

LAW ON WASTE MANAGEMENT

CHAPTER ONE GENERAL PROVISIONS

Article 1. Purpose of the law

- 1.1. The purpose of the present law is to regulate relations arising from prevention from and reduction of negative impact of waste on public health and environment, reduction, sorting, collection, transportation, storage, reuse, recycling, regeneration, elimination and export of waste, obtaining economic benefits from waste for efficient use of natural resources, improving public knowledge on waste and prohibition of import and cross-border transportation of hazardous waste.

Article 2. Legislation on solid waste management

- 2.1. Legislation on waste management shall consist of the Constitution of Mongolia, Environmental Protection Law, Law on Environmental Impact Assessment, Law on Toxic Chemical and Hazardous substances, Law of Mongolia on Air Pollution Payment, Law of Mongolia on Air, Law of Mongolia on Water Pollution Payment, Law of Mongolia on Water, Law of Mongolia on Sanitation, Law of Mongolia on Urban Water Supply and Utilization of Sanitation Sewerage, this Law and other acts of legislation enacted in conformity therewith.
- 2.3. If an international agreement to which Mongolia is a party provides otherwise than this Law, then the former shall prevail.

Article 3. Scope of Law

- 3.1. This Law shall govern relations arising from the following types of waste:
 - 3.1.1. Regular solid waste
 - 3.1.2. Gaseous, liquid and solid hazardous waste excluding radioactive wastes.

Article 4. Definitions

- 4.1. For the purpose of this Law the following definitions shall be understood as follows:

- 4.1.1. “Waste” shall mean any objects and materials that are not further reusable by the owner;
- 4.1.2. “Hazardous waste” shall mean waste containing explosive, toxic, flammable, caustic or reactive substances that produce toxic gas in interaction with air or water, infectious, harmful in the long term or short term to humans, livestock, animals or plants and having potential adverse impact on environment, and waste producing hazardous excretion after disposal;
- 4.1.3. Regular waste shall mean all waste except hazardous;
- 4.1.4. “Household waste” shall mean regular waste originated from households;
- 4.1.5. “Bulky waste” shall mean waste larger than 0.75 cubic meters;
- 4.1.6. “Assets of public use” shall mean fences, hedges, street lights, signage, statues and monuments, road structures and green facilities of the public space.
- 4.1.7. “Waste sorting” shall mean a process of sorting for further reuse, regeneration, recycling, incineration, landfilling.
- 4.1.8. “Waste collection” shall mean a process of collection of waste from the source for reuse, regeneration, recycling, incineration and landfilling;
- 4.1.9. “Waste storing” shall mean a process of packaging of waste without negative impact to environment, people and animals;
- 4.1.10. “Waste reuse” shall mean use of item again after it has been used for the same purpose;
- 4.1.11. “Waste regeneration” shall mean use of waste for energy generation, or use for the initial purpose after refinement, disinfection, restoration, etc.
- 4.1.12. “Waste recycling” shall mean a process of production of new items from waste;
- 4.1.13. “Waste incineration” shall mean a process of burning waste in a specialized facility;
- 4.1.14. “Waste land-filling” shall mean action for waste disposal in which waste is buried soil;
- 4.1.15. “Biological processing” shall mean a process of disposal or detoxication of waste using biological material;
- 4.1.16. “Chemical-physical processing” shall mean a process of cleaning of pollutant through filtering, draining, absorbing, fermenting, etc.
- 4.1.17. “Chemical processing” shall mean a process of detoxication by

using chemical substances;

