

**THE LAW OF  
AZERBAIJAN REPUBLIC  
ON industrial and domestic waste**

The present Law establishes the state policy in the area of environment protection from industrial and domestic waste (hereinafter– waste) formed in the Azerbaijan Republic as a result of human activity in the form of substances and things, decrease of danger of influence of the given waste, maintenance of ecological balance in the nature, use of waste as secondary raw material, regulates the relations connected to waste, except for harmful gases, polluted waters and radioactive waste.

**CHAPTER I  
GENERAL PROVISIONS**

**Article 1. The basic concepts**

The concepts used in the present Law, have the following meaning:

- - **industrial waste** - substances, things and materials formed during manufacture, in agriculture, in the sphere of service and unsuitable for use on a place of formation, that fully or partly lost primary consumer properties;
- - **domestic waste (solid domestic waste)** - things, substances and materials formed in places of residing of the population as a result of its vital activity;
- - **hazardous waste** - waste containing in their structure toxic and infectious substances, explosives and inflammable substances, with dangerous properties creating potential or direct danger to life of the population and the environment;
- - **safe waste** - waste which do not render direct harmful influence on the environment;
- - **secondary raw material** - waste, suitable for reuse and with this purpose collected (prepared) during production of produce and energy and service;
- - **unsuitable waste** - waste with limited properties of use, inefficient for reuse from the economic point of view;
- - **processing of waste** - the purposeful activity consisting of process of collecting, preservation, sorting, transportation and neutralization of waste;
- - **disposal of waste** - activity on preservation or underground disposal of waste;
- - **neutralization of waste** - processing of waste on special installations (including incineration thereof) or underground disposal with the purpose of decrease of influence on the environment and human health.

**Article 2. The legislation of the Azerbaijan Republic on waste**

The legislation of the Azerbaijan Republic on waste consists of the present Law, other corresponding acts of the Azerbaijan Republic and the international agreements which party is the Azerbaijan Republic.

**Article 3. Sphere of application of the Law**

The present Law in the Azerbaijan Republic is applied to all legal and physical persons who carry out waste control and because of which activity waste emerges.

**Article 4. Principles of the state policy in the issues of use of waste**

Principles of the state policy in issues of use of waste are as follows:

- - protection of public health and ecological balance of the environment;
- - substantiation from the scientific point of view of maintenance of economic interest and ecological balance;
- - creation of the enterprises working with waste, and with this purpose attraction of means of the state and of commercial enterprises, and also of foreign investors;
- - creation and introduction of low –waste technologies;
- - use of economic and other stimulating mechanisms with the purpose of introduction of waste in economic circulation;
- - control over performance of requirements on environment protection, norms of ecological balance, hygienic specifications and sanitary rules;
- - conducting the state account on the basis of classification and certification of waste;
- - granting guarantees for reception of the information by public organizations and interested persons;
- - taking into account of public opinion at making of decisions protecting interests of the population;
- - social protection of the workers who carry out activity on waste;
- - taking into account of national interests of the country at realization of the international cooperation on waste.
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#### **Article 5. Tasks of the state authorities in the area of regulation of relations in waste control**

Tasks of the state authorities in the area of regulation of relations in waste control are as follows:

- - realization of the state policy on waste;
- - state control over preparation, approval and performance of legislative acts and target programs;
- - maintenance of the economic initiative in the order established by the legislation for collecting and treatment of waste;
- - allocation of ground areas for disposal, treatment and burial of waste as agreed with corresponding executive authorities;
- - coordination of activity of the enterprises and organizations with the purpose of revealing and re-treatment of waste;
- - maintenance in waste control of compensation of damage to the environment by the party that caused harm;
- - carrying out of the state ecological examination;
- - establishment of rules of trans-territorial transportation of waste;
- - introduction of a system of special permits to waste control;
- - introduction of state standards, norms and specifications in waste control;
- - conducting the state registration and reports;
- - conducting of the state cadastre;
- - provision of information on waste to the population;
- - elimination of emergencies and accidents;
- - designing and construction of objects for preservation, use and neutralization of waste;
- - maintenance of economic, social and legal conditions with the purpose of full use of waste and restriction of conditions for their emergence;

- - maintenance by local self-government institutions of waste control according to the legislation;
- - realization of other tasks stipulated by the legislation.

### **Article 6. Propriety relations on waste**

Legal and physical persons are considered as proprietors of waste from the moment of their reception if the legislation does not stipulate otherwise.

The proprietor is obliged to organize use of waste as secondary raw material and sending to other enterprises for their re-treatment, to keep account of waste formed during manufacture and reused and to submit respective data to the corresponding executive authorities.

