

EU AND ALBANIAN WASTE LEGISLATION

This section is structured to first present the EU waste legislation, and then relate it to the newly revised Albanian waste legislation. This section also explains the flow from product to waste and the related waste treatment options that can be applied, illustrating the options through figures, photos, and graphs.

The objectives of a community's environmental policy are to preserve, protect, and improve the quality of the environment; protect human health; and utilize natural resources prudently and rationally. That policy is based on the "precautionary principle," which emphasizes that preventive actions should be taken to avoid pollution, and environmental damage should, as a priority, be rectified at source and the polluter should pay.

A community's program of policy and action in relation to the environment and sustainable development states that the achievement of sustainable development calls for significant changes in current patterns of development, production, consumption, and behavior, and advocates, *inter alia*, the reduction of wasteful consumption of natural resources and the prevention of pollution. Where the generation of waste cannot be avoided, it should be reused or recovered for its material or energy value.

- EU waste legislation is made up of four main Acts:
- EU legal framework on waste
- EU legislation on waste management operations
- EU legislation on specific waste streams, and
- EU legislation reporting and questionnaires.

These Acts are further listed in the table below, with the EU Act in left column of the table, and the Albanian new acts that have been realigned along the EU Acts (either approved or still to be approved) shown in the right column of the table.

Table 1. Albanian approved or draft legislation and their alignment to EC directives

EUROPEAN UNION	ALBANIA
1. Framework Directive 2008/98/EC on Waste	1. Law No. 10 463, dated 22.9.2011 "On integrated waste management" 2. DCM No. 175, date 19.1.2011 "On the approval of the National Waste Management Strategy and National Waste Management Plan" 3. DCM No. 798, date 29.09.2010 "On the approval of the regulation "On the hospital waste management"
On waste management operations	
1. Directive 99/31/EC on Landfill of Waste; 2. Directive 2000/76/EC on Waste Incineration; 3. Directive 2000/59/EC on port reception facilities for	1. DCM No. 178, dated 6.3.2012 "On incineration of waste" 2. DCM No. 52, dated 11.7.2012 "On landfill of waste"

ship-generated waste and cargo residues

3. Draft DCM on port reception facilities for ship-generated waste and cargo residues

On specific waste streams

Directive 94/62/EC on Packaging and Packaging Waste;
2. Directive 2006/66/EC on Batteries and Accumulators;
3. Directive 2000/53/EC on End of Life Vehicles;
4. Directive 75/439/EEC on Disposal of Waste Oils;
5. Directive 2006/21/EC on the Management of Wastes from the Extractive Industry;
6. Directive 96/59/EC on Disposal of PCB/PCT;
7. Directive 86/278/EEC on Sewage Sludge.
8. Directive 2002/96/EC on Waste Electrical and Electronic Equipment (WEEE);
9. Regulation No 333/2011 establishing criteria determining when certain types of scrap metal cease to be waste ...
10. Regulation No 1179/2012 establishing criteria determining when glass cullet ceases to be waste under Directive 2008/98/EC of the European Parliament and of the Council

1. DCM No. 177, dated 6.3.2012 "On packaging and their waste"
2. DCM No. 866, dated 4.12.2012 "On batteries, accumulators and their waste"
3. DCM No. 705, dated 10.10.2012 "On the administration of End of Life Vehicles
4. DCM No. 765, dated 7.11.2012 "On the approval of rules on separated collection and treatment of used oils"
5. n/a
6. n/a
7. Draft DCM on use of sewage sludge in agriculture
8. Draft DCM on WEEE
9. DCM "On criteria on the end of waste status of certain metal scraps"