- 4.1.18. “Physical processing” shall mean a process of cleaning of pollutant through filtering, draining, absorbing, fermenting, etc.
- 4.1.19. “Disinfection” shall mean a process of termination of microorganisms by using chemical or physical methods;
- 4.1.20. “Waste disposal” shall mean elimination of waste using land-filling method or through biological, chemical or physical processing, or incineration, or disinfection, or packaged storage to prevent from adverse impact on environment and human health;
- 4.1.21. “Waste incinerator” shall mean a facility with an equipment for controlled burning of waste in high temperatures;
- 4.1.22. “Landfill site” shall mean a dedicated area for burying waste in soil without adverse impact on environment;
- 4.1.23. “Waste disposal site” shall mean an authorized area for dumping and burying waste;
- 4.1.24. “Hazardous waste documentation” shall mean a transport document filled in accordance with approved regulation and signed by authorized signatory;
- 4.1.25. “Waste norms” shall mean defined amount of waste to be generated by manufacturer, service provider or citizen;
- 4.1.26. “Decrease waste at source” shall mean use, production or import of products that produce minimal waste, effective, durable or production of goods using zero-waste or minimal waste technologies;
- 4.1.27. “Recyclable reserves” shall mean waste that can be reused, recycled or regenerated;
- 4.1.28. “Education on waste” shall mean level of content for formal and informal education on adverse impact of waste on environment and human health, waste management methods and technologies, inducing skills and attitude for adequate handling of waste;
- 4.1.29. “Product life cycle” shall mean period from date of production until date for disposal;
- 4.1.30. “Product life cycle diagram” shall mean a textual or visual description of phases of product life cycle;
- 4.1.31. “Waste service fee” shall mean a tax that is a calculated share of the costs related to collection and disposal of waste;
- 4.1.32. “Hazardous waste service charge” shall mean a payment towards costs related to collection, processing, storing and disposal of hazardous waste;

- 4.1.33. “Open burning of waste” shall mean a process of burning of waste openly in an unauthorized facility;
- 4.1.34. “The Best Available Techniques” shall mean the most effective, economically and technologically feasible method for prevention from and reduction of negative impact of waste on environment;
- 4.1.35. “The Best Environmental Practices” shall mean application of most optimal combination of environmental policy and monitoring;
- 4.1.36. “Motor vehicle wastes” shall mean wastes generated during repair and maintenance of motor vehicles; end-of-life vehicles and wastes from dismantling them;
- 4.1.37. “Construction waste” shall mean waste generated from: construction, renovation and demolition of buildings and substructures; construction and repair of auto roads; construction and maintenance of pedestrian pathways and green facilities; construction, maintenance and replacement of pipelines and engineering facilities; production and trade of construction materials;
- 4.1.38. “Hazardous waste generator” shall mean a business entity/ organization that generates hazardous waste in their production/ operation;
- 4.1.39. “Hazardous waste recipient” shall mean an entity that stores, processes or disposes hazardous waste;
- 4.1.40. “Hazardous waste transporter” shall mean a an entity that transports hazardous waste from the hazardous waste generator to the hazardous waste recipient;
- 4.1.41. “Staff in charge of hazardous waste” shall mean an official that is responsible for managing operations related to hazardous waste in casual and emergency situations;
- 4.1.42. “Incompatible waste” shall mean waste that damages its packaging, or generates heat , high pressure, toxic gas, fumes smoke or dust, becomes inflammable or explosive, easily reacts when mixed with other waste;
- 4.1.43. “Product containing hazardous parts” shall mean a product that is safe as a whole but contains parts that become hazardous when dismantled or separated;
- 4.1.44. “Plan of actions in emergency situations” shall mean a document that defines sequence of actions related to management, implementation, regulation, planning of actions in situations when a hazardous waste leaked/escaped in amounts that are dangerous to human health and environment and/or impose risk of explosion

or fire;

- 4.1.45. “Emergency regulator” shall mean a person who is responsible for execution and management of the “Plan of actions in emergency situations”;
- 4.1.46. “Loss of hazardous waste” shall mean a leakage or/escape of hazardous waste during accident or disaster that could contaminate soils or water or illegal discharge, disposal of hazardous waste to the soil or water;
- 4.1.47. “Full closure” shall mean a permanent shutdown of a facility for storage, recycling and disposal of hazardous waste;
- 4.1.48. “Partial closure” shall mean a stoppage of some operations in a facility for storage, recycling and disposal of hazardous waste;
- 4.1.49. “Partial burial in a landfill” shall mean burying of hazardous waste in a landfill through laying a special material underneath;
- 4.1.50. “Landfill cell” shall mean an area covered by partially buried landfill;
- 4.1.51. “Leachate” shall mean a liquid generated from hazardous waste;
- 4.1.52. “Free liquid” shall mean a liquid that is separable from solid parts of waste under regular pressure and temperature;
- 4.1.53. “Synthetic materials” shall mean organic polymer materials such as plastic, resin.

