

# Points

Waste Act reform

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*Towards  
a recycling  
economy!*



*Wilma Hurskainen / Image bank of the Environmental Administration*



*Pirjo Ferrin*

## New Waste Act entered into force in 2012

The new Waste Act (646/2011) entered into force on 1 May 2012, as did the Government Decree on Waste (179/2012) and amendments to the Environmental Protection Act (647/2011) and Environmental Protection Decree (180/2012).

This legal reform will also affect a number of other statutes in the waste sector. These will be reformed during 2012 to 2014.

Legal provisions on producer responsibility will become gradually applicable within a year or two of the Act's entry into force.

[www.finlex.fi](http://www.finlex.fi)

[www.ymparisto.fi/jatelainuudistus](http://www.ymparisto.fi/jatelainuudistus)  
(in Finnish)

[www.miljo.fi/avfallslagsreform](http://www.miljo.fi/avfallslagsreform)  
(in Swedish).

## Increasingly responsible waste management

Finland's new waste legislation is intended to ensure that waste management functions as an advanced, materially efficient and responsible whole.

By 2016, the aim is that Finland will have a wide range of alternative waste treatment methods for operators to choose from, allowing them to find the one suited to their purposes and priorities.

The intention is to recycle at least 50 per cent of municipal waste by 2016. Waste unsuitable for recycling will be recovered as energy. Very little waste will therefore be deposited in landfills.

The holder of waste bears the main responsibility for organising waste management.

The manufacturer or importer of a product affected by producer responsibility and, with respect to packaging, the party packaging the products or the importer of packaged products, bears responsibility for the waste management of products brought to the market, and covers the associated costs. Products covered by producer responsibility include recyclable paper, packaging, electrical and electronic equipment, vehicles and tyres, as well as batteries and accumulators.

The local municipality is responsible for household waste and municipal waste from the public sector. Municipalities are also responsible for organising waste management for waste from private social welfare and health care services, and from education activities.

Further information on this topic can be found in the following parts of the Waste Act: Section 1 and Chapters 4-7.

# Order of priority steers waste management

If you cannot prevent the generation of waste, re-use it. Recycle everything unsuitable for re-use. Utilise the energy in waste, if the waste cannot be recycled. Dispose of waste only if it cannot be used as energy.

In a number of ways, the new waste legislation encourages, guides and obliges actors to engage in responsible waste management. One of the key principles is order of priority (waste hierarchy).

Professional operators who produce, treat or collect waste must follow the order of priority, as must municipal operators. Households have to

observe the order of priority as much as possible.

When choosing a waste management option according to the order of priority, the life cycle impacts of waste, environmental protection and the operator's technical and economic prerequisites for complying with the order of priority are all taken into account.

## Waste prevention takes priority



*The order of priority (waste hierarchy) is based on the European Union's Waste Directive and is binding on all Member States. In Finnish waste legislation, the order of priority is a key principle. Both the Waste Act and the relevant decrees aim at the fullest possible implementation of the order of priority.*



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## Amounts of waste to be included in bookkeeping

The Waste Act and related decrees stress the importance of keeping to the order of priority. For instance, operators producing waste are obliged to monitor their waste management and the amount of waste generated by their operations on a regular basis. Producers of waste must also maintain a record of the amount of specific waste, i.e. the amount of waste in relation to a figure describing their operations, such as net sales.

When applying for an environmental permit, operators must provide accounts of the efficiency of their use of materials and of the waste treatment carried out in accordance with the order of priority. In addition, the permit decision must reveal how the order of priority is taken into account in the permit regulations.

**WA sections 1, 8–12, 15, 34, 54, 78, 118–120, 122**  
**WD sections 12, 14–16, 20, 25**  
**EPA sections 43, 45**  
**EPD sections 9, 19**

## 50% of municipal waste recycled

The Waste Decree and the national waste plan specify a specific objective for waste recycling: a minimum of 50 per cent, by weight, of municipal waste must be recycled by 2016.

