

## ASH AND SLAG HANDLING

## 3.7. Analytics

## 3.7.17. New in the state policy of the RF in the field of production and consumption waste handling

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Over the last few years in the Russian Federation the amount of wastes produced has steadily increased, but a share of their involvement in the economic turnover as a percentage of the produced wastes remained insufficient, and in some groups of wastes it was low and even very low.

Currently, the main sector of economic activity is mining industry, which mainly focuses on production and extraction of mineral resources, and their primary

processing in order to obtain raw materials, suitable for production of final products. This process is accompanied by formation and accumulation of wastes in the form of waste rock, slag, sludge, etc. By that, a share of wastes from mining and processing industries (3,2 billion tons) is about 70% of the total amount of industrial wastes, or slightly below 70% of the total amount of wastes produced in Russia annually (Fig. 1).

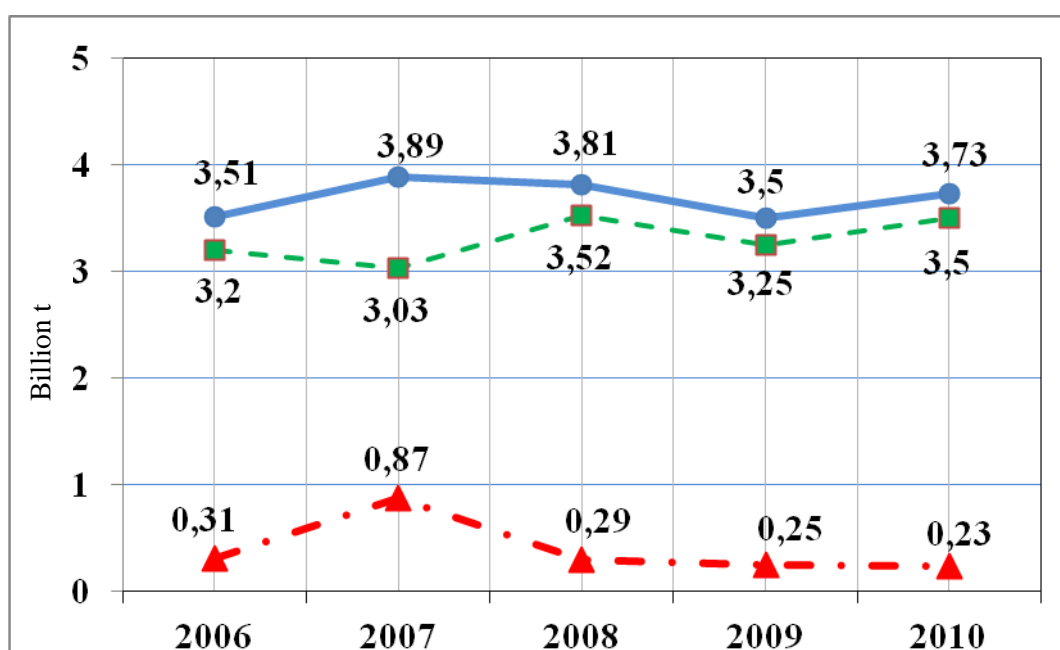


Fig. 1. Waste generation trend in the Russian Federation in 2006 by types of economic activity (according to the State Report "On the state and environmental protection in the Russian Federation in 2009" and Rosprirodnadzor data).

— total amount of the produced wastes, billion tons;  
 - - - amount of wastes from mining and processing industries, billion tons;  
 - - - amount of wastes from other types of economic activity (other types of industrial production, transport, agriculture, construction, municipal and communal services), billion tons.

Such huge amounts of wastes from mining and processing industries are explained by objective reasons due to the volumes of both extraction and primary processing of natural resources, dispersion of mineral components in the original mineral raw materials and a need for stripping (in case of open cast mining), as well as subjective factors, primarily, due to the use of inefficient technologies and obsolete equipment.

Reduction of amount of wastes generated in different years in processes of mining and mineral dressing in future can be realized in the direction of the most complete extraction of mineral resources at mining and their use for filling the natural and artificial holes.

The rest amount of wastes should be subject to environmentally safe removal and processing, regulation of which is to be done with the help of organizational and financial mechanisms, as well as organizational and technical solutions.