Article 5. Right for waste ownership

- 5.1. The person generating waste shall have the right to own it.
- 5.2. Right of waste ownership might be transferred to others under agreement.
- 5.3. A right of waste ownership shall be considered as terminated at the moment when waste is disposed at designated sites.
- 5.4. Transfer of ownership according to Articles 5.2 and 5.3 of this Law takes place when waste generator’s right to own waste is terminated and an individual or a business entity engaged in waste collection, sorting, transportation, storage, regeneration, recycling, incineration, disposal and land-filling shall accrue the right to own the waste.
- 5.5. If an owner of hazardous waste transfers his or her right of ownership, it shall report about such transfer to the state central administrative body in charge of environmental matters and shall ensure that the transfer of ownership is recorded at the state registry of hazardous waste.

CHAPTER TWO

POWERS OF THE STATE AND LOCAL ADMINISTRATIVE BODIES AND RIGHTS AND DUTIES OF INDIVIDUALS, LEGAL ENTITIES AND ORGANIZATIONS

Article 6. Powers of the Parliament

- 6.1. The Parliament shall exercise the following powers:
- 6.1.1. Provide economic incentives for conduct of operations related to waste processing, reuse, recycling, regeneration and disposal;
 - 6.1.2. Approve the budget submitted by the Government for waste recycling, reuse, recycling, regeneration and disposal.
 - 6.1.3. Other powers enacted in conformity of laws and regulations.

Article 7. Powers of the Government

- 7.1. The Government shall exercise the following powers:
- 7.1.1. Approve the national program on improvement of waste management;
 - 7.1.2. Approve a regulation on temporary storage, collection, transportation, recycling, disposal, registration and reporting on hazardous waste;
 - 7.1.3. Approve a list of hazardous wastes;
 - 7.1.4. Approve a list of wastes prohibited or limited for import to Mongolia;
 - 7.1.5. Other powers enacted in conformity of laws and regulations.

Article 8. Powers of the State Central Administrative Body in charge of Environmental Matters

- 8.1. The State Central Administrative body in charge of environmental matters shall exercise the following powers:
- 8.1.1. Enforce the implementation of national policy on waste management;
 - 8.1.2. Approve plan of actions to implement the National program on waste management and enforce implementation;
 - 8.1.3. Develop a regulation on establishment of a national database on waste and input of information;
 - 8.1.4. Give permission to legal entities and organization for transportation, collection, storage, recycling, disposal and export of hazardous

- waste;
- 8.1.5. Approve a regulation on selection criteria to be applied and procedure for issuing permission to legal entities and organizations willing to engage in operations stated in Article 8.1.4 of this Law.
 - 8.1.6. Define the hazardous level of waste and approve coded list of hazardous waste;
 - 8.1.7. Approve the following forms:
 - 8.1.7. a) documents to accompany hazardous waste;
 - b) template for registering hazardous waste generators and legal entities and organizations engaging in transportation, collection, recycling, disposal and export of hazardous wastes;
 - c) template for registering legal entities and organizations engaging in collection, sorting, transportation, recycling, regeneration, disposal and landfill of regular waste;
 - d) template for reporting on transportation, collection, storage, recycling and disposal of hazardous waste;
 - e) template for reporting on collection, sorting, transportation, recycling, regeneration, incineration and landfill of regular wastes;
 - 8.1.8. Approve general requirements for operations related to collection, sorting, transportation, recycling, regeneration, disposal and landfill of regular waste;
 - 8.1.9. Register citizens and legal entities engaged in the following operations:
 - a) hazardous waste generators and operations related to the transportation, collection, recycling, disposal of hazardous waste;
 - b) cleaning, collection, transportation, recycling, regeneration, disposal and landfill of regular waste;
 - 8.1.10. Approve a methodology on establishing norms related to regular waste;
 - 8.1.11. Approve methodological guidelines for establishment and operations of waste disposal sites;
 - 8.1.12. Approve the composition of and charter for the Waste Experts' Committee;
 - 8.1.13. Get approved standards for marking of goods produced from recyclable and recycled resources by authorized organizations;
 - 8.1.14. Jointly with the State Central Administrative Body in charge of

State Budget approve a list of some products generating waste for which the producer or importer will take responsibility.

