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Questions and answers V.

Waste management

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MINISTRY OF EDUCATION,
YOUTH AND SPORTS

1. **What are the instruments of of environmental policy?**
2. **What instrument of realisation in environmantal policy do you know?**
3. **What are the main targets in waste management?**
4. **What instruments of environmental policy doyou know?**
5. **What are the legislative instruments of environmental policy?**
6. **What is the plan of waste management?**
7. **What are the conditions for environmental policy plan?**
8. **What is the waste law?**
9. **What legal acts does the waste law execute?**
10. **What is the hierarchy of waste management?**

1.

The State Environmental Policy (hereinafter also referred to as the Environmental Protection Agency) was approved by the Government of the Czech Republic on 17 March 2004 for the period 2004 – 2010. Its aim is to "define a consensus framework for the long-term and medium-term direction of the development of the environmental dimension of sustainable development of the Czech Republic... it also wants to be a document for strengthening and improving partnership cooperation with other ministries – in a way that corresponds to the principles of sustainable development."

2.

Tools for implementation State environmental policies are as follows:

1. **Raising public awareness of environmental issues, environmental education, education and awareness-raising.** This tool is aimed at the so-called key groups, which are non-governmental non-profit organizations, women, children, youth, national minorities, local and regional government, employees and their organizations, entrepreneurs, trade and industry, academia and farmers. According to the SPŽP, *"Raising public awareness of environmental matters leads the public not only to a greater understanding of the environmental context of the economic and social life of society, but also to an increase in the quality of consumer decision-making, to increasing the legal awareness of citizens and, indirectly, to increasing the quality of life."* One of the measures is to promote environmental education, education and awareness in schools and in the mass media.
2. **Legal Instruments**. As rules of conduct, they are one of the key instruments of environmental policy, although it is a relatively new branch of law (see, for example, the development of waste management regulation in the Czech Republic referred to in Chapter 2.2.2). Significant changes in this area occurred in connection with the accession of the Czech Republic to the European Union.
3. **Economic instruments** are evaluated as one of the most effective tools for securing the objectives of the EIA. One of the tasks of the adopted state policy is precisely the elaboration of the concept of economic instruments.
4. **Voluntary instruments.** These tools serve, among other things, to support the company's economic growth and competitiveness. Examples include the labelling of environmentally friendly products, the introduction of environmental management systems according to EMAS or ISO 14001, the application of cleaner production

principles or voluntary agreements, the life cycle assessment of products, green purchasing. The aim is also to promote the "greening of the state administration". An example is the Ministry of the Environment of the Czech Republic, which has been using recycled paper nationwide since 2003.

5. **Information tools**. The Ministry of the Environment is preparing the creation of a Unified Environmental Information System, which will also include public library and information services. At present, the Ministry's website, the environment portal and the map server are mainly used.
6. **Strategic planning tools.** The aim is to ensure that the strategic and action plans of individual municipalities respect the principles of sustainable development and seek to link the economic and social aspects of environmental areas. Local Agenda 21 or zoning plans are also cited as a tool.
7. **Tools of public involvement**. According to the SPŽP, "*The active involvement of all key groups and the general public is one of the basic principles of sustainable development"*. The tools include, for example, the institute of referendums and local referendums, the institution of the Ombudsman, public participation in decision-making by administrative authorities, commenting on concepts or plans.
8. **Research and development** serving to influence the reduction of negative impacts of human activities on the environment, correction and removal of damage, monitoring.
9. **International cooperation**. Environmental protection cannot be carried out at national level alone, so a comprehensive approach extending beyond the territory of national and continental countries is needed. Cooperation with institutions dealing with environmental issues, especially the EU, OECD, UNECE, WHO and others, is essential.
10. **Institutional tools** serving the implementation of THE EIA measures, control of its fulfilment and evaluation. In this context, it is necessary to name the Ministry of the Environment of the Czech Republic, the Czech Environmental Inspectorate, the State Environmental Fund of the Czech Republic, territorial self-government, administrative justice, public benefit organizations, civic associations and others.

3.