## **CHAPTER II MAIN REQUIREMENTS TO WASTE CONTROL**

### **Article 7. The main requirements to designing, construction and reconstruction of enterprises, installations and other objects**

During designing, construction and reconstruction of the enterprises, installations and other objects legal and physical persons are obliged to observe the standards, norms and specifications established for environment protection. They should receive a positive response of the corresponding executive authorities about the project and to have other documents regulating waste control thereof.

### **Article 8. Industrial requirements to waste**

Legal and physical persons during in the production process are obliged:

- - to adhere the standards, norms and requirements on the quality, stipulated for environment protection;
- - to carry out waste control on the basis of the special permit;
- - to master low-waste technologies;
- - to carry out inventory of waste formed during manufacture, to present data on it, and also on waste circulation to the corresponding authorities;
- - to establish production control over waste;
- - to take measures for prevention of emergencies, but at threat of occurrence of the emergency resulting in ecological balance disruption or in case there will be a failure, to notify about happened the population and the corresponding bodies of the government.

The procedure of carrying out of activity creating dangerous waste, not subject to neutralization, is established by the legislation.

### **Article 9. Conditions of waste processing**

During processing of waste the following is provided:

- - safety for the environment of the technological process directed on reduction of volume of waste, processing and neutralization thereof;
- - inadmissibility of mixing of dangerous and safe waste in processing if it is not stipulated by technology;
- - decrease of real and potential danger during processing of waste;

- - collecting waste on places of their formation and their storage in storehouse specially equipped from the technical point of view, or their storage by kinds on the sites allocated for this purpose;
- - storage in proper condition of special storehouses or sites of disposal of the waste subject to processing with the purpose of environment protection;
- - isolation from the environment of unsuitable waste on places of their burial and storage, opportunities for their further use are found;
- - organization of use of waste as secondary raw material on places of their formation or at the processing enterprises;
- - realization of biological, physical and chemical, mechanical and technical, thermal and other methods of processing, neutralization and reduction of volume of waste.

#### **Article 10. The requirements to sites of waste processing**

##### **Finding of places for waste processing, their designing, use and liquidation are made based on corresponding norms and rules.**

At choosing of technology and places for waste processing it is necessary to take into account the conditions established by the executive authorities on the basis of requirements of ecological examination about harmful influence on human health and the environment.

Monitoring of the environment should be carried out with the purpose of definition of influence of places of waste processing on the environment.

On places of waste processing boundary marks and control entrances should be fixed, full safety of technological points for the environment is be provided. Disposal and processing of waste on the places not stipulated for this purpose is forbidden.

Activity of the enterprises on waste processing should be directed on reduction of volume of waste and its neutralization. The given enterprises carry out the activity in the order stipulated in the charter, and based on the documents confirming the propriety right on waste.

The enterprises on processing of waste should make a plan of measures on liquidation of emergencies, confirmed by the corresponding executive authorities.

#### **Article 11. Requirements to waste disposal**

Wastes disposal is carried out based on a permit of the corresponding executive authorities and according to requirements of statutory acts.

At choosing of a place for construction of objects with the purpose of disposal and neutralization of waste it is necessary to carry out special researches (geological, hydrological, etc.) with the permission of the corresponding executive authorities and if necessary to take into account public opinion.

It is forbidden to bury waste on territory of cities and other settlements, resort, medical - improving, wood and recreational zones, on territory of location of underground waters, water basins with technical and potable water, and in zones where there are minerals and mining works are conducted.

Disposal sites of waste are included in the state register of burial places of waste in the order established by the corresponding executive authorities.

Proprietors should carry out monitoring of places of burial in the order established by the corresponding executive authorities.

Proprietors of objects or sites where waste are placed, upon termination of terms of operation of the given objects and sites should carry out necessary regenerative works.

With the purpose of effective organization of collecting of waste valuable components are collected per components (waste food and knitted products, various metals, paper, etc.).

**Article 12. The requirements to cleaning of settlements from domestic waste**

Domestic waste with the purpose of neutralization should be placed in the places established by the population. Discharge, burial and storage of waste in not fixed places are forbidden.

The territory where settlements are placed should be cleaned of domestic waste regularly.

Cleaning of territory of settlements according to rules of sanitary, hygienic and ecological specifications, the order of time storage, regular transportation and neutralization of domestic waste is established by the corresponding executive authorities.

**Article 13. The requirements to waste transportation**

Rules of waste transportation by means of corresponding types of transport, requirements (norms and rules) to performance of cargo handling works and maintenance of ecological safety are established by the corresponding executive authorities.

