities and types of waste handled, transported, treated, recovered or disposed of and keep it during the five years subsequent to the respective record.

**ARTICLE 10
Environmental licensing**

1. The facilities and equipments intended for deposition, treatment, utilization, recovery or disposal of waste are subjected to environmental licensing, in terms of the regulation on the environmental impact assessment process and the legislation in force concerning this matter, without prejudice to the provisions of Article 7 hereof.
2. The application for requesting the licensing shall be delivered to the competent bodies, in terms of the provisions of Decree number 45/2004, of 29 September, obeying the bureaucratic procedures described therein.
3. In the cases where the application is submitted to the Provincial Directorates of the Ministry for the Environmental Coordination and the latter decide that the authorisation of the request falls under the central body, the same shall forward it, within the maximum period of five working days, to the competent entity, informing the applicant, and the bureaucratic procedures referred to in the foregoing number will follow thereafter.
4. The application shall contain the elements mentioned in the preliminary environmental information sheet, appearing in Appendix 4 of Decree number 45/2004, of 29 September, and shall be accompanied by a letter approving the localisation issued by the respective Municipal Council or District Government, attesting the

compatibility of the localisation, with the respective territory planning.

5. The process of appreciation of the request shall be done under Decree number 45/2004, of 29 September, concerning the environmental impact assessment process.

**ARTICLE 11
Obligation to provide solicited information**

1. The entities performing any of the disposal operations laid down in Appendix VI hereof, shall submit at the end of each semester to the Ministry for the Environmental Coordination, a report according to the waste management plan approved for the operation performed by them, as established licensing conditions, as well as, the information appearing in the Form of Appendix VIII hereof.
2. All entities in charge of the waste management, shall inform immediately the Ministry for the Environmental Coordination in case of occurrence of accidental spillage of waste, through their competent bodies.

**CHAPTER II
Management of non-hazardous waste**

**ARTICLE 12
Segregation of non-hazardous waste**

Non-hazardous waste must be segregated, where this measure reveals itself economically feasible, according to their category and each entity producing or handling this kind of waste shall have, at least, the conditioning conditions for the categories appearing in number 2 of Article 6 hereof.

**ARTICLE 13
Identification and conditioning of non-hazardous waste**

1. Non-hazardous waste shall, where this measure reveals itself economically feasible, be identified according to its categorisation and classification referred to in numbers 2 and 3 of Article 6 hereof.
2. Solid waste must be conveniently conditioned so that its deposition in containers intended for this purpose be done in the most possible adequate manner, in order to avoid its spillage to the streets.
3. An adequate deposition is the placing of waste in conditions of leaktightness and hygiene, if possible in plastic or paper bags, in order to avoid its spreading in the streets and keeping the containers clean and always with the lid closed.

4. The licensing entities of the non-hazardous waste management processes may establish specific conditioning manners of each one of the categories of waste embraced by this Regulation, and may yet establish subcategories among the categories established therein.

5. The conditioning ways to be adopted in terms of number 4 of this article, must allow the clear identification of the containers of waste composed by:

- a) Paper or paperboard;
- b) Plastic;
- c) Glass;
- d) Metal;
- e) Rubbish;
- f) Metal scrap;
- g) Organic matter;
- h) Any other type of waste.

ARTICLE 14

Collection and transportation of non-hazardous waste

1. The methods, specific processes of collection and transportation of non-hazardous waste shall be established by the competent entities in terms of the legislation in force.

2. The collection and transportation of municipal solid waste, shall be made, according to routes defined by the competent bodies and in appropriate vehicles.

3. The competent authorities may adopt the system of collection and transportation deemed technically appropriate to each situation and to each material to be collected provided that hygienic conditions are ensured and the public health and environment are not jeopardised.

4. The maintenance and cleansing of the containers for deposition of municipal solid waste are the duty of bodies or entities holding the possession or ownership of the same.

ARTICLE 15

Treatment, recovery and final deposition

The specific methods of treatment, recovery and final deposition of non-hazardous waste within the areas of municipal and district jurisdiction, shall be established by those entities, taking into consideration the regulation in force.

CHAPTER III

Management of hazardous waste

ARTICLE 16

Specific obligations in handling hazardous waste

Besides the generic obligations appearing in Article 9 hereof, it is a specific obligation of the entities generating or handling hazardous waste, to identify their corporate staff in charge of the control thereof.

ARTICLE 17

Segregation of hazardous waste

Hazardous waste shall be segregated according to the classes appearing in Appendix III hereof, and each entity producing or handling the same shall have, at least, the technical conditions for conditioning the waste in its possession.

ARTICLE 18

Identification and conditioning of hazardous waste

1. The process of identification and conditioning of hazardous waste shall be done according to the provisions of this chapter in order to ensure its compliance and harmony with the international principles and regulations assumed by the country in international conventions on hazardous waste management, as well as concerning the transportation of dangerous substances or products.

2. The identification of hazardous waste, unless otherwise legally provided, shall be done according to the provisions of Appendix V hereof.

3. The hazardous waste shall be packed or conditioned according to the technical standards to be established by specific instructions on conditioning of hazardous waste, and at least the shall be contained in containers with capacity to:

a) Endure the normal storage and transportation operations;

b) Be kept hermetically sealed so that their contents cannot come out from them without an intentional act for such purpose;

c) Be not damaged by their contents;

d) Not to form harmful or hazardous substances when in contact with their contents;

e) Be duly identified with the symbols provided for in Appendix V hereof.

