Republic of Latvia

Cabinet

Regulation No. 712

Adopted 26 October 2021

**Regulations Regarding Separate Collection of Waste, Preparation of Waste for Re-use, Recycling of Waste, and Material Recovery**

*Issued pursuant to*

*Section 7, Paragraph one, Clause 6, Section 20, Paragraphs three, four, five, seven, and Paragraph 8.1 of the Waste Management Law*

**I. General Provision**

1. The Regulation prescribes:

1.1. the requirements for the content of the plan in order to extend the time periods for the attainment of the objectives which include the preparation of municipal waste for re-use, recycling of municipal waste, and the material recovery;

1.2. the requirements for separate collection of waste;

1.3. waste categories and the time period for separate collection of municipal waste (including at least paper, metal, plastic, glass, textiles, hazardous waste generated in households, and biological waste) in the administrative territory of the local government;

1.4. the objectives for the preparation of waste for re-use, recycling of waste, and material recovery;

1.5. the types of re-usable, recyclable, or recoverable construction and demolition waste, the quantity by units of weight and the time period for re-use, recycling, or material recovery;

1.6. the requirements for the determination of the quantity by units of weight of waste and food waste intended for re-use;

1.7. the criteria for the attainment of the objectives for the preparation of waste for re-use, recycling of waste, and material recovery.

**II. Requirements for Separate Collection of Waste**

2. In order to facilitate or improve the preparation of waste for re-use, recycling of waste, or other recovery operations, waste shall be collected separately and shall not be mixed with other waste or other materials which have different properties.

3. The local government shall, in cooperation with waste managers selected in accordance with the laws and regulations regarding waste management, organise separate collection of municipal waste in the administrative territory thereof in accordance with the laws and regulations regarding waste collection points and waste sorting stations:

3.1. establish, maintain, and develop a separate collection system for the following types of waste:

3.1.1. waste containing paper;

3.1.2. waste containing metal;

3.1.3. waste containing plastic;

3.1.4. waste containing glass;

3.2. by 1 January 2023, establish a separate collection system for textiles;

3.3. by 31 December 2023, establish a separate collection system for biological waste if the recovery or recycling of biodegradable waste is not ensured or commenced in 2022 at the landfill site for municipal waste where municipal waste, including biodegradable waste, collected in the administrative territory of the local government is disposed of in conformity with the permit for the performance of a polluting activity issued for the operation of the landfill site for municipal waste;

3.4. by 31 December 2024, establish a separate collection system for hazardous waste generated in households.

4. The types of waste referred to in Sub-paragraphs 3.1.1, 3.1.2, and 3.1.3 of this Regulation may be collected together in one container.

**III. Objectives for the Preparation of Waste for Re-use, Recycling of Waste, and Material Recovery, and the Criteria for the Attainment Thereof**

5. The local government, the waste manager selected in accordance with the laws and regulations regarding waste management, and the waste manager which prepares waste for re-use, recycles waste, or carries out material recovery shall ensure the preparation of municipal waste (including at least paper, metal, plastic, glass, textiles, hazardous waste generated in households, and biological waste) for re-use, recycling of municipal waste, and material recovery (except for the energy recovery and reprocessing of waste into materials that are to be used as fuels) within the following time periods in order to achieve the laid down objectives:

5.1. until 31 December 2024 – in the amount of not less than 55 % (by weight) of the amount of municipal waste generated during a calendar year;

5.2. until 31 December 2029 – in the amount of not less than 60 % (by weight) of the amount of municipal waste generated during a calendar year;

5.3. until 31 December 2034 – in the amount of not less than 65 % (by weight) of the amount of municipal waste generated during a calendar year.

6. The construction waste referred to in Annex 1 to this Regulation that is not hazardous waste in accordance with the laws and regulations regarding waste classification and characteristics making waste hazardous shall be prepared for re-use or recycled, or the materials contained in such waste shall be recovered (including use thereof for backfilling operations) each year in the amount of not less than 70 % (by weight) of the total amount of construction and demolition waste generated in a calendar year.

7. Within the meaning of this Regulation, backfilling operations are any recovery operations in order to use suitable waste that is not hazardous waste for the restoration of excavated areas or for engineering purposes in landscape design or construction (for backfilling operations). Persons using waste for backfilling operations shall ensure that:

7.1. non-waste materials are substituted for waste used for backfilling operations;

7.2. the waste used for backfilling operations is suitable for the abovementioned purposes;

7.3. the amount of waste used is limited to the amount absolutely necessary for backfilling operations;

7.4. the waste used for backfilling operations complies with the laws and regulations regarding the quality standards of soil and ground.