- 8.2. State Central Administrative Body in charge of Transport, Construction and Urban Development shall exercise the following powers in relation with waste:
 - 8.2.1. Approve and enforce implementation of regulation on clean-up, collection, sorting, transportation, recycling, regeneration, disposal and landfilling of motor vehicle wastes and construction wastes;
 - 8.2.2. Establish norms for construction waste sin accordance with the Article 8.1.10 of this law;
 - 8.2.3. Provide professional and methodological advice and financial assistance for consruction waste reusing, recycling, regeneration, disposal and landfilling operations;
 - 8.2.4. Monitor operations related to clean-up, collection and transportation of waste generated on auto roads and road constructions of international, national and local level and railways;
- 8.3. The State Central Administrative body in charge of Health matters shall exercise the following powers:
 - 8.3.1. Provide professional and methodological advice and financial assistance for execution and monitoring of waste management operations at the subordinate organizations;
 - 8.3.2. Develop, approve and enforce implementation of guidelines on sorting, collection, transportation, recycling, regeneration and disposal of hazardous waste generated by health organizations;
 - 8.3.3. Approvea methodology for calculating the service fee for hazardous waste generated by health organizations;
 - 8.3.4. Establish norms for hazardous waste generated by health organizations in accordance with Article 8.1.10 of this law;
 - 8.3.5. Provide methodological and professional advice and financial support for operations related to sorting, collection, transportation, recycling, regeneration and disposal of hazardous waste generated by health organizations;;
- 8.4. The State Central Administrative body in charge of Education and Science shall exercise the following powers:
 - 8.4.1 Exercise the powers stipulated in Article 8.3.1 of this law;
 - 8.4.2. Incorporate contents related to education on waste into the curriculum of preschool, primary, secondary and high schools, vocational/technical and higher educational institutions;
 - 8.4.3. Set the regular waste norms for educational organizations in

- accordance with the methodology set forth by Article 8.1.10 of this law;
- 8.4.4. Conduct research, develop methodological guidelines on utilization of modern technology in establishing levels of pollution by waste, lean up, prevention, processing, recycling, regenerating and disposal methods and practices.
- 8.5. The State Central Administrative body in charge of Defense shall exercise the following powers:
- 8.5.1. Approve and enforce implementation of the guidelines/instructions on collection, transportation, recycling, regeneration and disposal of waste generated by subordinate organizations or left at territories used for military purposes such as firearms, bullets, weapons, explosives and chemicals;
- 8.5.2. Submit a report on handling of waste to the Administrative body in charge of environmental matters in accordance with the Article 8.1.3 of this Law.
- 8.6. The State Central Administrative body in charge of Mining shall exercise the following powers:
- 8.6.1 Provide professional and methodological advice for execution and monitoring of waste management during mining extraction and processing operations;
- 8.6.2. Approve and enforce implementation of the guidelines/instructions on sorting, collection, transportation, recycling, regeneration and disposal of waste generated during mining extraction and processing operations;
- 8.6.3. Submit a report on handling of waste generated during mining extraction and processing operations to the Administrative body in charge of environmental matters in accordance with the Article 8.1.3 of this Law.
- 8.7. The State Central Administrative body in charge of State Budget shall exercise the following powers:
- 8.7.1 Jointly with the State Administrative body in charge of Environmental matters, approve a methodology for calculation of waste service fees and enforce implementation;
- 8.7.2. Jointly with the State Administrative body in charge of Environmental matters, approve a methodology for calculation of unit tariff for costs related to cleaning, collection, transportation, burial and landfilling of regular waste;
- 8.7.3. Develop policy in support of operations related to collection, transportation, recycling, regeneration and disposal of waste.

- 8.8. The State Central Administrative body in charge of energy and the Energy Authority shall exercise the following powers:
- 8.8.1. Provide professional and methodological advice for the control and monitoring of wastes generated during energy production, transmission and distribution operations;
 - 8.8.2. Check the calculation of energy produced from waste regeneration activity and approve the tariff .