4. Besides the above mentioned conditions, still the following special care should be taken for the following waste categories:

a) The self-inflammable substances shall be conditioned in hermetically sealed containers;

b) The substances releasing inflammable gases when in contact with water, shall be conditioned in non-moisture places;

c) The radioactive substances shall be conditioned in containers built in such a way that the radiations emitted by them is limited to a minimum and efficiently protected in completely sealed areas, so that, there is no possibility for the workers or the general public to have contact with the isotopes according to the international regulations supervised by the International Atomic Energy Agency.

ARTICLE 19

Collection of hazardous waste

1. The collection of hazardous waste is the exclusive responsibility of the entities producing them.

2. Any holder of hazardous waste, not performing in their personal capacity the operations referred to in Appendix VI hereof, shall compulsorily entrust, the performance of those operations to a private or public collection service performing the operations referred to in the aforesaid Appendix, provided that it is duly licensed for engaging in the activities mentioned therein.

3. In the act of the collection of hazardous waste, a manifest must be filled in, in terms of the form appearing in Appendix VII, in quadruplicate, mentioning the quantities, quality and destination of the collected waste, from which one copy shall be kept by the entity generating the waste, another copy by the entity transporting the waste, the third copy to be kept by the receiver of the product and the fourth copy sent to the Ministry for the Environmental Coordination.

ARTICLE 20

Movement of hazardous waste within the facilities of the entity producing it

1. The movement of hazardous waste within the facilities of the entities producing it, from the point where it is generated to the conditioning, storage and treatment sites shall be performed resorting to appropriate equipments or vehicles having a solid base and walls fit to contain it.

2. The equipments or vehicles used for the above mentioned operations shall be appropriate in order to enable adequate cleansing and disinfection.

3. The water resulting from the cleansing of equipments or vehicles used in the transportation shall deserve treatment according to the legislation in force.

ARTICLE 21

Movement of hazardous waste to outside the facilities of the entities producing it

1. The movement of hazardous waste through streets, shall be done with the necessary adjustments, obeying the provisions appearing in the Traffic Regulations, concerning the traffic of vehicles performing special transportations.

2. The hazardous waste, may only be moved to outside of the facilities of the entities producing it, by transport operators or transporters previously certified for this purpose, by the Ministry for the Environmental Coordination, to collect and transport this type of waste, according to the provisions of Article 22 hereof.

3. The transportation of hazardous waste performed by the armed forces shall obey to specific legislation on this matter.

4. The transfrontier movement of hazardous waste through the national territory, shall be performed according to the conditionalisms imposed by Resolution number 18/96, of 28 November, which ratified the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their disposal and in the instructions concerning this matter to be passed by the Ministry for the Environmental Coordination.

ARTICLE 22

Certification of transport operators of hazardous waste

1. The transport operators and owners of the vehicles used in the transportation of hazardous waste, besides other licenses exigible legally, should be certified before the Ministry for the Environmental Coordination for performing the activity in question, and for this purpose they shall submit before the said Ministry the respective application, in which the following information shall appear:

a) Full information of the transport operator or owner of the vehicle;

b) Taxpayer Identification Number (NUIT);

c) Documents confirming the possession, by the applicant, of facilities for parking the vehicles and the site of destination of the waste to be transported;

d) Note of authorisation or certified copy of the contract with the owners or managers of the final deposition site, authorising its use for final deposition of hazardous waste, stating the term during which the respective contract is in force;

e) Affidavit, that the final destination of the hazardous waste defined in the foregoing paragraph and collected in the performance of their activity, is the site indicated in the same paragraph;

f) Number, type, technical specifications, capacity and identification of the vehicles to be used in the performance of this activity;

g) General plan of the operation of hazardous waste transportation according to the rules and procedures appearing in Appendix IX, without prejudice to the provisions of the specific legislation in force.

2. The Ministry for the Environmental Coordination, shall dispatch the above mentioned application, within 15 days, counted from the date of receipt of the application, after hearing the opinion of the Ministries of Health and of Transportation and Communication, taking into account the following criteria:

a) Analysis of the information required in point 1 of this article;

b) The hazard for health, public safety and for the environment that the waste will represent during its transportation;

c) The capacity of the waste collection vehicle, shall contain safely the waste or any fluids that may eventually be released during their transportation and prevent the access for non-authorized persons;

d) The handling practices necessary to load the waste collection vehicle and, any risks that it may cause to the concerned workers, to the vehicle itself as well as to the general public;

e) The capacity to cleanse and disinfect the vehicle after the collection and disposal of a load of waste;

f) The operating procedures of the organisation providing the waste collection service and operation of the waste transportation vehicle;

g) The vehicles certified for hazardous waste transportation may not be used for another type of cargo, except after inspection determining that the same do not present any risk of contamination for the cargo to be transported.

4. If from the accomplishment of the process referred to in the foregoing numbers, a favourable dispatch results for the application for certification, a fee in the value of 10 000 000,00 MT (ten million Meticaï) shall be charged to the applicant.