At that, it should be noted that the most difficult situation is in the field of municipal solid waste handling due to the fact that more than 90% (Fig. 2) of the total generated municipal solid wastes (58.8 million tons) is landfilled. By that, the majority of municipal solid waste disposal sites doesn't guarantee protection of environment from the negative impact of the landfilled wastes, as these sites are not equipped with environmental facilities and not equipped in accordance with

environmental requirements. In addition, for disposal of municipal solid wastes large areas of land are with-

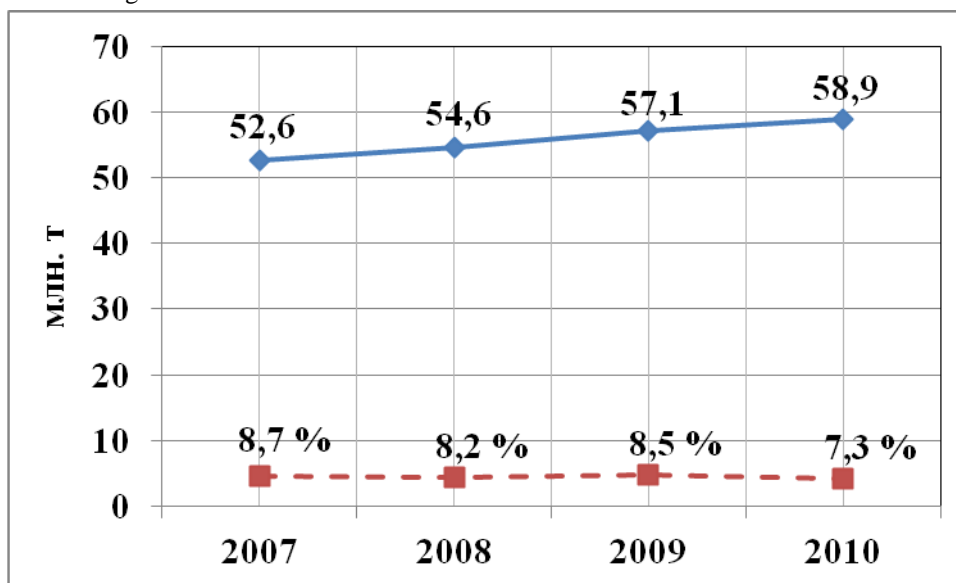


Fig. 2. Amounts of the generated and processed municipal solid wastes (thous. t) according to the Rosstat data  
 ——— - a level of municipal solid waste generation, million t.  
 - - - - a level of municipal solid waste processing, %.

Composition of municipal solid wastes may also include ecologically adverse products, which may include commodities, which after losing their consumer properties are environmentally hazardous and require special measures for their removal (e.g., batteries, power supplies, household and electronic appliances, energy-saving lamps, tires, plastic bags for food packaging, plastic bottles and disposable tableware made of polyethylene, etc.).

It should be noted that the nomenclature of this products over the last decades is not reducing, but increasing. This demonstrates a need for action, which can include introduction of additional taxation of such products with possible financing, using the gained money for introduction of low-waste technologies and ecologically safe removal of such goods.

At the same time, approach to resolution of this issue should be selective, taking into account a demand for such products, availability of similar, but environmentally friendly products, phased introduction of the tax in order to advance the reorientation of the correspondent industries.

A normative legal base in the field of waste handling is founded on provisions of the Federal laws “On production and consumption wastes” №89-FZ dated June 24, 1998; “On environmental protection” №7-FZ dated January 10, 2002; “On licensing of certain types of activities” №99-FZ dated May 4, 2011 and “On ecological expertise” №174-FZ dated November 23, 1995.

At the same time a number of acts of the RF Government in order to develop the norms of federal laws, as well as departmental acts of the Ministry of Natural Resources of Russia, is accepted.

The most important of them are as follows:

1. Resolution of the RF Government dated August 26, 2006 №524 “On approval of provision for licensing the activity on collection, use, neutralization, trans-

portation and disposal of wastes of I - IV classes of hazard”;

2. Order of the Ministry of Natural Resources of Russia dated February 25, 2010 №50 “On the procedure for development and adoption of standards and waste disposal limits”;
3. Order of the Ministry of Natural Resources of Russia dated February 16, 2010 №30 “On approving the procedure for submission of reports on generation, use, neutralization and disposal of wastes (except for statistical reporting)”;
4. Order of the Ministry of Natural Resources of Russia dated February 25, 2010 №49 “On approval of inventory rules of waste disposal facilities”.
5. Order of the Ministry of Natural Resources of Russia dated September 1, 2011 №721 “On approval of the accounting in the field of waste handling”, registered in the Ministry of Justice of Russia on October 14, 2011, registration number #22050.
6. Order of the Ministry of Natural Resources dated September 30, 2011 №792 “On approval of the order of running state waste cadastre”, registered in the Ministry of Justice of Russia on November 16, 2011, registration number #22313.
7. Order of the Ministry of Natural Resources dated September 9, 2011 №732 “On approval of the order of issuance and form of decisions about the possibility of destruction, ways and places of goods destruction to put such goods under the customs procedure of destruction”, registered in the Ministry of Justice of Russia on November 1, 2011, registration number #22193.