Article 9. Powers of Citizens’ Representative Khural and Governors of aimag, city and soum, district

- 9.1. Aimagand Capital City Citizens’ Representative Khural shall exercise the following powers:
- 9.1.1. Monitor the enforcement of the Law on waste management in their constituencies;
 - 9.1.2. Develop and approve local program for improving waste management and monitor program implementation;
 - 9.1.3. Define and approve regulations on cleaning, sorting, collection, transportation, recycling, regeneration, disposal and burial of regular waste, and enforce implementation;
 - 9.1.4. Approve a unit tariff for waste cleaning and landfilling operations on public use areas in accordance with the methodology stated in Article 8.7.2 of this law;
 - 9.1.5. Approve the procedure on economic incentives set forth in Article 40.4 of this law.
- 9.2. Soumand District Citizens’ Representative Khural shall exercise the following powers in addition to the rights stated in Articles 9.1.1 of this law:
- 9.2.1. Approve the unit tariff for collection and transportation of regular waste in accordance with methodology stated in Articles 8.7.2 of this Law;
 - 9.2.2. Determine a waste service fee to be applied in the constituency in accordance with the methodology stated in Article 8.7.1 of this law;
- 9.3. Capital city and aimag Governors shall exercise the following powers:
- 9.3.1. Organize and ensure the implementation of national policies on waste management in their respective territories;
 - 9.3.2. Issue a permission for operating a waste disposal site, landfilling and regeneration activities;

- 9.3.3. Approve a regulation on issuing permission for operations stated in Article 9.3.2 of this law;
 - 9.3.4. Ensure the implementation of local programs on waste management;
 - 9.3.5. Submit a report on handling of waste to the Administrative body in charge of environmental matters in accordance with the Article 8.1.3 of this Law.
 - 9.3.6. Monitor implementation of waste management legislation in respective territories;
 - 9.3.7. Monitor operations related to temporary storage, collection, transportation storage, recycling and disposal of hazardous waste in respective territories;
 - 9.3.8. In accordance with the Law on procurement of goods, works and services on state and local budget funds, select a business entity or organization and establish an agreement on conduct of waste recycling, regeneration, landfilling and disposal operations at facilities constructed on funds from national or local budget, or on grant or loan from international organizations;
 - 9.3.9. Arrange for financing and organize activities related to obtaining economic benefits from waste through sorting, collection of recyclable resources, reuse, recycling, regeneration of waste;
 - 9.3.10. Organize activities aimed at limiting coverage and reducing negative impact of waste on human health and environment in situations when such an impact or its risk is present;
 - 9.3.11. Find financing and take measures to gradually decrease number of pit latrines that contribute to soil contamination in respective territories;
 - 9.3.12. Approve a regulation on operation of public inspectors on waste management and payment of monetary incentives to them;
 - 9.3.13. Exercise other powers enacted in conformity of laws and regulations.
- 9.4. Soumand District Governors shall exercise the following powers:
- 9.4.1. Enforce the laws and regulations on waste management;
 - 9.4.2. In accordance with the Law on procurement of goods, works and services on state and local budget funds, select a business entity or organization and establish an agreement on provision of waste cleaning, collection, transportation services;
 - 9.4.3. Organize cleaning, collection and transportation of waste on and around auto roads of international, national and local level located

- on respective territories, as stated in Article 9.4.2 of this law;
- 9.4.4. Spend, as stated in Article 41.9 of this law, the revenues accumulated from waste service fees;
- 9.4.5. Organize cleaning of waste from public use areas;
- 9.4.6. Organize, support and promote organization of training and public awareness events providing education on waste in accordance with Articles 42.3 and 42.4 of this law;
- 9.4.7. Monitor implementation of waste management legislation, enable operation of public inspectors on waste management;
- 9.4.8. Monitor collection of waste service fees from citizens, legal entities and organizations;
- 9.4.9. Provide support in increasing revenues from waste service fee collection;
- 9.4.10. Provide support for citizens groups initiatives as stated in Article 9.5.7 of this law;
- 9.4.11. Locate sufficient number of waste bins in areas for public use;
- 9.4.12. Set limits for up to 50 meters of areas for economic entities and organizations to be responsible for cleaning up of wastes and snow;
- 9.4.13. Exercise powers stated in Article 9.3.11 of this law;
- 9.4.14. Reflect and approve the payment and rewards for public inspectors, as stated in Article 9.3.12 of this law, in annual budget and control the expenditures.
- 9.5. Khoroo and bag Governors shall exercise the following powers:
 - 9.5.1. Enforce the laws and regulations on waste management.
 - 9.5.2. Involve individuals, legal entities and organizations in the clean-ups of local areas;
 - 9.5.3. Monitor collection of waste service fees from citizens, legal entities and organizations;
 - 9.5.4. Provide support in increasing revenues from waste service fee collection;
 - 9.5.5. Monitor activities related to cleaning, sorting, collection and transportation of waste;
 - 9.5.6. Organize public awareness on waste management, involve citizens, legal entities and organizations;
 - 9.5.7. Establish informal community groups to initiate and organize activities aimed at reducing waste and obtaining economic benefit from waste.