ARTICLE 23

Methods of deposition and disposal of hazardous waste

The entities engaged in the deposition and disposal of hazardous waste, shall show, through a risk assessment process carried out during the development of the waste management plan, the environmental feasibility of the treatment, deposition and disposal operation to be adopted for the specific case, according to the options

appearing in Appendix VI hereof, with priority for the more advisable deposition option from a technical-scientific point of view.

CHAPTER IV **Infractions**

ARTICLE 24 **Infractions**

1. The stoppage or obstruction, without just cause, to the performance of the inspection activities to the competent entities for the purposes of the terms of this Regulation, are administrative infractions and punishable with a fine of between 50 000 000,00 MT (fifty million Meticaï) to 100 000 000,00 MT (one hundred million Meticaï), besides the imposition of other sanctions provided for in the national law.

2. Without prejudice to other sanctions provided for in the national law, the following facts are infractions punishable with a fine of between 100 000 000,00 MT (one hundred million Meticaï) to 200 000 000,00 MT (two hundred million Meticaï):

a) The non-observance of the provisions of Article 7, number 2 of Article 8, Article 9, Article 10 and Article 14 of this Regulation;

b) The non-performance of the recommendations set down within the scope of a public environmental audit process, according to the regulation in force concerning this matter;

c) The recidivism.

3. Without prejudice to other sanctions provided for in the national law, the non-observance of the provisions stipulated in chapter III of this Regulation are infractions punishable with a fine of between 200 000 000,00 MT (two hundred million Meticaï) to 300 000 000,00 MT (three hundred million Meticaï).

4. From the imposition of the fine provided for in numbers 2 and 3 of this article, an order for closing the activity until its compliance with the legal provisions, depending on the seriousness of the damages caused to the public health, workers and environment, may result as an alternative punishment.

ARTICLE 25

Ranking of the fines

1. The fines set in number 1 of the foregoing article shall be ranked as follows:

a) The lower value is imposed for the primary cases or where there are hindrances for performing the inspection activity in terms of this Regulation;

b) The higher value is imposed in the cases where the performance of the inspection activity does

not occur for reasons attributable to the infractor and the latter has acted fraudulently.

2. The fines set in number 2 of the foregoing article shall be ranked as follows:

a) The value of 100 000 000,00 MT (one hundred million Meticaís) is imposed for the cases set in the paragraph a) of number 2 of Article 24 of this Regulation;

b) The value of 150 000 000,00 MT (one hundred and fifty million Meticaís) is imposed for the cases set in the paragraph b) of number 2 of Article 24 of this Regulation;

c) The value of 200 000 000,00 MT (two hundred million Meticaís) is imposed for the cases set in the paragraph c) of number 2 of Article 24 of this Regulation.

3. The fines set in number 3 of the foregoing article are ranked as follows:

a) The value of 200 000 000,00 MT (two hundred million Meticaís) is imposed for the non-observance of the provisions of Articles 17 and 18 of this Regulation;

b) The value of 300 000 000,00 MT (three hundred million Meticaís) is imposed for the non-observance of the provisions of Article 23 of this Regulation.

ARTICLE 26

Collection of fees and fines

1. The values of due fees and fines under this Regulation, shall be made in the Tax Office of the respective tax area through the presentation of appropriate Form.

2. The infractor has 20 days to pay the imposed fine, counted from the date on which the notification was received.

3. After the time limit for payment stipulated in the foregoing number has elapsed without the infractor making the respective payment, the record shall be submitted to the competent entity for enforced payment.

ARTICLE 27

Updating and destination of the values of fees and fines

1. The values of the fees and fines laid down in this Regulation shall be updated, whenever necessary, through a joint Ministerial Statute of the Ministers of Finance and for the Environmental Coordination.

2. The values of the fines laid down in this Regulation shall have the following destination:

a) 60% for the Environment Fund (FUNAB);

b) 40% for the General State Budget.

APPENDIX I

LANDFILLS

I. WRITTEN PARTS

A. Specifications

- a) Purpose of the Project;
- b) Planning, site selection and project bases, including occupied area and volumes;
- c) Geological, geotechnical and hydro-geological characteristics of the site;
- d) Typology and quantity of waste;
- e) Risk management processes;
- f) Procedures to be observed for the prevention and minimization of the production of waste;
- g) Techniques, equipments and procedures to be observed for the treatment of waste;
- h) Localisation and characteristics of the site intended for the storage of waste, as well as the storage procedures, including information on the type and characteristics of the containers for storage;
- i) Type, characteristics of the means of conveyance and procedures to be observed for the transportation of waste, from the point where it is generated up to the site of its deposition;
- j) Procedures to be observed for the deposition or disposal of waste;
- k) Waterproofing system;
- l) Storm water drainage systems and leaching;
- m) Leaching treatment, forecast of the quantity and quality of leaching;
- n) Monitoring of the leaching and groundwater for the purpose of preventing the contamination of this very same groundwater;
- o) Drainage and treatment of the biogas, if necessary;
- p) Landfill working plan;
- q) Organisation chart and working hours;
- r) Contingency plan of the populations and system workers;
- s) Waste acceptance plan;
- t) Waste collection plan;
- u) Final coverage, landscape restoration and post-closing monitoring;
- v) Procedures in case of accidents, accidental spillages, incidental releases and discharges;
- w) Means and responsibilities for carrying out the activities provided for in the waste management plan.