8. Within the meaning of this Regulation, the material recovery is any waste recovery operation, including the preparation of waste for re-use, recycling, and use thereof for backfilling operations. Energy recovery and reprocessing of waste into materials that are to be used as fuels or for other forms of energy recovery shall not be considered to be material recovery.

9. Performers of backfilling operations or other material recovery operations shall ensure that the quantity of waste by units of weight used for these operations is accounted for separately from the quantity of waste by units of weight prepared for re-use or recycled.

10. The attainment of the objective referred to in Paragraph 5 of this Regulation shall be assessed according to the indicator obtained from the calculations made in accordance with Paragraph 12 of this Regulation. The objective referred to in Sub-paragraph 5.1, 5.2, or 5.3 of this Regulation shall be considered to be attained if the result obtained is greater than or equal to the amount of waste prepared for re-use, recycled waste, and material recovery in the relevant calendar year referred to in Sub-paragraph 5.1, 5.2, or 5.3 of this Regulation.

11. Each year by using the information provided in conformity with the laws and regulations regarding forms of official statistical reports on environmental protection and reports on polluting activities, the Ministry of Environmental Protection and Regional Development (hereinafter – the Ministry) shall, within 10 months after the end of the reporting year, calculate the following in the State as a whole and in the administrative territory of each local government:

11.1. the quantity of the generated municipal waste by units of weight;

11.2. the weight of municipal waste prepared for re-use, recycled, and subject to material recovery;

11.3. the ratio of the quantity of municipal waste prepared for re-use, recycled, and subject to material recovery against the quantity of the generated municipal waste by units of weight and expressed as a percentage.

12. The following calculations shall be made in order to determine the fulfilment of the objectives referred to in Paragraphs 5 and 6 of this Regulation:

12.1. the weight of the municipal waste prepared for re-use shall be calculated as the weight of products or components of products that have become municipal waste and have undergone all necessary checking, cleaning, or repairing operations to enable re-use without further sorting or pre-processing;

12.2. the weight of the recycled municipal waste shall be calculated as the weight of municipal waste which, having undergone all necessary checking, sorting, and other preliminary operations to remove such waste materials that are not targeted by the subsequent recycling to ensure high-quality recycling, enters the recycling operation whereby waste materials are actually recycled into products, materials, or substances;

12.3. the quantity of the recycled municipal waste by units of weight shall be calculated at the time when the municipal waste enters the recycling operation. The quantity of the recycled municipal waste by units of weight may also be measured at the output of any sorting operation provided that:

12.3.1. such output waste is subsequently recycled;

12.3.2. the weight of materials or substances that are removed by further operations preceding the recycling operation and are not subsequently recycled is not included in the weight of waste reported as recycled;

12.4. the amount of municipal biological waste that actually enters aerobic or anaerobic treatment may be counted in the amount of municipal biological waste having undergone aerobic or anaerobic treatment, excluding any materials (including biodegradable) which are mechanically removed during or after such treatment. Losses in weight of the recycled waste due to physical and chemical transformation processes inherent in the aerobic or anaerobic treatment shall be counted when determining the amount of municipal biological waste having undergone aerobic or anaerobic treatment;

12.5. losses in weight of the recycled waste due to physical and chemical transformation processes inherent in the aerobic or anaerobic treatment shall be taken into account (counted) when determining the amount of municipal biodegradable waste having undergone aerobic or anaerobic treatment. The amount of municipal biodegradable waste that enters aerobic or anaerobic treatment may be counted as recycled if:

12.5.1. aerobic or anaerobic treatment generates compost, digestate, or another material with a similar quantity of recycled content compared to the material input during recycling process;

12.5.2. the generated compost, digestate, or another material is to be used as a recycled product, material, or substance. If the generated material is used for incorporation into the soil, it may be counted as recycled only if such use results in benefits to agriculture or ecological improvement;

12.6. the quantity by units of weight of the materials derived from municipal waste prepared for re-use which prior to recycling thereof is no longer classified as waste in conformity with the laws and regulations regarding waste classification and characteristics making waste hazardous shall be regarded to be recycled provided that such materials are destined for subsequent recycling into products, materials, or substances to be used for the original or other purposes;

12.7. the materials which are no longer classified as waste in conformity with the laws and regulations regarding waste classification and characteristics making waste hazardous and which are intended to be used as fuels or other means to generate energy, or to be incinerated, backfilled or landfilled, shall not be counted towards the attainment of the objectives referred to in Paragraph 5 of this Regulation;

12.8. the weight of waste generated in Latvia that is shipped to another European Union Member State for preparing it for re-use, recycling, or backfilling operations shall also be included in the total weight of waste prepared for re-use and recycled waste.

