



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 SEPARATE COLLECTION OF WASTE AT SOURCE”

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REPUBLIC OF ALBANIA

COUNCIL OF MINISTERS

DECISION

No. _____, date _____

“ON SEPARATE COLLECTION OF WASTE AT SOURCE”

Pursuant to Article 100 of the Constitution and to Article 18 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 deadlines and targets for the separate collection of waste streams in order to reduce the amount of waste to be disposed through:
 - a) optimising the collection of waste,
 - b) ensuring the separate collection of waste at source,
 - c) promoting the re-use of products,
 - d) preparing of re-use activities,
 - e) facilitating and/or improving the waste recycling quality.

II. SCOPE

2. This Decision shall be applied for the following waste streams:

- a) Paper/Cardboard,
- b) Metal,
- c) Plastic,
- d) Glass,
- e) Textile.

III. DEFINITIONS

3. 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) “Dry Recyclables” shall mean a waste group consisting of the following waste streams - paper, cardboard, certain types of plastic, glass; drinks containers and aluminium cans that can be processed and remanufactured into new products and other materials,
- c) “Non Recyclable Wastes” shall mean a waste group consisting of the following waste streams - contaminated paper/cardboard, plastic film, nappies, sanitary waste, vacuum bags or other materials that are not practically recyclable within that LGU,
- d) “Wet Recyclables” shall mean a waste group consisting of the following waste streams - green waste from the household including uncooked vegetables and fruit, cut flowers and wet paper and cardboard. It will also include biodegradable waste that can be composed of garden waste such as grass or flower cuttings, plant and tree prunings, hedge trimmings etc.,
- e) “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,
- f) “Minister” means the Minister responsible for environment,
- g) “Ministry” means the Ministry responsible for environment,
- h) “National Environment Agency - NEA” has the meaning given by the Law no. 10431, dated 9.6.2011 “On the environment protection”.

IV. DEADLINES AND GENERAL TARGET FOR SEPARATE COLLECTION OF WASTE STREAMS

- 4. 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) shall establish appropriate measures to collect waste separately within 30 June 2016, at least for the following waste streams:

- a) paper/cardboard,
 - b) metal,
 - c) plastic,
 - d) glass,
 - e) textile.
5. Local Government Units, other than those of the first category, shall establish appropriate measures to collect waste separately within 31 December 2018, at least for the waste streams mentioned in Paragraph 4.
 6. The measures referred in Paragraph 4 and 5 shall follow the minimum requirements defined in the Annex I.
 7. The target to be achieved by the Local Government Units within 31 December 2023 for preparing for re-use and the recycling of waste materials (household waste) such as at least paper, metal, plastic and glass from households and possibly from other origins - as far as these waste streams are similar to waste from households - shall reach as a minimum of overall 50 % by weight, based on the 2010 waste generation and production at national level.
 8. Local Government Units must take measures to collect waste separately at source under and must provide their citizens with a minimum of three groups of waste system for household wastes as follows:
 - a) Dry Recyclables,
 - b) Wet Recyclables,
 - c) Non-Recyclable Wastes.

In certain cases, when justified by economic constraints on the Local Government Unit, may commence separate waste collection using the two groups of waste system with a planned progression towards a three groups of waste system. The Minister will, on a case by case basis, evaluate the LGU waste management plan and will decide whether such a transition from two to three groups of waste system is acceptable or not.

V. TARGETS FOR REUSE AND RECYCLING OF WASTE STREAMS

9. Re-use and recycling specific targets by weight, shall be as follows:
 - a) paper/cardboard (60%),
 - b) metals (50%),
 - c) plastics (22.5%),
 - d) glass (60%),,
 - e) textile (15%).

10. Intermediate targets shall be established by the Local Government Units in their waste management plans according to the local needs and actual possibilities. Targets defined in paragraph 9 of this section, are mandatory to be achieved at level of each Local Government Unit.
11. The Municipal waste management plans produced by Local Government Units shall illustrate measures and methods to achieve the targets within the set deadlines, shall be established according to the Manual on “Planning Local Waste Management” (prepared by Decentralization and Local Development Programme (dlp), which shall be approved by instructions of the Minister.