On December 30, 2008 Federal Law №309-FZ “On amendments to item 16 of the Federal Law “On Environmental Protection” and some legislative acts of the Russian Federation” (hereinafter - the Law) has been adopted. The Law significantly relaxed the administra-

tive barriers for small and medium enterprises in the field of waste handling. Let's consider the most important of them:

- new concepts such as “waste handling”, “waste collection”, “waste transportation” and “waste accumulation”, directly used at licensing the activity on collection, use, neutralization, transportation, and disposal of hazardous wastes have been introduced. Their absence in the legislation of the Russian Federation led to the fact that almost all the economic entities were to receive a license for this activity;
- the concept “hazardous wastes” covering almost all the wastes is excluded and five classes of hazard (I-V) are introduced. Depending on the degree of negative impact on environment, wastes are subdivided into these classes in accordance with the criteria, set by federal executive authorities, realizing the state regulation in the field of environmental protection;
- licensing the activity for accumulation of wastes, as well as collection, transportation, use, neutralization and disposal of wastes of the V class of hazard is excluded;
- small and medium businesses are exempt from a need for developing and coordinating the projects and standards for waste disposal limits in the body of executive authority, authorized in the field of waste handling.

In order to fulfill a list of instructions of the RF President dated July 6, 2011 №Pr-1923 (paragraph “g” item 1) following the meeting of the Commission under the President of the Russian Federation for modernization and technological development of the Russia's economy on June 27, 2011 the Ministry of Natural Resources of Russia jointly with the Ministry of Industry and Trade of Russia, the Russian Transport Ministry, the Ministry of Regional Development of Russia with participation of JSC “Sibur - Russian Tires” and Russian branches of companies - tire manufacturers - Bridgestone, Continental, Dunlop, Goodyear, Kléber, Michelin, Pirelli, Nokian Tyres, prepared and submitted to the Government the proposals on creation of a federal system of collection, transportation and disposal of the used tires with the draft report to the RF President.

In these proposals the most perspective existing technologies for processing tires, which lost their consumer properties, are considered.

It was also emphasized the priority of processing of waste tires instead of their combustion and disposal, which corresponds to the generally accepted hierarchy of waste handling methods.

Organizational and financial model for creation and operation of production facilities for processing of the used tires, based on the principles of public-private partnerships and the principle of “extended producer responsibility” has been proposed.

In accordance with item 7 of the order of the Russian Government dated July 7, 2011 №VP-P9-4594, with a view to execution of the List of orders given by the President of the Russian Federation on June 20, 2011 №Pr-1742GS (fifth paragraph subitems “e” item

2) after a meeting of the State Council of the Russian Federation on June 9, 2011 the Ministry of Natural Resources of Russia submitted proposals to the Government of the Russian Federation in order to create a modern processing industry in the field of municipal solid and industrial waste handling (hereinafter - Proposals) and a draft report to the President of the Russian Federation.

In the prepared Proposals for creation of economic incentives to involve wastes in commercialization on the basis of generally accepted hierarchy of waste management methods, an analysis of situation in the field of waste handling has been conducted and necessary changes in legislation regarding waste management have been considered.

In the end, it was suggested the following:

- establishment of Environmental Fund of the Russian Federation, as well as organizational and financial mechanisms for its content and disbursement of the Fund;
- creation of closed cycles in the field of handling solid wastes and certain types of industrial wastes in the scale of the whole country for a long term;
- introduction of organizational and financial model of development and operation of waste handling plants, based on the principles of public-private partnerships and the principle of “extended producer responsibility”;
- clear separation of rates and surcharges to them, set for collection, removal, processing and utilization (disposal) of wastes.

It was also noted that implementation of the main provisions of the prepared Proposals can be made at preparation of amendments to the draft Federal Law №584399-5 “On amendments to the Federal Law “On production and consumption wastes”, “and other legislative acts of the Russian Federation in the part of economic stimulus in the field of waste management” at its adoption at second reading.