The main objectives in the field of waste management are to reduce the energy and material intensity of production and to increase the material and energy recovery of waste and responsible management of hazardous waste. The sub-objectives are to reduce the proportion by weight of waste landfilled, to reduce the maximum amount of biodegradable municipal waste to landfills, to reduce the material and energy intensity of production, for example by implementing the best available technologies, to improve the management of products, packaging and waste thereof. In relation to hazardous waste, these include preventing and reducing the generation of such waste, improving the management of health waste, eliminating waste containing PCBs and PCB-containing equipment by 2010 and creating a nationwide network of hazardous waste management facilities.

4.

For the purposes of this work, I would divide the instruments that can be applied in the field of waste management into six groups:

1) Legislative instruments
2) Economic instruments
3) Deposit-refund systems
4) Voluntary instruments
5) Tools of environmental education and awareness
6) Information tools

5.

This group of instruments may include, in particular, obligations or limits arising from legal regulations of different legal force or opinions or statements issued on the basis of such legislation.

6.

The basic document by which the set objectives must be taken into account and fulfilled in further activities is the waste management plan. The waste management plan is prepared for the territory of the entire Czech Republic, as well as by individual regional governments for the territory of a higher territorial-self-governing unit and waste producers (which are also municipalities).

The basic conceptual document of the Czech Republic for the area of waste management is Regulation No. 197/2003 Coll., Government Regulation on the Waste Management Plan of the Czech Republic.

7.

The basic obligations arising from the Packaging Act include the obligation to ensure the take-back of packaging or waste from these packages, including informing the consumer about the method of ensuring this take-back. It provides take-back without the right to remuneration and is obliged to ensure a sufficient frequency of collection points and their availability. At the same time, it is the duty to ensure the recovery of packaging waste with a minimum extent graduated by calendar years, as specified in the Annex to the Act. Labelling of packaging from which material it is made is voluntary. The obliged entity may ensure the fulfilment of its obligations independently organizationally and technically at its own expense, or it may transfer its obligations to another person together with the transfer of ownership of the packaging. Another option is to conclude a contract to ensure the fulfillment of the obligation to take back and recover packaging waste with an authorized company, i.e. EKO-KOM, a. s. According to eko-KOM, a. s. data, clients involved in the system operated by it place 81% of packaging on the Market of the Czech Republic[3].

8.

The Packaging Act is implemented by the following decrees:

- No. 237/2002 Coll., on details of the method of taking back certain products, as amended;
- No. 115/2002 Coll., on details of handling packaging, as amended;
- No. 116/2002 Coll., on the method of marking returnable deposited packaging, as amended;
- No. 117/2002 Coll., on the scope and method of keeping records of packaging and reporting data from this register, as amended.

9.

The Waste Act implements the following legislation:

- Decree of the Ministry of the Environment and the Ministry of Health No. 376/2001 Coll., on the evaluation of hazardous properties of waste
- Decree of the Ministry of the Environment No. 381/2001 Coll., establishing the Waste Catalogue, the List of Hazardous Wastes and the Lists of Wastes and States for the Purposes of Export, Import and Transit of Waste and the Procedure for Granting Consent to export, Import and Transit of Waste (Waste Catalogue), as amended
- Decree of the Ministry of the Environment No. 382/2001 Coll., on the conditions of use of treated sludge on agricultural land, as amended
- Decree of the Ministry of the Environment No. 383/2001 Coll., on details of waste management, as amended
- Decree of the Ministry of the Environment No. 384/2001 Coll., on the handling of polychlorinated biphenyls, polychlorinated terphenyls, monomethyltetrachloro-diphenylmethane, monometyl dichlorodiphenylmethane, monometyldibromodiphenyl-methane and all mixtures containing any of these substances in a concentration greater than 60 mg/kg (on the management of PCBs), as amended
- Decree No. 352/2005 Coll., on details of the management of electrical and electronic equipment and electronic waste and on more detailed conditions for financing their management (Decree on the management of electrical and electronic equipment)
- Decree No. 294/2005 Coll., on the conditions for the disposal of waste in landfills and its use on the surface of the terrain and the amendment of Decree No. 383/2001 Coll., on details of waste management
- Decree of the Ministry of the Environment No. 237/2002 Coll**.** on the details of how to take back certain products, as amended

10.

Th hierarchie of waste management is folowing:

1. waste prevention,
2. preparing for re-use of waste,
3. material recovery of waste,
4. other recovery of waste,
5. disposal of waste.