



Technical Assistance for Strengthening the Capacity of the Ministry of Environment, Forests and Water Administration in Albania for Law Drafting and Enforcement of National Environmental Legislation

**Draft
DCM
“ON BIO-WASTE”**

**Draft 1
Version 4**

29 October 2012



**REPUBLIC OF ALBANIA
COUNCIL OF MINISTERS**

DECISION

No. _____, date _____

“ON BIO-WASTE”

Pursuant to Article 100 of the Constitution and to Article 28 of the Law No.10463, dated 22.9.2011, “On Integrated Waste Management”, upon the proposal of the Minister of Environment, Forestry and Water Administration, the Council of Ministers,

DECIDED:

I. GENERAL PROVISIONS

1. The purpose of this Decision is to define measures, criteria and rules to reduce the amount of bio-waste going to landfill, as well as to specify the relevant deadlines.
2. For this purpose the present Decision shall encourage:
 - a. separate collection of bio-waste with a view to its composting and digestion;
 - b. treatment of bio-waste in order to achieve a high level of environmental protection;
 - c. use of materials produced from bio-waste that are environmentally safe.

II. SCOPE

3. This Decision shall be applied to the bio-waste.
4. The incineration of bio-waste as well as the bio-waste treatment installations of a capacity exceeding 50 tonnes/day shall be excluded from the scope of this Decision.

III. DEFINITIONS

5. In this decision, the following terms shall have these meanings:
 - a. All the terms have the same meaning as in the Law No. 10463, dated .22.09.2011 on Integrated Waste Management,
 - b. “Local Government Unit” shall mean the authority as defined in the Law no.8652, date 31.07.2000 “On organization and functioning of local government”;
 - c. “Minister” shall mean the Minister responsible for environment;
 - d. “Ministry” shall mean the Ministry responsible for environment;
 - e. “National Environment Agency - NEA” has the meaning given by the Law no. 10431, dated 9.6.2011 “On the environment protection”.

IV. DEADLINES FOR COLLECTION OF BIO-WASTE

6. The deadlines for the establishment of the bio-waste collection system, at least with weekly frequency, are the same as in the DCM “On separate collection of waste at source”. Municipalities of the first category, as defined in article 3 of the law No.10258, Dt. 5.03.2010 “On certain additions and changes to the law no. 10119, dt. 23.4.2009 “On territory planning” (Tirana, Shkodra, Durrësi, Elbasani, Fieri, Vlora, Saranda, Gjirokastra, Berati, Pogradeci, Korça, Lezha, Lushnja, Kukësi, Peshkopia, Laçi, Kamza dhe Kavaja) will have to comply by 30 June 2016..
7. Local Government Units, other than those of the first category, shall establish appropriate measures to collect waste separately within 31 December 2018.
8. Different delays in ensuring bio-waste collection from households at least with weekly frequency or alternative systems other than bio-waste collection, such as home composting may be established by the Local Government Units, other than those of the first category, in their waste management plans according to the local needs and actual possibilities.

V. TARGETS FOR REDUCTION OF LANDFILLING BIO-WASTE

9. The targets to be achieved by the Local Government Units for reducing the quantity of Bio-waste to be disposed in landfill shall reach as a minimum of overall 50 % by weight:
 - a. no later than 5 years after this Decision comes into force, Bio-waste going to landfill shall be reduced to 75% of the total amount (by weight) of Bio-waste produced in 2010;
 - b. no later than 10 years after this Decision comes into force Bio-waste going to landfill shall be reduced to 50% of the total amount (by weight) of Bio-waste produced in 2010;
 - c. no later than 15 years after this Decision comes into force Bio-waste going to landfill shall be reduced to 35% of the total amount (by weight) of Bio-waste produced in 2010.
 - d. The reduction in weight from the composting of mixed waste solely for pre-treatment purposes is considered as contributing to composting totals as it reduces the quantity of bio-waste to landfill and it will count towards the achievement of the targets defined in this paragraph.
10. Re-use and recycling specific targets by weight, shall be achieved no later than 15 years after this Decision comes into force. Bio-waste re-use and recycling shall be at least 35% of the total amount (by weight) of Bio-waste produced in 2010.
11. The use of the bio-waste outputs for landfill restoration and/or some other land reclamation uses will count towards the achievement of the bio-waste reuse and recycling targets.
12. Targets defined in paragraph 10 are mandatory to be achieved at the level of each Local Government Unit.

VI. DUTIES OF LOCAL GOVERNMENT UNITS FOR COLLECTION OF BIO-WASTE

13. The measures, criteria and rules to ensure bio-waste collection and management shall be defined in the Local Waste Management Plan prepared according to the Ministerial Guideline on a Manual “On Planning Local Waste Management”.
14. The measures referred in Paragraph 13, shall follow the minimum requirements defined in the Annex I.
15. Households in rural areas shall compost at home, neighbourhood or communal level according to the optimal solution respecting local traditions.
16. In case of areas with diffuse private households the Local Government Unit shall ensure the availability of individual containers to facilitate the compost and/or digestate of bio-waste as appropriate.
17. The Local Government Unit shall encourage, where appropriate, the use of compost at home or on a neighbourhood level in urban areas, according to the optimal solution respecting local traditions.
18. In rural areas the Local Government Unit shall establish mandatory provisions for the use of compost at home or on a neighbourhood level. Other measures and methods to achieve the targets within the set deadlines, shall be established in each Local Waste Management Plan (following Ministerial Guideline “On the approval of the Manual on Planning Local Waste Management (Reference xxxyyy), referred in Paragraph 13.
19. The minister approves a Ministerial Guidelines on the minimum technical standard for composting of bio-waste.