In accordance with item 6 of the order of the Russian Government dated July 7, 2011 №VP-P9-4594, in a view to implementation of the order list given by the RF President on June 20, 2011 № Pr-1742GS after a meeting of the Bureau of the RF State Council on June 9, 2011, the Ministry of Natural Resources of Russia developed a draft Federal Law “On introduction of changes in the certain legislative acts of the Russian Federation (in terms of regulation of compensation (elimination) for harm to environment, including associated with the past economic activity)”.

The draft law solves a range of problems related to regulating the issues on compensation for harm caused as a result of current economic activity, as well as the damage from the past economic activity.

In the current legislation an opportunity to redress harm to environment by eliminating the caused violations, i.e. by carrying out the work at the expense of the entity, or payment in monetary terms, is provided.

However, a clear algorithm of compensation for harm is not established. The draft law proposes to put in

order a procedure for determining the compensation for harm to environment.

At the same time, priority in terms of recovery of the damaged properties and characteristics of components of environment, natural objects and ecosystems as a result of damage to environment, should be given to full-scale works conducting to eliminate the harm.

Currently, the Ministry of Natural Resources of Russia, taking into account the decisions of the Government Commission on Administrative Reform (Minutes of the meeting of the Governmental Commission on Administrative Reform from August 30, 2011 №124), and obligations of the Russian Federation on implementation of acts on wastes of Organization for Economic Cooperation and Development (OECD) in RF legislation is preparing proposals for amendments to the second reading of the draft law № 584399-5 “On amendments to the Federal Law “On production and consumption wastes” and other legislative acts of the Russian Federation with regard to economic stimulation activities in the field of waste management”, which provide the following:

1. Promotion of recycling of sludge and industrial wastes, which contain beneficial components, performance of compulsory works on restoration of dumps and sludge disposal sites by withdrawal of the land area and its transfer according to the order, established by the Government of the Russian Federation, to another person (via auction) in case the required works on restoration of waste dumps and sludge disposal areas are not fulfilled.
2. Involuntary land withdrawal from its owner through the courts if the land is used in violation of rational land use requirements, set by the land legislation, which resulted in a substantial decrease in the fertility of agricultural lands or significant environmental degradation, as well as non-compliance with compulsory works on restoration of dumps, ash and sludge disposal sites.
3. Clarifying responsibilities of the executive bodies of the Russian Federation and local bodies in view of:
  - organizing activities on use (utilization), neutralization and disposal of municipal solid (household) wastes;
  - development in the established order of instructive, methodical and design documents, determination of funding sources, placing orders for goods, works and services on use (utilization), neutralization and disposal of municipal solid (household) wastes;
  - organizing activity on collection (including separate collection, which provides separation of wastes by types - food wastes, metal, glass, plas-

tics, textiles, paper, etc.) and transportation (removal) of municipal solid (household) wastes;

- setting the tariffs for use (utilization), neutralization and disposal of municipal solid (household) wastes.
4. The ban on dumping of wastes that can be used as secondary raw materials (secondary material resources): metal, glass and plastic containers, tires, batteries and other wastes;
  5. Reduction of the licensing activities on waste management and establishment that the licensing activities include neutralization and disposal of wastes of I-IV classes of hazard.
  6. Setting the requirements for training of persons, admitted to neutralize and dispose hazardous wastes of I-IV classes of hazard only at licensing the activity on neutralization and disposal of I-IV classes of hazard.
  7. Exclusion of requirement for a need to agree with the uncertain number of state authorities the waste stockpiling and disposal sites.
  8. Exclusion of requirement for obtaining resolution for creation of waste disposal facilities in respect of those facilities, for which construction, retrofit and overall repair the permission for construction is given.
  9. Setting a low temporary level of waste storage of more than twelve months, increasing by that the terms of waste accumulation from six to twelve months.
  10. Introduction of tax incentives for equipment, applied for collection, use and (or) neutralization of wastes, as well as earth tax on land areas, used by organizations to collect, use, and (or) neutralize wastes for the period of five years from the date of ownership or the lease of land.
  11. Providing organizations, producing goods from wastes, with advantages at placing the state and municipal orders for goods, works and services.

Currently outside the state environmental regulation is the activity connected with reclamation of land, open pits and other natural objects, used for unauthorized filling them with domestic (municipal) wastes and garbage. In this regard, it is offered to include the project documentation for such activities in the facilities, subject to state ecological expertise of federal and regional level, depending on the status of the restored land.

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