B. Dimensioning

- a) Dimensioning and calculation of the waterproofing barriers;
- b) Dimensioning and calculation of the leaching treatment plant;

II. DRAWINGS

- A. Site plan (scale 1:25 000)**
- B. General landfill plan, with clear indications of all infrastructure components, including setting out of the waste deposition cell and the pre-treatment sites;**
- C. Details of the waterproofing stratigraphy and final coverage of the landfill.**

APPENDIX II

OTHER WASTE MANAGEMENT OPERATIONS

- I. Specifications in which the following shall appear:**
- a) Localisation of the facility where the waste management operations are inserted, including the address of the place, province, district and locality, telephone, fax;
 - b) Waste handled, its foreseeable origin, qualitative and quantitative characterization and its classification according to this Regulation;
 - c) Identification and classification of other substances used in the process;
 - d) Indication of the quantities and characteristics of the finished products;
 - e) Indication of the number of workers, facilities of social character, occupational medicine and toilet assemblies;
 - f) Description of the facilities, including storage;
 - g) Identification of the devices, machines and the rest of equipments indicating the major sources of emission of noise and vibrations;
 - h) Identification of the sources of emission of pollutants;
 - i) Quantitative and qualitative characterization of liquid and gaseous effluents, as well as that of the waste resulting from the activity;
 - j) Description of the internal measures for minimization, reuse and recovery of waste produced with indication of its qualitative and quantitative characterization, whenever possible;
 - k) Identification of the destination of waste generated internally, with indication of its qualitative and quantitative characterization and description of the storage on the very production site, should it be the case;
 - l) Document confirming the availability to accept the waste by the consignee provided for;

- m) Description of the environmental measures proposed to minimize and treat the liquid effluents and respective monitoring, indicating the proposed final destination;
- n) Description of the environmental measures proposed to minimize and treat the gaseous effluents, respective monitoring, characterization and dimensioning of the chimneys;
- o) Internal and external source of risks, organization of safety and means for preventing and protecting, namely regarding the fire and explosion risk.

II. The following shall appear in the drawings:

- a) Plan in a scale not lower than 1:25000, indicating the localization of the facility and in the case of the operations of hazardous waste management and non-hazardous waste incineration, embracing, a radius of 10 km from the facility, the main buildings such as hospitals and schools;
- b) Setting out plan of the facility where the operation is inserted, in a scale not lower than 1:2000, indicating, namely, the localisation of the areas for waste management, effluent systems and localisation of the respective points of final discharge, workshops, deposits and offices.

APPENDIX III
LIST OF HAZARDOUS CHARACTERISTICS

Class	Code	Characteristics
1	H1	Explosive.
		Explosive substance or waste; solid, liquid substance or waste (or a mixture of substances and/or wastes) with own capacity through a chemical reaction, to produce gas at a temperature, pressure and velocity in such a way that it may cause damages in the surrounding zones.
2	H2	Substances composed by compressed liquefied or under pressure gases.
		Gases which are hazardous in virtue of being compressed, liquefied, dissolved under pressure or refrigerated. These gases may represent additional hazard, and may be asphyxiating, for example: nitrogen; flammable, for example: butane; or toxic, for example: chlorides.
3	H3	Flammable.
		Flammable liquids are liquids, mixture of liquids or liquids containing solids in solution or suspension (for example paints, varnishes, lacquers, etc., not including substances or wastes otherwise classified due to their hazardous characteristics) which liberate flammable vapours at temperatures lower than 60,5°C, in the case of open pot experiments, or not higher than 65,5°C, in closed pot experiments. Since the results in open and closed pot experiments are not accurately comparable, and taking into account that frequently the results obtained by one same method vary inter se the regulations diverging from the above mentioned values, in order to take into account the said differences, are considered compatible with the spirit of this definition.
4.1	H4.1	Flammable solids.
		Solid materials or waste, except those classified as explosive, which under transportation conditions are easily flammable, and through friction may cause or contribute to fire.
4.2	H4.2	Spontaneously flammable substances or wastes.
		Substances or wastes which are susceptible of spontaneous heating under normal transportation conditions, or heating on contact with air, and thus igniting.
4.3	H4.3	Substances which on contact with water liberate flammable gases.
		Substances or wastes which by reaction with water are susceptible of igniting spontaneously or emit flammable gases in dangerous quantities.
5.1	H5.1	Supporters of Combustion or Oxidants.
		Substances or wastes which without being themselves, may in general, when ceding oxygen, cause or contribute for the combustion of other materials.
5.2	H5.2	Organic Peroxides.
		Organic substances or wastes which, containing the O-O bivalent structure, are thermally labile, and may suffer disaccelerated exothermal decomposition.
6.1	H6.1	Toxic substances (acute).
		Substances or wastes which, through ingestion or inhalation or cutaneous route, may harm the human health, cause serious lesions or even death.
6.2	H6.2	Infectious substances.
		Substances or wastes which contain living microorganisms or their toxins in relation to which it is known or there are good reasons to believe that they cause diseases in mankind or animals.
8	H8	Corrosives.
		Substances or wastes which, through chemical action, cause serious lesions when in

