



**SCREENING CHAPTER 27
ENVIRONMENT**

**AGENDA ITEM: WASTE FRAMEWORK
Directive 75/442/EEC**

**Country Session: The The Republic of TURKEY
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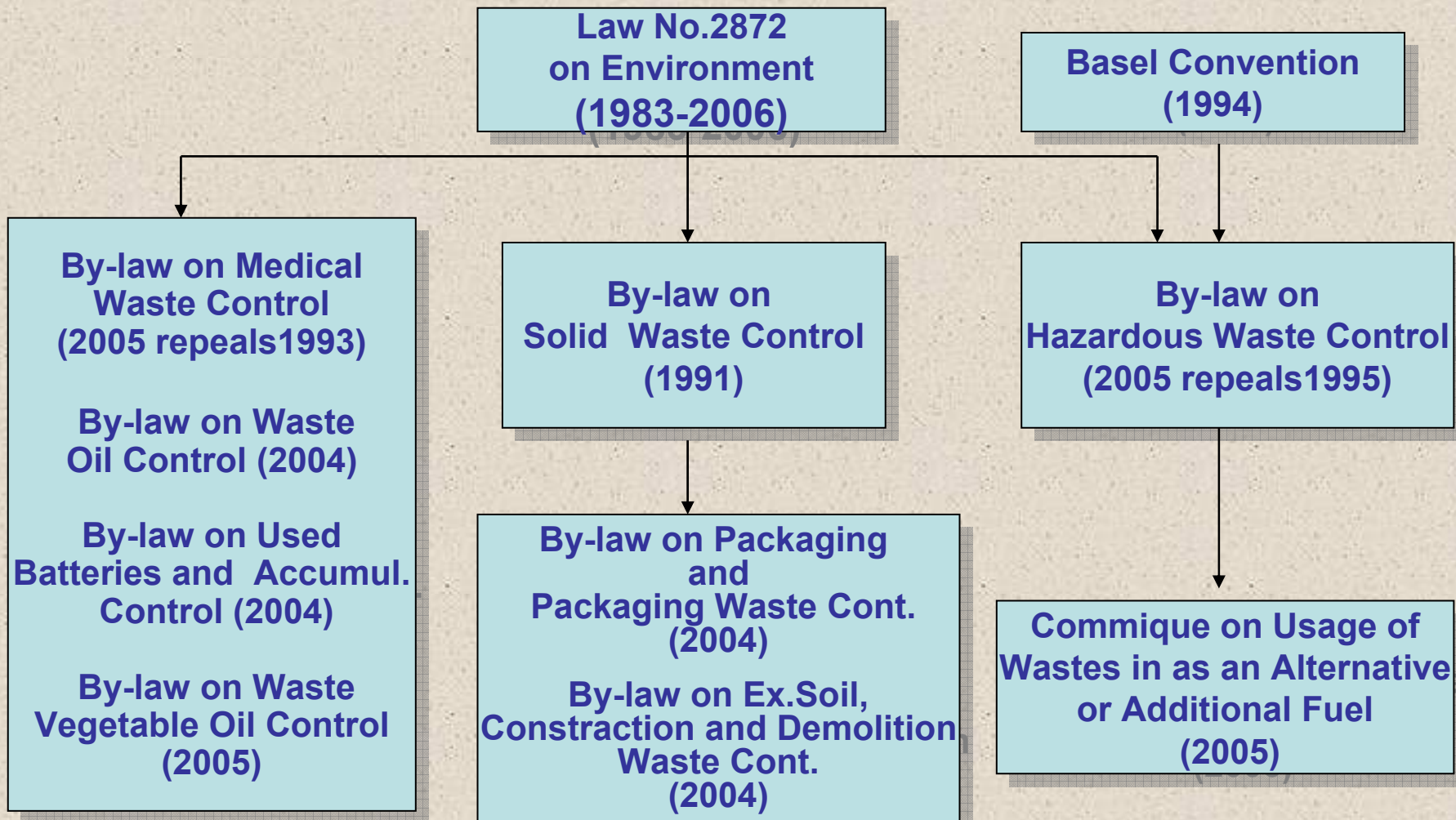


LEGISLATIVE FRAMEWORK

- Law No.2872 on Environment as amendment by the Law No. 5491
- Law No.4856 on Establishment and Duties of Ministry of Environment and Forestry
- By-laws on Waste



LEGISLATIVE FRAMEWORK (CONT'D)





CONTENT OF CURRENT LEGISLATION

Basic Principles of Waste Legislation

- Waste hierarchy
 - Prevention or reduction of waste production
 - Recovery of waste (re-use, recycling, energy recovery)
 - Disposal of waste
- Polluter pays
- Producer responsibility
- Proximity