This recycling objective will be reached by following the requirements for separate collection of paper, cardboard, glass, metal, plastic and biowaste that apply to industrial and service businesses, other operators of business activities, waste holders and municipalities.

By 2020, at least 70 per cent of construction and demolition waste must be recovered as material.

Producers will be given broader responsibility for organising waste management for packaging waste. Even depositing waste at a landfill will be restricted in comparison to the present state of affairs. Decrees under preparation will lay down more detailed provisions on these objectives.

# Checklist for responsible waste management

## Waste carriers, please note the following:

Instead of the earlier notification to the waste data register, send an application to the ELY centre for approval in the waste management register.

When transporting waste, keep the certificate from the waste management register with you at all times.

Provide a sufficient financial guarantee to ensure appropriate waste management.

Regarding waste transport from properties for which the municipality is responsible, submit information at least once a year to the transport register maintained by the waste management authorities.

Check new obligations concerning waste transport from properties.

Ensure that a shipping document is provided with transports of certain types of waste.

Keep a record of the waste transported and monitor your waste management.

For more information, contact your regional ELY centre

*WA sections 39, 44, 45, 85, 86, 94-99, 118-121, 152; WD sections 23, 24, 26-29*

## Waste collectors, please note the following:

Those engaged in waste collection on a professional basis must be entered in the waste management register.

Submit your notification in good time, no later than 1 May 2013, to the environmental protection authority of the municipality within which collection is carried out.

All waste reception points in a single municipality can be included in the same notification.

Keep a record of the waste collected and monitor your waste management.

For more information, contact the environmental protection authorities of the local municipality

*WA sections 100, 118-120, 152; WD sections 23, 30*

## Treatment facilities, please note the following:

Be sure to comply with the order of priority and ensure that as little waste as possible is disposed of.

Keep a record of the waste treated and monitor your waste management.

Present your monitoring and supervision plan to the permit authority.

Submit information on the waste and its treatment to the previous holder of waste.

*WA sections 8, 12, 118-120, 152; WD sections 12, 22, 25*

## Manufacturers, importers or packagers of products, please note the following:

Check whether producer's responsibility applies to you. If it does:

Submit an application to the Centre for Economic Development, Transport and the Environment for Pirkanmaa, for entry in the producer register, or join a producer corporation or a return system for beverage containers.

For more information, contact the Centre for Economic Development, Transport and the Environment for Pirkanmaa or see [www.environment.fi/producerresponsibility](http://www.environment.fi/producerresponsibility)

*WA Chapters 6 and 7, sections 101-107; provisions on producer's responsibility (to be amended in the next few years)*

## Producers of waste, please note the following:

Organise waste management in accordance with the order of priority.

If your operations are subject to an environmental permit, explain in the permit application how you intend to implement the order of priority and material efficiency.

Keep a record of the waste generated and monitor your waste management.

Draw up a shipping document on certain types of waste.

*WA sections 118-121; WD sections 20, 24; EPD section 9*

## Shipping document must accompany waste at all times

In order to ensure a reliable and responsible waste management chain, a shipping document is required.

Waste holders must draw up a shipping document on all hazardous waste, sludge in cess pools and septic tanks, sludge in sand and grease interceptors, construction and demolition waste, and contaminated soil.

Waste carriers must draw up a shipping document when waste is collected from households.

Information necessary to monitoring and supervision

must be included in the shipping document, including information on the waste, its origin and carrier. For hazardous waste, more detailed information must be provided than in the case of other waste.

During shipment, the shipping document must accompany the waste. After shipment, the document must be submitted to the waste consignee, who will confirm receipt of the waste.

Even electronically stored and signed shipping documents are suitable for this purpose. The website of the



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Ministry of the Environment contains further information on practical issues related to the shipping document.