13. Municipal waste collected in Latvia and exported from or brought out of Latvia for the purpose of preparing it for re-use or recycling may be counted towards the attainment of the objectives referred to in Paragraphs 5 and 6 of this Regulation if:

13.1. they are accounted for in conformity with the laws and regulations regarding record-keeping of waste transport;

13.2. the waste shipper can prove in accordance with Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste that the shipment of waste conforms to the requirements of the abovementioned Regulation and that the preparation for re-use or recycling in a country which is not a European Union Member State has been carried out under conditions equivalent to those laid down in the relevant legal acts of the European Union in the field of the environment.

14. The preparation of waste for recovery or disposal thereof shall not be considered as the final recycling or other final material recovery operation.

**IV. Requirements for the Content of the Plan in Order to Extend the Time Periods for the Attainment of the Objectives which Include the Preparation of Municipal Waste for Re-use, Recycling of Municipal Waste, and Material Recovery**

15. If the Ministry, on the basis of the calculations made according to Paragraph 12 of this Regulation, finds that the objective referred to in Sub-paragraph 5.1, 5.2, or 5.4 of this Regulation has not been attained, the Ministry shall prepare a plan for submission to the European Commission in accordance with Annex 2 to this Regulation in order to extend the time periods for the attainment of the objectives which include the preparation of municipal waste for re-use, recycling of municipal waste, and material recovery until 31 December 2022, 31 December 2027, or 31 December 2032.

16. If the European Commission approves the plan referred to in Paragraph 15 of this Regulation, the persons referred to in Paragraph 5 of this Regulation shall ensure that the objectives for the preparation of municipal waste for re-use, recycling of municipal waste, and material recovery (including at least paper, metal, plastic, glass, textiles, hazardous waste generated in households, and biological waste) (except for energy recovery and the reprocessing of waste into materials that are to be used as fuels) are attained:

16.1. until 31 December 2024 – in the amount of not less than 50 % (by weight) of the amount of municipal waste generated during a calendar year;

16.2. until 31 December 2029 – in the amount of not less than 55 % (by weight) of the amount of municipal waste generated during a calendar year;

16.3. until 31 December 2034 – in the amount of not less than 60 % (by weight) of the amount of municipal waste generated during a calendar year.

**V. Requirements for the Determination of the Quantity of Waste and Food Waste Intended for Re-use**

17. The quantity of waste intended for re-use shall be determined in units of weight by using the following methods:

17.1. direct measurements of waste re-use;

17.2. mass balance;

17.3. questionnaires and interviews;

17.4. diaries and registration.

18. The Ministry shall ensure that the amount of waste subject to re-use (including at least for textiles, electrical and electronic equipment, furniture, construction materials and products) is measured at least once every three years by using one or more of the methods referred to in Paragraph 17 of this Regulation.

19. The Ministry shall ensure that, at least once every three years, the determination of the quantity of food waste (in units of weight) is carried out in the following stages of the food supply chain:

19.1. primary production of food;

19.2. food processing and production;

19.3. retail sale and other distribution of food;

19.4. restaurants and catering services;

19.5. households.

20. One or more of the following methods shall be used to measure the amount of food waste:

20.1. direct measurements;

20.2. mass balance;

20.3. waste composition analysis;

20.4. questionnaires and interviews;

20.5. coefficients and production statistics;

20.6. counting, bar code reading;

20.7. diaries and registration.

21. Food production, food processing and manufacturing, retail sale and other food distribution channels, restaurants and catering establishments, and also local governments in cooperation with waste managers selected in accordance with the laws and regulations regarding waste management, and waste managers which prepare waste for re-use, recycle waste, or perform the material recovery shall, upon request of the Ministry or its authorised person, provide information on the quantity of the generated food waste by units of weight.

**VI. Closing Provisions**

22. Cabinet Regulation No. 184 of 17 April 2013, Regulations Regarding Separate Waste Collection, Preparation for Re-use, Recycling and Material Recovery (*Latvijas Vēstnesis*, 2013, No. 73; 2018, No. 147; 2020, No. 175), is repealed.

23. From 1 January 2027, municipal biological waste that undergoes aerobic or anaerobic treatment may be considered as recycled only if it is collected separately or separated at source in conformity with Sub-paragraph 3.2 of this Regulation.