CONTENT OF CURRENT LEGISLATION (CONT'D)

Provisions of WF transposed to the national legislation:

- definitions of producer, management and disposal,
- non covered wastes,
- general principles,
- identifying the competent authority/ies,
- establishing waste management plans,
- recovery and disposal responsibilities of producer,
- permitting system for disposal and recovery facilities,
- establishing a registration system,
- establishing an inspection and enforcement mechanism,
- keeping appropriate records,
- polluter pays principle,
- waste categories and disposal and recovery operations



CONTENT OF CURRENT LEGISLATION (CONT'D)

Remaining measures of WFD;

Technical studies regarding the preparation of a draft By-law on Waste Framework are in progress by using the outputs of the Twinning Project on Waste Management (TR 03/IB/EN/01).

CONTENT OF CURRENT LEGISLATION (CONT'D)

- **Definitions (Article 1 and Annex I)**

National Legislation

The Law on Environment

By-laws on waste



waste, producer, management, disposal definitions

The By-law on Hazardous Waste Control



Annex I and II



CONTENT OF CURRENT LEGISLATION (CONT'D)

Prohibition (Article 4)

National Legislation

Law on Environment

By-law on

Hazardous Waste Control	(art.1)
Solid Waste Control	(art.8)
Exc.Soil, Const.and Demol.Waste Control	(art.9,13)
Waste Oil Control	(art.5)
Medical Waste Control	(art.1,5)
Used Batteries and Accumulators Control	(art.5)
Waste Vegetable Oil Control	(art.1,5)
Packaging and Packaging Waste Control	(art.5,28)



CONTENT OF CURRENT LEGISLATION (CONT'D)

Establishing an integrated and adequate network of disposal installations (Article 5)

Technical studies related to establishing a network system are in progress by using the outputs of the “Institutional Building and Access to Environmental Information” Project, (TR/0203.03/003) financed under 2002 EU Pre-Accession Financial Assistance.



CONTENT OF CURRENT LEGISLATION (CONT'D)

• Identifying the competent authority/ies (Article 6)

National Legislation

Responsibility

Duties

• The Law on Establishment and Duties of MoEF

MoEF

Determining national principles, strategy, plans, programs

• The Law on Metropolitan Munic.
• The Law on Municipality
• The Law on Special Provincial Administration

Metropolitan Munic.
Municipality

Special Prov.
Administration

Implementation of municipal waste legislation



CONTENT OF CURRENT LEGISLATION (CONT'D)

Establishing waste management plans (Article 7)

<u>National Legislation</u>	<u>Responsibility</u>	<u>Dimension</u>
The By-law on Hazardous Waste Control The Law on Environment	MoEF	Whole territory
The Law on Metropolitan Municipality The By-law on Medical Waste Control The By-law on Exc.Soil,Const.Demol.Waste C. The By-law on Pack.and Packaging Waste C.	Met. Municipalities Municipalities	Local



CONTENT OF CURRENT LEGISLATION (CONT'D)

- **Establishing a permitting system for establishments carrying out disposal or recovery operations (Articles 9-10)**

National Legislation

- Law on Establishment and Duties of MoEF
- Law on Environment
- By-law on
 - Hazardous Waste Control (art.10,27,28,29)
 - Packaging and Packaging Waste Control (art.36,37,38)
 - Exc.Soil, Const.and Demol.Waste Control (art.36,37,38)
 - Waste Oil Control (art.11,24,25,26)
 - Medical Waste Control (art.9,45,49,50,51)
 - Used Batteries and Accumulators Control (art.14,21,22,23)
 - Waste Vegetable Oil Control (art.11,21,22)



CONTENT OF CURRENT LEGISLATION (CONT'D)

- MoEF is responsible for giving licence to all kinds of disposal facilities, monitoring and cancelling of licence if necessary.
- Any natural and legal persons who wants to construct and operate waste disposal and waste recovery plants shall be obliged to get a pre-licence and licence from MoEF.



CONTENT OF CURRENT LEGISLATION (CONT'D)

Establishing a registration system for relevant establishments/undertakings (Article 12)

National Legislation

Law on Environment

By-law on

Hazardous Waste Control	(art.11,12,13)
Exc.Soil, Const.and Demol.Waste Cont.	(art.24)
Waste Oil Control	(art.16,17,18)
Medical Waste Control	(art.9,29)
Used Batteries and Accumulators Cont.	(art.17)
Waste Vegetable Oil Control	(art.13,14)



CONTENT OF CURRENT LEGISLATION (CONT'D)

- Any person or establishment carrying out waste collection and transportation excluding municipal waste are obliged to get licence from MoEF.
- Establishments or undertakings carrying out collection and transportation of waste which are not subject to licencing procedure are registered by MoEF according to Article 11 of The Law on Environment.