On reporting and questionnaire legislation

1. 2001/753/EC concerning a questionnaire for Member States reports on the implementation on end-of-life vehicles
2. Commission Decision 94/741/EC on the questionnaire for the Member States on the implementation of certain waste related directives
3. Commission Decision 94/741/EC concerning questionnaires for Member States reports on the implementation of certain Directives in the waste sector
4. Commission Decision 97/622/EC concerning questionnaires for Member States reports on the implementation of certain Directives in the waste sector
5. Directive 91/692/EEC standardizing and rationalizing reports on the implementation of

certain Directives relating to the environment

6. Commission Decision 1999/412/EC concerning a questionnaire for the reporting obligation of Member States
7. Commission Decision 2000/738/EC concerning a questionnaire for Member States reports on the implementation of the landfill of waste Directive
8. 2001/753/EC concerning a questionnaire for Member States reports on the implementation on end-of-life vehicles

9. Commission Decision 94/741/EC on the questionnaire for the Member States on the implementation of certain waste related directives
10. Commission Decision 94/741/EC concerning questionnaires for Member States reports on the implementation of certain Directives in the waste sector
11. Commission Decision 97/622/EC concerning questionnaires for Member States reports on the implementation of certain Directives in the waste sector
12. Directive 91/692/EEC standardizing and rationalizing reports on the implementation of certain Directives relating to the environment
13. Commission Decision 1999/412/EC concerning a questionnaire for the reporting obligation of Member States
14. Commission Decision 2000/738/EC concerning a questionnaire for Member States reports on the implementation of the landfill of waste Directive 1999/412/EC:
15. Commission Decision concerning a questionnaire for the reporting obligation of Member States on shipment of waste

It is obvious from the table that the reporting legislation has not yet been incorporated into Albanian legislation, because reporting is obligatory only for Member States. The other three groups of legislation have been incorporated, or the process is ongoing, because by doing so, Albania demonstrates the political will to approximate legislation and practice with that of the EU, a necessary step toward EU integration.

Of all of the new Albanian revised legislation, the most important and comprehensive is the new law “On integrated waste management” of 2011. This law sets the legal basis for the approval of at least 12 Decisions of the Council of Ministers on different waste streams, waste disposal, etc.

The purpose of the new Albanian law on integrated waste management is to protect human health and the environment by:

- Preventing or reducing the negative impacts from waste generation and the management of waste;
- Reducing the overall impacts of the use of resources and improving the efficiency of such use; and
- Ensuring the environmentally sound management of waste.
- The following table highlights some important word and phrases contained in the new law on Integrated Waste Management, and their definitions, which help to facilitate its understanding.

Table 2. Main concepts of the waste framework directive and Albanian Law on Integrated Waste Management

WORD/PHRASE	DEFINITION
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Waste	Any substance or object which the holder discards, intends to discard, or is required to discard.
Household waste	Any waste from households in communes, municipalities, and districts or their subdivisions, as well as other waste which, because of its nature or composition, is similar to waste from households in communes, municipalities, and districts or their subdivisions.
Hazardous waste	Any waste which displays one or more hazardous properties.
Waste management	Collection, transport, recovery, and disposal of waste, including the supervision of such operations, the after-care of waste disposal sites, as well as actions taken as a dealer or as a broker.
Integrated Solid Waste Management	Optimized and interlinked system of practices to minimize the negative environmental impacts of waste.
Treatment	Recovery or disposal operations, including preparation prior to recovery or disposal.
Recovery	The principal result of any operation in which waste serves a useful purpose by replacing other materials that would otherwise have been used to fulfil a particular function, or waste being prepared to fulfil that function, in the plant or in the wider economy. (The law sets out a non-exhaustive list of 13 recovery operations R1-R13.)
Recycling	Any recovery operation by which waste materials are reprocessed into products, materials, or substances whether for the original or other purposes. It includes the reprocessing of organic material, but does not include energy recovery and the reprocessing into materials that are to be used as fuels or for backfilling operations.
Disposal	Any operation which is not recovery, even where the operation has, as a secondary consequence, the reclamation of substances or energy. It is the placement of waste into/onto land, air, or water. (This law sets out a non-exhaustive list of 15 different disposal operations D1-D15.)

REF: PUBLIC OFFICIAL'S MANUAL: GUIDE TO EU POLICIES AND DIRECTIVES FOR SOLID WASTE AND WASTEWATER