VI. COOPERATION AMONG AUTHORITIES

12. In order to achieve the objectives of paragraph 1 of the General Provisions 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 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.

VII. WASTE TARIFF

13. The Local Government Unit shall establish waste tariff to be paid by the waste producers. The tariff shall cover the costs of the waste management from collection to final point of disposal paid by Local Government Unit. The tariff system shall provide no incentive to the illegal discharge of waste, through the establishment of economic incentives to encourage the separation of waste at source.

VIII. REPORTING ON IMPLEMENTATION OF THIS DECISION

14. Each LGU shall report the data on waste stream collection and targets to the National Environment Agency within 31 January each year.
15. The National Environment Agency processes the data at the country level on the total amount of 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.
16. The National Environment Agency shall include the results of waste streams collection rates in state of the environment reports
17. The Ministry, based on the National Environment Agency data, 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 October 20 **XX** and thereafter every three years.

18. The Minister through Ministerial Order shall endorse a format to be used to define the requirements for targets calculation and to draft the report, defined in paragraph 17, together with the information to be included. The report referred in the paragraph 17, shall follow the minimum requirements defined in the Annex II.

19. The National Environment Agency, the Local Government Units and all other relevant institutions shall provide any other relevant information to the Ministry to prepare the said report.

IX. OTHER INFORMATION

20. The report referred in paragraph 17 is published in the official website of the Ministry and made available to the public.

X. COMPETENT AUTHORITIES FOR THE IMPLEMENTATION

21. The Local Government Units shall be responsible for the achievement of the deadlines and targets determined in this Decision.

22. The National Environment Agency shall be responsible for collection and processing the data as foreseen in this Decision.

23. The Minister shall be responsible for supervising the implementation of this Decision.

XI. PENALTIES

24. 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".

XI ANNEXES

25. The attached Annexes are part of this Decision.

XII. ENTRY INTO FORCE

26. This Decision enters into force the day of its publication in the Official Journal.

PRIME MINISTER

SALI BERISHA

**ANNEX I: Minimum requirements for separate collection of waste
(as referred to in Section IV of this DCM)**

The following minimum requirements shall be reflected in Section IV paragraph 6:

1. definition of administrative boundaries of the waste service area and of the responsibility areas, clearly establishing who is responsible for waste service provision;
2. definition of the border areas between neighbouring local units, where uncertainties and conflicts arise due to certain LGUs not offering any waste service at all;
3. information about waste producers providing useful data about whom the LGUs are going to serve;
4. estimation of the volume and specification of type 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 business units; industries and institutions - no. of municipal buildings, education, social or cultural buildings; medical or health units within the waste area;
5. additional information may comprise of further elaboration of the data on households and businesses in the city, 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 waste collection and transportation schemes (WCTS) 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.

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 one or more containers (usually the three bins system);
- b) Waste Collection Frequency;
- c) Waste Containers and Trucks;
- d) Optimization of trucks routes;

Selection of the appropriate type of container according to the system of a minimum of three groups of waste system defined in Paragraph 8 of this Decision.

**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 VII paragraph 14:

At National level:

1. description of methods of waste collection,
2. description of methods of recording amounts of waste streams,
3. assembled data and information as described in point 5 to 10 of this Annex;
4. general assessment on the waste streams achieved targets.

At Local Government Unit level:

5. waste data generated per each waste stream in the course of the reporting,
6. the overall weight per waste stream collected in a differentiated manner,
7. the overall weight per waste stream by material type component,
8. type of waste collected,
9. how is waste collected,
10. who collects the waste,
11. how often is the waste collected,
12. identification of the contractors involved in waste collection,
13. destination of waste,
14. quantity of treated / processed waste and relation with the collected quantity.