CONTENT OF CURRENT LEGISLATION (CONT'D)

Establishing an effective inspection and enforcement mechanism (Article 13)

National Legislation

The Law on Establishment and Duties of MoEF

Law on Environment

By-law on	Hazardous Waste Control	(art.6)
	Packaging and Packaging Waste Control	(art.6,41)
	Exc.Soil, Const.and Demol.Waste Control	(art.6,45)
	Solid Waste Control	(art.46)
	Medical Waste Control	(art.6,53)
	Waste Vegetable Oil Control	(art.6)

By-law on Environmental Inspection



CONTENT OF CURRENT LEGISLATION (CONT'D)

- MoEF is responsible for control and inspection of establishments or undertakings which carry out disposal and recovery of waste according to Article 9 of the The Law on Establishment and Duties of MoEF and Article 12 of The Law on Environment.
- According to by-laws on waste, MoEF has inspection and enforcement rights for disposal and recovery facilities.



CONTENT OF CURRENT LEGISLATION (CONT'D)

•Requiring establishments/undertakings to keep appropriate records (Article 14)

National Legislation

By-law on

Hazardous Waste Control	(art.10,12,28)
Waste Oil Control	(art.9,11,25)
Packaging and Packaging Waste Control	(art.16,23,24,37)
Exc.Soil, Const.and Demol.Waste Control	(art.10,11,23,32,40)
Medical Waste Control	(art.8,9,30,42,45,46,48,50)
Used Batteries and Accumulators Control	(art.12,14,16,22)



CONTENT OF CURRENT LEGISLATION (CONT'D)

- Any person, establishment or undertaking which carry out disposal and recovery of waste is obliged to keep appropriate records containing quantity, origin, nature, destination, mode of transport and treatment methods.
- These establishments have to send all documents to the MoEF periodically and submit to the MoEF for investigation on request.



CONTENT OF CURRENT LEGISLATION (CONT'D)

Establishing full cost recovery mechanism in accordance with the polluter pay principle (Article 15)

National Legislation

- Law on Environment

By-law on

Hazardous Waste Control	(art.5,9)
Packaging and Packaging Waste Control	(art.5,9,10,17)
Exc.Soil, Const.and Demol.Waste Control	(art.5,9,17)
Waste Oil Control	(art.5,9,10,12)
Medical Waste Control	(art.8,23)
Used Batteries and Accumulators Control	(art.5)
Waste Vegetable Oil Control	(art.5,11)



CONTENT OF CURRENT LEGISLATION (CONT'D)

- **Establishing reporting and data recording systems (Article 16)**

- **National Legislation**

- The Law on Establishment and Duties of MoEF

- The MoEF is authorized to collect and evaluate environmental data according to Article 9 (t), and to prepare environmental inventory and environment status report according to Article 10 (b) of The Law on Establishment and Duties of MoEF



TECHNICAL STUDIES

I- Waste Management Twinning Project, (TR/2003/EN/01)

Covering 6 EU Directives

- 75/442/EEC (Waste Framework Directive)
- 99/31/EC (Landfill Directive)
- 91/689/EC (Hazardous Waste Directive)
- 2000/76/EC (Incineration Directive)
- 94/62/EC (Packaging and Packaging Waste Dir.)
- 93/259/EC (Shipment of Waste Directive)



TECHNICAL STUDIES (CONT'D)

II- Special Waste Twinning Project (TR/2004/IB/EN/01)

Covering 6 EU Directives

- 75/439/EEC (Waste Oil Directive)
- 96/59/EC (PCB/PCT Directive)
- 91/157/EEC (Used Batteries and Accumul. Dir.)
- 93/86/EEC (Used Batteries and Accumul. Dir.)
- 2000/53/EC (End of Life Vehicle Directive)
- 2000/532/EC (Waste Catalogue)

III- Institutional Building and Access to Environmental Information Project, (TR/0203.03/003)



TECHNICAL STUDIES (CONT'D)

- Technical studies for the preparation of an Environmental Approximation Strategy of Turkey are about to come into being.
- The outputs of the following projects are taken into account in the preparation of the Strategy:
 - Technical Assistance for the Preparation of the Integrated Environment Approximation Strategy for Turkey Project financed under EU MEDA Program (2003-2004)
 - Technical Assistance for Environmental Heavy Cost Investment Planning Project within the framework of the Capacity Building in the Field of Environment for Turkey financed under the 2002 EU Pre-Accession Financial Assistance (2003-2005)



TECHNICAL STUDIES (CONT'D)

The Strategy document would present Turkey's action plan for environment management, including

- purposes
- objectives
- strategies strategies
- financial programme

for short, medium and long terms

The Strategy will be finalised after being approved by the Government



Thank you for your attention