24. By 31 December 2022, local governments in cooperation with waste managers selected in accordance with the laws and regulations regarding waste management shall assess and amend waste management contracts concluded in accordance with the procedures laid down in the laws and regulations governing public procurements or public-private partnerships before the date of coming into force of this Regulation in order to ensure fulfilment of the requirements laid down in Paragraphs 3 and 5 of this Regulation.

25. The measurements referred to in Paragraph 17 of this Regulation shall be performed for the first time in 2022. The measurements referred to in Paragraph 20 of this Regulation shall be performed for the first time in 2021.

26. After coming into force of this Regulation, local governments in cooperation with waste managers selected in accordance with the laws and regulations regarding waste management shall ensure the operation of a separate waste collection system for biodegradable waste in conformity with Sub-paragraph 2.1 1 of Cabinet Regulation No. 184 of 17 April 2013, Regulations Regarding Separate Waste Collection, Preparation for Re-use, Recycling and Material Recovery.

27. By 31 December 2022, the local government, the waste manager selected in accordance with the laws and regulations regarding waste management, and the waste manager which prepares waste for re-use, recycles waste, or performs the material recovery shall ensure the preparation of municipal waste for re-use, recycling of municipal waste, and material recovery (except for energy recovery and the reprocessing of waste into materials that are to be used as fuels) in the amount of not less than 50 % (by weight) of the amount of municipal waste generated in a calendar year.

**Informative Reference to the Directives of the European Union**

The Regulation contains legal norms arising from:

1) Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives;

2) Directive 2018/851/EU of the European Parliament and of the Council of 30 May 2018 amending Directive 2008/98/EC on waste.

Prime Minister A. K. Kariņš

Minister for Environmental Protection and Regional Development A. T. Plešs

**Annex 1**

Cabinet Regulation No. 712

26 October 2021

**Types of Construction and Demolition Waste Subject to Inclusion in the Calculation of the Amount of Construction and Demolition Waste**

In order to determine whether the objective for the use of the materials prepared for re-use, recycled, or recovered from the abovementioned waste (including for backfilling operations) has been attained, the following shall be included in the calculation of construction and demolition waste:

1. Construction and demolition waste marked with codes 17 01 01, 17 01 02, 17 01 03, 17 01 07, 17 02 01, 17 02 02, 17 02 03, 17 03 02, 17 04 01, 17 04 02, 17 0403, 17 04 04, 17 04 05, 17 04 06, 17 04 07, 17 04 11, 17 05 08, 17 06 04, 17 08 02, 17 09 04 in conformity with the laws and regulations regarding waste classification and characteristics making waste hazardous.

2. Waste created as a result of mechanical treatment of construction and demolition waste and which is marked with codes 19 12 01, 19 12 02, 19 12 03, 19 12 04, 19 12 05, 19 12 07, 19 12 09 in conformity with the laws and regulations regarding waste classification and characteristics making waste hazardous.

Minister for Environmental Protection and Regional Development A. T. Plešs

**Annex 2**

Cabinet Regulation No. 712

26 October 2021

**Plan for Extending the Time Periods for the Attainment of the Objectives for the Preparation of Municipal Waste for Re-use, Recycling, and Material Recovery Thereof**

In order to extend the time periods for the attainment of the objectives which include the preparation of municipal waste for re-use, recycling, and material recovery thereof, the following shall be included in the plan:

1) assessment of the past, current and planned indicators of recycling, landfilling and other treatment of municipal waste, and also the assessment of the streams of which such waste is composed;

2) assessment of the implementation of the State waste management plan and the State programme for the prevention of waste generation;

3) the reasons for which it is assumed that Latvia might not be able to attain the objectives which include the preparation of municipal waste for re-use, recycling, and the material recovery thereof within the laid down time period and the extension of the time period which is necessary in order to attain the relevant targets;

4) measures necessary to attain the relevant targets which include the preparation of municipal waste for re-use, recycling, and material recovery thereof which are applicable during the extension period, including appropriate economic instruments and other measures having regard to the priority order of the types of waste management laid down in the Waste Management Law;

5) a schedule for the implementation of the measures referred to in Paragraph 4 of this Annex, the competent authorities responsible for the implementation thereof, and the assessment of the individual contributions of each authority to the attainment of the objectives which are applicable in the case of extending the time period;

6) information on funding for the waste management in conformity with the polluter-pays principle;

7) measures to improve data quality which are necessary in order to improve waste management planning and monitor its results.

Minister for Environmental Protection and Regional Development A. T. Plešs