*WA section 121; WD section 24*

*The shipping document ensures that waste ends up in the appropriate location and that shipments are reliably monitored.*

# Monitor waste quantities



This is the case if operations generate hazardous waste, or at least 100 tonnes of waste per year, or if their operations are subject to an environmental permit. Those treating, transporting and collecting waste must also monitor their waste management.

## Draw up a plan

Operators must regularly monitor and supervise the waste management they organise, and keep a record of their waste.

A monitoring and supervision plan on waste treatment operations must be presented

to the permit authority; this is for providing information on issues such as how to act should any disturbances or incidents occur in the treatment process.

The names of persons responsible for treatment and measures for training them in their work must be included in the plan.

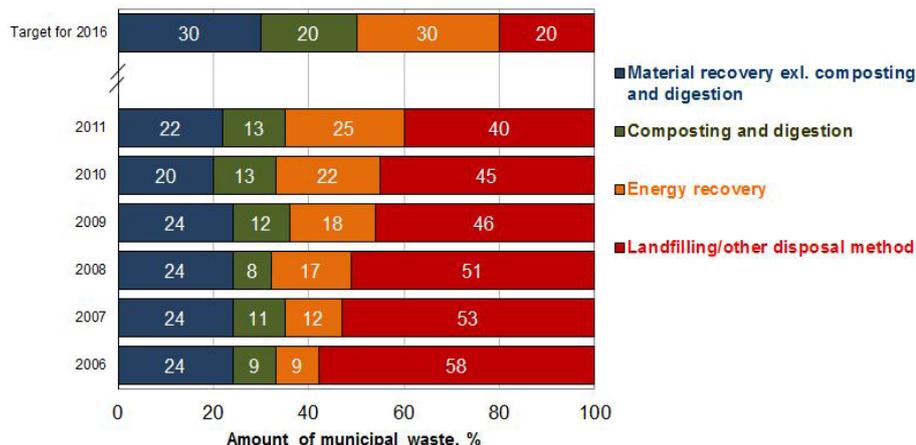
*WA sections 118-120; WD sections 20-23, 25*

## Deliver waste only to

- a carrier, broker or collector approved or entered in the waste management register
- a waste treatment facility entitled to accept the waste in question on the basis of an environmental permit or entry in the environmental protection database
- in exceptional cases – unless the operations in question do not, under law, require the aforementioned approval by the authorities – to a consignee who has sufficient expertise and the financial and technical capacities for organising waste management. *WA section 29*

## Trends in the recovery and final disposal of municipal waste in 2006-2011 and the targets for 2016 set in the national waste plan

(Sources: Statistics Finland and the national waste plan; Figure: Finnish Environment Institute)



## Penalty payment for negligence can be avoided

If the operator neglects the obligation to provide notification or a shipping document or neglects other similar obligations, the supervisory authority may impose a penalty payment for negligence. However, such a payment can be avoided by fulfilling the obligation by the given deadline.

For more information, contact the supervisory authorities.

*WA sections 132, 133*

## Status as waste may end

The general definition of waste remains unchanged in the new Waste Act. However, provisions based on the Waste Directive, governing when an object or substance is classified as a by-product, and when it no longer constitutes waste after recovery, have been

added to the Act.

Decisions on and applications for classification as a by-product, or end-of-waste material, must be founded on specific criteria. The European Commission is preparing more specific criteria by type of waste.

## Further information (in Finnish) on these criteria:

[www.ymparisto.fi](http://www.ymparisto.fi) > [Ympäristönsuojelu > Jätteet ja jätehuolto > Jätteeksi luokittelun päätyminen](#)

*WA section 5  
WD Articles 5 and 6*

## Abbreviations used in this brochure:

WA = Waste Act (646/2011)  
WD = Government Decree on Waste (179/2012)  
EPA = Environmental Protection Act (86/2000), incl. amendment (647/2011)  
EPD = Environmental Protection Decree (169/2000), incl. amendment (180/2012)  
WD = Waste Directive (98/2008/EC)  
ELY centre = centre for economic development, transport and the environment