Article 10. Rights and obligations of Individuals and Entities

- 10.1. Individuals, legal entities and organizations shall have the following obligations:
 - 10.1.1. Sort regular waste in accordance with Article 9.1.3 of this law;
 - 10.1.2. Possess a waste bin that meets requirements stated in Article 15 of this law;
 - 10.1.3. Legal entities and organizations shall establish waste service contracts with citizens, legal entities and organizations eligible for collection and transportation of waste;
 - 10.1.4. Dispose the generated waste into a special waste bin or at the designated waste dumping point or transfer to organization eligible for waste collection and transportation;
 - 10.1.5. Deliver generated hazardous waste to designated site or transfer to eligible organization;
 - 10.1.6. Participate in public cleaning or other activities organized by community groups;
 - 10.1.7. Duly pay waste service fees;
 - 10.1.8. Promote practices of waste reduction, sorting, reuse and proper disposal;
 - 10.1.9. Avoid littering walls of buildings, fences and hedges in public areas by placing advertisements and notices;
 - 10.1.10. Clean wastes and snow in public use areas as stated in Article 9.4.12 of this law;
 - 10.1.11. Cover service fees for transferring waste generated from construction, repair, and demolition of buildings to entities eligible for collection, transportation, recycling, disposal and landfilling of such waste;
 - 10.1.12. Participate in trainings and public awareness events to increase knowledge on waste management;
 - 10.1.13. Reduce negative impact of waste on human health and environment by applying “The Best available Techniques”, the “Best Environmental Practices”;
 - 10.1.14. Adhere to requirements stated in the laws, regulations and standards on waste;
 - 10.1.15. Inform the local governor, emergency department, police, health organization in case if waste caused or may cause negative impact on human health or environment;

- 10.1.16. Legal entities and organizations shall organize public awareness events for its staff on waste management practices to instil good practices and increase knowledge on waste management issues;
- 10.1.17. Sort waste generated from operations, transfer to legal entities eligible for collection, transportation, disposal, recycling, regeneration, incineration, establish service contracts with such legal entities, monitor implementation of contract obligations, designate a unit or staff responsible for cleaning of indoors and outdoors waste;
- 10.1.18. Legal entities, organizations shall take all necessary actions to reduce impact of waste on human health and environment.
- 10.2. Citizens, Legal Entities or organizations shall have the following rights:
 - 10.2.1. Inform local administrative body about individual, business entity that violated waste management legislation and demand accountability measures from eligible official or organization;
 - 10.2.2. Receive professional assistance or advice on waste management from specialized organizations;
- 10.3. Citizens, legal entities and organizations are prohibited to conduct the following activities in relation with waste:
 - 10.3.1. Dispose waste in infrastructure pipelines;
 - 10.3.2. Dispose waste in public area, green facilities, dams and canals;
 - 10.3.3. Burn waste in open space;
 - 10.3.4. Burn synthetic and plastic waste in household or low-pressure stoves;
 - 10.3.5. Dispose waste in places other than waste bins and designated waste collection points;
 - 10.3.6. Legal entities and organizations to build pit latrines contaminating soil;
 - 10.3.7. Place advertisements and notices on public assets and place religious and ritual relics.