VII. COOPERATION AMONG AUTHORITIES

20. The Local Government Units shall cooperate among themselves in order to encourage:
 - a) the optimisation of the bio-waste management area;
 - b) the optimisation of the bio-waste collection system;
 - c) the establishment of a bio-waste separation scheme.
21. In order to achieve the objectives of paragraph 21 of this section, the Local Government Unit shall cooperate in the framework of the integrated network of installations, according to art. 22 of the Law no. 10 463, dated 22.09.2011 “On the integrated waste management”. This cooperation shall enable the optimal bio-waste collection, reuse and recycling or disposal in one of the nearest appropriate installations, with the most appropriate methods and technologies, in order to ensure a high level of environment and public health protection.

VIII. REPORTING ON IMPLEMENTATION OF THIS DECISION

22. Each LGU shall create a register to record the amount of waste by weight collected by them as totals, as well as amounts sent for composting, to record the data provided by all the waste operators for the territory under their jurisdiction and send the aggregated data for the municipality to the Agency within 28 February each year.
23. Each LGU shall report the data on bio-waste collection and targets of composting to the National Environment Agency within 31 January each year.
24. The National Environment Agency processes the data at the country level on the total amount of bio-waste collected separately, targets achieved and records them in the register created for this purpose and transmit it to the Ministry within 28 February each year.

25. The National Environment Agency shall include the results of bio-waste collection rates in the state of the environment reports.
26. The Ministry shall draft the report on the implementation of this Decision, as integral part of the report on the implementation of the law “On integrated waste management” as requested by paragraph 1 of article 66 “Reporting” within 30 September 20XX and thereafter every three years.
27. The Minister through Ministerial Order shall endorse a format to be used to draft the report, defined in paragraph 27, together with the information to be included. The report referred in the paragraph 27, shall follow the minimum requirements defined in the Annex II.
28. The National Environment Agency, the Regional Environment Agency, the Local Government Units and all other relevant institutions shall provide relevant information to the Ministry to prepare the said report.
29. The report referred in paragraph 27 is published in the official website of the Ministry and made available to the public.
30. The National Environment Agency shall create, manage and update a database system for bio-waste collections.
31. The report referred in paragraph 27 is published in the official website of the Ministry and made available to the public.

IX. PENALTIES

32. Violation of the provisions of this decision, when they do not constitute criminal offense, will be subject to sanctions provided in Article 62 of Law no. 10 463, dated 22.9.2011 "On the integrated waste management”.

X. ANNEXES

33. The attached annexes are part of this Decision.

XI. ENTRY INTO FORCE

34. This Decision enters into force after its publication in the Official Journal.

PRIME MINISTER
SALI BERISHA

**ANNEX I: Minimum requirements for collection and separation of bio-waste
(as referred to in Section VI of this DCM)**

The following minimum requirements shall be reflected in Section VI paragraph 14:

1. definition of administrative boundaries of the waste service area and of the responsibility areas, clearly establishing who is responsible for bio-waste service provision;
2. definition of the border areas between neighbouring local units, where uncertainties and conflicts arise due to certain Local Government Units not offering any waste service at all;
3. information about bio-waste producers providing useful data about whom the Local Government Units are going to serve;
4. estimation of the volume and specification of origin of waste to be managed (information encompasses current data and previous trends - a five to eight year time span - concerning the population within their area of responsibility, and its characteristics; the number and average size of households; the type and size of farms number of public gardens and parks, education, social or cultural buildings which can produce garden or other bio-waste.
5. additional information may comprise of further elaboration of the data on households in the city or country side area, by specifying the type of residency (permanent or temporary residents), as well as information covering residents living in illegal settlements nearby city borders;
6. definition of bio-waste collection and transportation schemes (BWCTS) related to the local activities in terms of waste collection and transportation: this may often include or be associated to some other activities such as waste separation, processing, transferring, etc.
7. Analysis and evaluation of the current situation (baseline), and/ or decision to improve the existing scheme or plan to start a new service:
 - a) Waste Collection Points will contain at least one bio-waste container;
 - b) Bio-Waste Collection Frequency, possibly coordinated with other waste streams;
 - c) Waste Containers and Trucks;
 - d) Optimization of trucks routes;
 - e) Selection of the appropriate type of container.

**ANNEX II: Minimum requirements for reporting
(as referred to in Section VIII of this DCM)**

The following minimum requirements and information shall be addressed in the report referred in Section VIII paragraph 28:

At National level

1. description of methods of bio-waste collection;
2. description of methods of recording amounts of bio-waste;
3. assembled data and information as described in point 3) to 10 of this Annex;
4. general assessment on the bio-waste achieved targets.

At Local Government Unit level

1. waste data generated per bio waste in the course of the reporting
 - a) the overall weight per bio waste collected in a differentiated manner;
 - b) the overall weight per bio-waste by material type component.
2. how is waste collected;
3. who collects the waste
4. how often is the waste collected
5. identification of the contractors involved in bio-waste collection
6. destination of bio-waste
7. quantity of treated/processed bio-waste and relation with the collected quantity