The persons occupied with transportation bear the responsibility for safety of the environment and human health from the moment of loading waste on transport facility and before their delivery to legal and physical persons receiving it.

Dangerous waste is certified and transported by means of special vehicles. The certificate of waste is the document confirming its quantity and character of influence. Certification of waste is carried out in the order established by the corresponding executive authorities.

**Article 14. Import, export and transit transportation of waste**

Import, export and transit transportation of waste is realized in the order established by the legislation of the Azerbaijan Republic.

Import on the territory of the Azerbaijan Republic of waste that is not subject to safe processing, and with the purpose of transit transportation, bury and neutralization thereof is forbidden.

**CHAPTER III  
CONTROL OVER WASTE DISPOSAL**

**Article 15. The state control over waste disposal**

The corresponding executive authorities carry out the state control over waste disposal.

The state control over waste disposal includes:

- - observance of requirements of the legislation by legal and physical persons;
- - bringing to account of guilty legal and physical persons in the order established by the legislation;
- - presentation of the claim on compensation of the damage put to the environment and human health as a result of infringements of requirements of the legislation;

- - correctness of conducting the account and the reporting carried out by proprietors in connection with waste;
- - performance of sanitary, hygienic, antiepidemic actions and actions on nature protection, observance of hygienic and ecological specifications;
- - implementation of the actions directed on liquidation of results of accidents and disasters;
- - analysis of existing processes of manufacture in connection with waste, research of opportunities for decrease in volume of waste and degree of their safety;
- - observance of the rights of the population on reception of the information on waste;
- - acceptance of the decision about restriction, stay and imposing of interdiction on the activity creating potential hazard to human health and the environment;
- - control over import, export and transit transportation of waste.

#### **Article 16. Production control over waste**

The enterprises and organizations conducting economic activities on waste, should carry out production control in this area.

The purpose of production control consists in check of performance of ecological, sanitary and other requirements.

Rules of realization of production control are established by the enterprises and organizations according to the existing legislation.

#### **Article 17. Public control above waste disposal**

Public control above waste disposal is carried out by public associations, labor collectives and citizens (population) in the order established by the legislation.

The purpose of public control above waste disposal consists in check of performance of requirements of the present Law by the state bodies and municipalities, and legal and physical persons.

### **CHAPTER IV ECONOMIC REGULATION OF WASTE DISPOSAL**

#### **Article 18. Economic regulation in the area of waste disposal**

Economic regulation of waste disposal in the sphere of collecting, accommodation, use and neutralization of waste is based on a principle of payment taking into account their volume, a degree of danger and specifications of allocation.

Payment for collecting, allocation, use and neutralization of waste is established taking into account their volume (weight), a kind and other properties.

The means obtained from payments of legal and physical persons are used for realization of actions on nature protection.

Forms of provision of economic incentives of waste disposal and the mechanism of their application, and also payment for collecting, allocation, use and neutralization of waste, their volume and the order of distribution are carried out by the corresponding executive authorities.

#### **Article 19. Specifications on waste**

The corresponding executive authorities establish the specifications regulating a degree of influence of waste on the environment and human health.

The waste becoming object of import, export and sale and purchase, will be certificated in the order established by the legislation.

**Article 20. The state account and reporting on waste**

Legal and physical persons carry out the primary account of formation, use, allocation, transfer or sale of waste to other persons in the order and the terms established by the corresponding executive authorities, submit reports on it to the corresponding state bodies.

Legal and physical persons provide safety of the information under the account of waste in the terms established by the legislation.

The state account and the reporting on waste is prepared and conducted on uniform system.

**Article 21. The state cadastre of waste**

The state cadastre of waste includes the systematized data under their account.

The state cadastre of waste reflects a system of division of waste on classes (categories), the list of objects of allocation, bank data and technology of processing of waste.

The corresponding executive authorities establish conducting the state cadastre of waste and maintenance thereof.

**CHAPTER V  
FINAL PROVISIONS**

**Article 22. The international cooperation**

The international cooperation in the area of waste control is carried out according to the international contracts which party the Azerbaijan Republic is.

**Article 23. The settlement of questions**

Questions at issue on waste are resolved by the corresponding executive authorities and courts in the order established by the legislation.

**Article 24. The responsibility for violation of the legislation on waste**

According to the legislation of the Azerbaijan Republic the legal and physical persons violating the requirements of the legislation on waste, bear the disciplinary, administrative, criminal and civil-law responsibility.

**The president of the Azerbaijan Republic**

**GEIDAR ALIYEV**

**Baku**

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