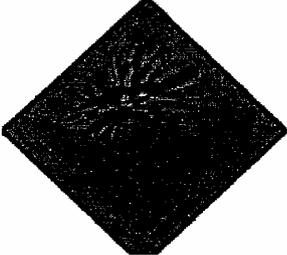
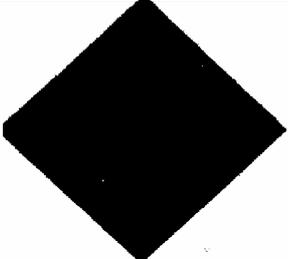
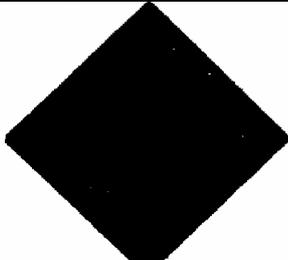
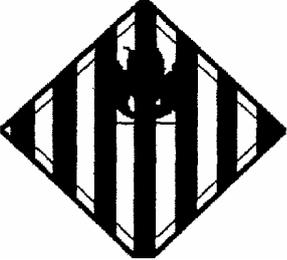
		contact with living tissue or which, in the case of spillage, may seriously damage or destroy others or even the mean of conveyance, and may still cause other hazards.
9	H10	Substances liberating toxic gases when on contact with air or water. Substances or wastes which through reaction with air or water are susceptible of emitting toxic gases in dangerous quantities.
9	H11	Toxic substances (with delayed effects). Substances or wastes which, through inhalation, ingestion or cutaneous route, may cause delayed or chronic effects, including provoking cancer.
9	H12	Toxic substances. Substances or wastes which present or may present immediate or delayed risks for the environment, through bioaccumulation, or toxic effects on biotic systems.
9	H13	Substances which, after their disposal, may somehow give rise to other substances, such as a leach product, which have any of the above mentioned characteristics.

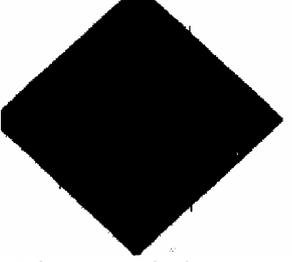
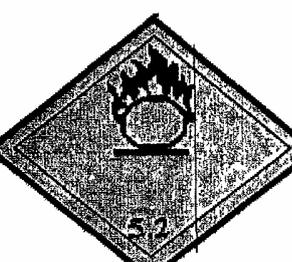
**APPENDIX IV
HAZARDOUS WASTE CATEGORY**

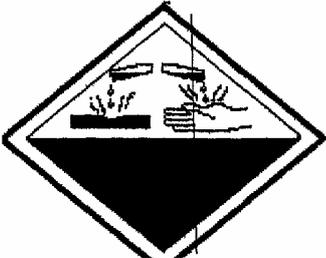
Code	Characteristics
Y1	Hospital waste resulting from medical treatment in hospitals, medical centres or clinics.
Y2	Waste from the production and preparation of pharmaceuticals.
Y3	Waste of medical and pharmaceutical products.
Y4	Waste from the preparation of bioacids and plant protection products.
Y5	Waste from the production, preparation and use of wood preserving products.
Y6	Waste from the production, preparation and use of organic solvents.
Y7	Waste of heat treatments and hardening operations, containing cyanides.
Y8	Waste of mineral oils improper for its original use.
Y9	Waste of mixtures and emulsions of oils/water or hydrocarbonates/water.
Y10	Waste or residual substances and products containing or contaminated with polychlorate biphenyl (PCBs) and/or polychlorate terphenyl (PCTs) and/or polybrominated biphenyl (PBBs)
Y11	Tar based waste from refining, distillation treatment or any pyrolysis.
Y12	Waste from the production, preparation and use of inks, colorants, pigments, paints, lacquers and varnishes.
Y13	Waste from the production, preparation, use of resins, latex, plasticizers, gums and adhesives.
Y14	Waste of non-identified or new chemicals, from research and development and education activities, whose effects on mankind and/or environment are unknown.
Y15	Waste of explosive nature when embraced by other legislation.
Y16	Waste resulting from the production, preparation and use of chemicals and photographic equipment.
Y17	Waste resulting from polishing surfaces of metals and plastics.
Y18	Waste resulting from operations of disposal of industrial waste.
Refuse or Waste having as constituents	
Y19	Metallic carbonyls.
Y20	Beryllium and its compounds.
Y21	Hexavalent chromium compounds.
Y22	Copper compounds.
Y23	Zinc compounds.
Y24	Arsenic and its compounds.
Y25	Selenium and its compounds.
Y26	Cadmium and its compounds.
Y27	Antimony and its compounds.
Y28	Tellurium and its compounds.
Y29	Mercury and its compounds.
Y30	Thallium and its compounds.
Y31	Lead and its compounds.
Y32	Inorganic compounds of fluorine, except for calcium fluoride.
Y33	Inorganic cyanides.
Y34	Acid solutions or acids in the solid form.
Y35	Basic solutions or bases in the solid form.
Y36	Asbestos (powder or fibre).
Y37	Organic compounds of phosphorus.
Y38	Organic cyanides.
Y39	Phenols and phenolic compound, including the chlorinated phenols.

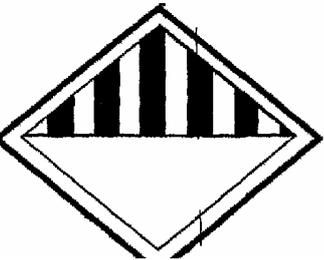
Y40	Ethers.
Y41	Halogenated organic solvents.
Y42	Non-halogenated organic solvents.
Y43	Products of polychlorinated dibenzofuran family.
Y44	Products of polychlorinated dibenzo-p-dioxin
Y45	Organic halogen compounds except for those referred to in Y39, Y41, Y42, Y43 AND Y44

**APPENDIX V
IDENTIFICATION OF HAZARDOUS WASTE**

WASTE FORM	MODE OF IDENTIFICATION	TYPE OF LABEL
Explosive Hazardous Waste	The containers of explosive hazardous waste shall be clearly identified through a black label with orange background, placed in all their faces with the international symbol for explosive substances.	 <i>(Explosive)</i>
Hazardous Waste composed by compressed liquefied or under pressure gases	The containers of hazardous waste composed by compressed liquefied or under pressure gases shall be clearly identified through a white or black label with green background, placed in all their faces with the international symbol for substances composed by compressed liquefied or under pressure gases.	 <i>(Compressed Liquefied or under pressure Gases)</i>
Hazardous Waste composed by flammable liquids	The containers of hazardous waste composed by flammable liquids shall be clearly identified through a black label with red background, placed in all their faces with the international symbol for substances composed by flammable liquids.	 <i>(Flammable Liquids)</i>
Hazardous Waste composed by Flammable Solids	The containers of hazardous waste composed by flammable solids shall be clearly identified through a black label with striped red and white background, placed in all their faces with the international symbol for substances composed by Flammable Solids.	 <i>(Flammable Solids)</i>

<p>Hazardous Waste composed by Spontaneously Flammable substances or Waste</p>	<p>The containers of hazardous waste composed by spontaneously flammable substances or waste shall be clearly identified through a black label with white and red in each one of the halves background, placed in all their faces with the international symbol for spontaneously flammable substances or waste.</p>	 <p><i>(Spontaneously Flammable Substances or Waste)</i></p>
<p><i>Hazardous Waste composed by substances which on contact with water liberate flammable gases</i></p>	<p>The containers of hazardous waste composed by substances which on contact with water liberate flammable gases, shall be clearly identified through a black label with blue background, placed in all their faces with the international symbol for substances which on contact with water liberate flammable gases.</p>	 <p><i>(Substances which on contact with Water Liberate Flammable Gases)</i></p>
<p>Hazardous Waste composed by Supporters of Combustion (oxidising substances)</p>	<p>The containers of hazardous waste composed by supporters of combustion shall be clearly identified through a black label with yellow background, placed in all their faces with the international symbol for supporters of combustion.</p>	 <p><i>(Hazardous Waste composed by Supporters of Combustion)</i></p>
<p>Hazardous Waste composed by Organic Peroxides or oxidising agents</p>	<p>The containers of hazardous waste composed by organic peroxides or oxidising agents shall be clearly identified through a black label with yellow background, placed in all their faces with the international symbol for Organic Peroxides.</p>	 <p><i>(Hazardous Waste composed by Organic Peroxides)</i></p>

<p>Hazardous Waste of Toxic Substances (Acute)</p>	<p>The containers of hazardous waste of toxic substances /acute), shall be clearly identified through a black label with white background, placed in all their faces with the international symbol for toxic substances (acute).</p>	 <p>(Hazardous Waste of Toxic Substances (Acute))</p>
<p><i>Hazardous Waste composed by Ecotoxic Material</i></p>	<p>The containers of hazardous waste of ecotoxic substances shall be clearly identified through a label with white background, a tree black in colour and a fish of yellow colour, placed in all their faces with the international symbol for ecotoxic material.</p>	 <p>(Hazardous Waste composed by ecotoxic material)</p>
<p>Hazardous Waste of Infectious Substances</p>	<p>The containers of hazardous waste of infectious substances (including infected objects), shall be clearly identified through a black label with white background, placed in all their faces with the international symbol for infectious substances.</p>	 <p>(Hazardous Waste of Infectious Substances)</p>
<p><i>Radioactive Hazardous Waste</i></p>	<p>The containers of radioactive hazardous waste shall be clearly identified through a black label with yellow and white in each one of the halves, placed in all their faces with the international symbol for radioactive substances.</p>	 <p>(Radioactive Hazardous Waste)</p>
<p><i>Hazardous Waste composed by Corrosive Substances</i></p>	<p>The containers of hazardous waste composed by corrosive substances (including acids, bases and batteries), shall be clearly identified through a label placed in all their faces with the international symbol for corrosive substances.</p>	 <p>(Hazardous Waste composed by</p>

<p><i>Hazardous Waste composed by several hazardous substances and objects which cannot be categorised in other classes but may be a hazard during transportation</i></p>	<p>The containers of hazardous waste composed by several hazardous substances and objects which cannot be categorised in other classes but may be a hazard during transportation, shall be clearly identified through a label placed in all their faces with the international symbol for several substances and hazardous objects.</p>	<p><i>Corrosive Substances)</i></p>  <p>(Hazardous Waste composed by several hazardous substances and objects which cannot be categorised in other classes but may be a hazard during transportation)</p>
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**APPENDIX VI
WASTE DISPOSAL OPERATIONS**

A. OPERATIONS WHICH DO NOT LEAD TO THE POSSIBILITY OF RECOVERY, RECYCLING, RE-REFINING, DIRECT REUSE OR ALTERNATIVE USES OF WASTES.	
The Section A embraces all disposal operations occurred in practise	
D1	Deposition on or under the soil (for example, sanitary land-fill of waste tips).
D2	Treatment in land-based environment (for example, biodegradation of liquid wastes or sludges on the soils).
D3	In-depth injection (for example, injection of wastes pumpable wastes in wells, salt domes or natural geological rifts).
D4	Lagooning (for example, discharge of liquid wastes or sludges in wells, lagoons or basins).
D5	Deposit in a specially prepared landfill (for example, disposal in sealed cells coated and insulated among them and from the environment).
D6	Discharge in the aquatic environment, except for seas/oceans.
D7	Dumping in marine environment, including burial in the marine subsoil).
D8	Biological treatment not specified in another point of this Appendix from where compounds or mixtures which are disposed according to one of the operations mentioned in this section result.
D9	Physico-chemical treatment not specified in another point of this Appendix from where compounds or mixtures which are disposed through one of the operations mentioned in this section (for example, evaporation, drying and calcinations, neutralisation, precipitation).
D10	Incineration on land.
D11	Incineration at sea.
D12	Permanent storage (for example, placing of containers in mines).
D13	Previous mixture performed before any of the operations referred to in this section.
D14	Reconditioning performed before any of the operations referred to in this section.
D15	Previous storage carried out before any of the operations referred to in this section.
B. OPERATIONS WHICH MAY LEAD TO THE POSSIBILITY OF RECOVERY, RECYCLING, RE-REFINING, DIRECT REUSE OR ALTERNATIVE USES OF REFUSES OR WASTES.	
The Section B embraces all operations related to products legally considered or defined as hazardous refuses or wastes and which otherwise should have been intended for the operations include R12.ed in section A	

R1	Use as fuels or another mean for producing energy, except the direct incineration.
R2	Utilisation of solvents.
R3	Utilisation of organic substances, not used as solvents.
R4	Utilisation of metals or metallic compounds.
R5	Utilisation of other inorganic materials.
R6	Utilisation of acids or bases.
R7	Utilisation of products used for collecting pollutants.
R8	Utilisation of products deriving from catalysts.
R9	Utilisation of used oils.
R10	Spreading on the soil for the benefit of agriculture or ecology.
R11	Use of wastes deriving from any of the operations specified in R1 to R10.
R12	Exchange of wastes to be submitted to any of the operations specified from R1 to R12.
R13	Storage of materials for the purpose of being submitted to one of the operations referred to in this section.

**APPENDIX VII
CONSIGNMENT NOTE FOR TRANSPORTATION AND DEPOSITION OF HAZARDOUS
WASTE**

Producer of Waste A	Company's Registration Number	
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Name of the Institution :
 Address:.....

Tel. No.....Fax..... Telex No:.....

Name of waste.....Code of waste

H		Y	
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Waste's main components.....

Type of waste
 Solid Sludges Liquid

Type of containers.
 Pallet container Drums Dustbin (25 l) Others (specify).....

Quantity (Kg).....

Name and address of final destination

Date of delivery...../...../.....
Signature of the person in charge,

Transporter B	Company's Registration Number	
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Name.....

Address.....Tel.....Fax.....

Driver's Name.....Vehicle Numberplate.....

Provisional storage No Yes, address.....

Date of Receipt/...../.....I hereby confirm the signature of the driver.....

Storage/treatment/reclamation/ deposition/operator of the facility B	Company's Registration Number	
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Company's name.....

Address.....Tel.....Fax.....

Type of operation
 Storage Assembling Recovery Landfill Safe landfill

Note: in case of accidents and spillages provide herewith, data concerning the place of occurrence and measures taken.

APPENDIX IX BASIC RULES AND PROCEDURES FOR THE TRANSPORTATION OF HAZARDOUS WASTE

1. TRANSPORTATION CONDITIONS

1.1. Vehicles and equipments:

- 1.1.1. During the operations of loading, transportation, unloading, transshipment, cleansing and decontamination of vehicles and equipments used in the transportation of hazardous wastes shall bear specific risk labels and safety panels according to this Regulation and other legislation in force;
- 1.1.2. After the cleansing operations and complete decontamination of the vehicles and equipments, the risk labels and safety panels shall be removed;
- 1.1.3. The vehicles used shall have a set of equipments for emergencies indicated by specific regulation or in its absence by regulations considered international;
- 1.1.4. Without prejudice to the periodic inspections provided for in the traffic legislation, the vehicles and equipments intended for the transportation of hazardous waste shall be inspected, in a periodicity not longer than three years, by the competent environmental entity or by an entity empowered by the latter, according to instructions issued by that body;
- 1.1.5. The vehicles referred to in the foregoing number, when broken-down or involved in an accident, shall be inspected before resuming the activity.

1.2. Wastes and conditioning:

- 1.2.1. The hazardous waste shall be conditioned in order to the loading, transportation, unloading and transshipment risks;
- 1.2.2. In the transportation of fractionated hazardous waste, the external packaging shall also be labelled and marked according to the corresponding classification and type of risk under this Regulation;
- 1.2.3. Hazardous waste should not be transported, in the same vehicle or container, with another type of goods, or with another dangerous product, except if there is compatibility between the transported waste and products;
- 1.2.4. Food, medicines or objects intended for human or animal use or packages of goods intended for the same purpose, shall not be transported, in the same vehicle or container;
- 1.2.5. Animals shall not be transported together with hazardous waste;
- 1.2.6. The products placed in different small cargo safes shall not be considered, provided that they assure the impossibility of damages to persons, goods and environment;
- 1.2.7. The products for human or animal use shall not be transported in the same cargo tanks used for transportation of hazardous waste.

1.3. Route:

- 1.3.1. The vehicle transporting hazardous waste shall avoid the use of roads in densely populated areas or in areas of protection of wells, conservation pools or classified forests or nature reserves or near them;
- 1.3.2. The roads to be used may be restricted by the competent authorities;
- 1.3.3. The route shall be planned in order to avoid the presence of the vehicle transporting hazardous waste in roads of big traffic flow, in busy hours.

1.4. Parking:

- 1.4.1. The vehicle transporting hazardous waste can only park for rest or overnight stay in areas previously determined by the competent authorities and, in the absence of such areas, the parking in residential areas or in areas of easy public access, densely populated areas or areas of big concentration of people or vehicles should be avoided;
- 1.4.2. When for reason of emergency, technical stopping, breakdown or accident the vehicle stops in a non-authorized place, it should remain signalled and under surveillance of the driver or of the local authority, except if his absence is indispensable for reporting the incident, asking for help or medical assistance.

1.5. Personnel engaged in the transportation of hazardous waste:

- 1.5.1. The driver of the vehicle used in the transportation of hazardous waste, besides the abilities and qualifications provides for in the traffic legislation, shall receive a specific training, to be determined by specific guideline to be issued by the Ministry for the Environmental Coordination;
- 1.5.2. The transporter, before mobilising the vehicle, shall inspect it, making sure of its perfect conditions for the transportation paying special attention to its components that may affect the safety of the transported waste;
- 1.5.3. All personnel engaged in the operations of loading, unloading and transshipment of hazardous waste shall use personal protective clothing and equipment, according to the legislation in force;
- 1.5.4. All personnel engaged in the operation of transshipment of hazardous waste in bulk, shall receive a specific training.

1.6. Documentation:

- 1.6.1. Without prejudice to the provisions of the legislation on transportation and traffic, the vehicles transporting hazardous waste can only circulate through public roads bearing the following documents:
 - i. Certificate as a transport operator or owner of a vehicle for transportation of hazardous waste;
 - ii. Emergency telephones including those of fire services and traffic police and environment authorities along the route.

1.7. Procedures in case of emergency or breakdown:

- 1.7.1. In case of accident, breakdown or another incident forcing the vehicle transporting hazardous waste to stop, the driver shall adopt the necessary measures of emergency, informing the nearest traffic authority, through the fastest mean, detailing the incident, place, classes and quantities of transported waste;

- 1.7.2. The contract of carriage shall indicate who will bear the expenses resulting from one of the situations referred to in the foregoing number;
- 1.7.3. The operations of transshipment in conditions of emergency shall be executed in the presence of competent authorities;
- 1.7.4. When the operations of transshipment are performed in a public road, the more suitable public protection measures should be adopted;
- 1.7.5. The performance in the conditions referred to in number 1.7.3 shall use personal handling and protective equipment appropriate for this purpose;
- 1.7.6. In the case of transshipment in bulk the person in charge of the operation shall have received specific training for this purpose.

1.8. Duties, obligations and responsibility:

- 1.8.1. The operations of loading and unloading of waste, are the responsibility of the sender and receiver, respectively;
- 1.8.2. The obligation of the sender and receiver is to guide and train the personnel employed in the activities referred to in the foregoing number;
- 1.8.3. The duties and obligations of the transporter are as follows:
 - a) To service and use properly the vehicles and equipments;
 - b) To make regular inspections of the working conditions and safety of the vehicle and equipment;
 - c) To take measures so that the vehicle has the set of equipments necessary for situations of emergency, accident or breakdown, and also making sure of its good working conditions;
 - d) To instruct the personnel engaged in the transportation operation regarding the correct use of the equipments necessary for the situations of emergency, accident or breakdown;
 - e) To control the adequate professional qualification of the personnel engaged in the transportation operation, providing them specific training, periodic health checkups and working conditions according to the provisions of hygiene and safety at work;
 - f) To provide the employees with the clothing and equipments of safety at work, according to the regulations in force, making sure that they are used in the transportation, loading, unloading and transshipment;
 - g) To provide for the correct use, in the vehicles and equipments, of the adequate risk labels and safety panels according to this Regulation;
 - h) To perform the transshipment operations observing the procedures and using the equipments recommended by the sender;
 - i) The transporter is jointly liable with the sender should he receive for transportation waste whose packaging shows signs of violation, deterioration, bad state of conservation or in any way infringing the provisions of this Regulation and the rest of the legislation in force.