CHAPTER THREE

WASTE DATABASE, EXPERTS COMMITTEE, MONITORING

Article 11. Database on waste management

- 11.1. The State Central Administrative body in charge of environmental matters shall have a consolidated database on waste management, the City, aimag, soum and district shall have a sub-database on waste management.
- 11.2. The State Central Administrative body in charge of environmental matters shall issue a registration number and register in the consolidated database all Individuals, legal entities and organizations engaged in waste collection, transportation, storage, recycling, regeneration, disposal and landfilling operations.
- 11.3. Individuals, legal entities and organizations engaged in waste collection, transportation, storage, recycling, regeneration, disposal and landfilling operations shall submit information on regular waste using approved template to soum, district and submit information on hazardous waste to city and aimag in a due course;
- 11.4. Soum, districts shall submit information on regular waste to the respective city and aimag; the city and aimags shall submit this information to the State Central Administrative body in charge of environmental matters in a due course;
- 11.5. Operations of the database shall be regulated according to regulations stated in Article 8.1.3. of this law.

Article 12. Experts' committee on waste management

- 12.1. An unofficial experts' committee aimed at developing recommendations on waste related issues shall be established in accordance with Article 8.1.12 of this law, under the auspices of the State Central Administrative body in charge of environmental matters. The committee has the following responsibilities:
 - 12.1.1. improve legislation on waste management, develop recommendation to improve management;
 - 12.1.2. Issue assessment and recommendations related to issuance of permissions stated in Article 8.1.4 of this law.

Article 13. Monitoring of activities related to waste management

- 13.1. Authorized body on specialized inspection and its authorities and all levels including soum, district and bag Governors, police, public inspectors on waste management shall exercise monitoring of waste management activities in accordance with their functions.
- 13.2. Public oversight of implementation of waste management legislation shall be performed by NGOs, community groups and citizens;
- 13.3. The management of legal entities and organizations shall monitor compliance with waste legislation...

CHAPTER FOUR

CLEANING, COLLECTION, TRANSPORTATION, REGENERATION, RECYCLING, DISPOSAL AND LAND-FILLING OF REGULAR WASTE

Article 14. Cleaning, collection and transportation of regular waste

- 14.1 Individuals, business entities and organizations engaged in cleaning, collection, and transportation of regular waste shall register and obtain a registration number in accordance with Article 8.1.9. b) of this law;
- 14.2 Activities related to cleaning, collection, and transportation of regular waste shall be performed by Individuals, business entities and organizations that have entered into agreement with the soum/district governor;
- 14.3 Individuals, business entities and organizations that did not sign an agreement per Article 14.2 of this law and do not have permission per Article 9.3.2 of this law are prohibited to engage in such activities;
- 14.4 Individuals, business entities and organizations that signed an agreement per Article 14.2 of this law shall develop the route and schedule for waste collection and transportation and get approval from soum and district Governors;
- 14.5 Waste shall be transferred according to the schedule stated in Article 14.4 of this law to Individuals, business entities and organizations engaged in collection and transportation, regeneration, recycling, disposal and landfilling of regular waste;
- 14.6 Regular waste shall be transported on a specialized, covered vehicle that meets safety requirements;
- 14.7. The driver and loader of regular waste transportation shall attend an appropriate training and work in compliance with safety requirements;
- 14.8. Individuals, business entities and organizations stated in Article 14.2

of this law shall prevent dropping, scattering, spilling and whirling of waste in wind while cleaning, collecting and transporting regular waste.

Article 15. Requirements for a waste bin

- 15.1. A waste bin to be placed in public area shall meet the following requirements:
- 15.1.1. Comply with technology for waste sorting, loading and collection;
 - 15.1.2. Made is inflammable material;
 - 15.1.3. Prevent from waste whirling in wind and accumulation of snow and rain water in it.

Article 16. Regeneration, recycling, disposal and land-filling of regular waste.

- 16.1 Regular waste regeneration, recycling, disposal and landfilling activities shall be carried out by individuals, business entities and organizations holding registration number obtained per Article 8.1.9.b);
- 16.2 Individuals, business entities and organizations engaging in regeneration, recycling, disposal and landfilling of regular waste shall develop a work plan and get approval from local administration;
- 16.3 Work plan for emergency situations shall be developed and approved by manager of organization and approved by emergency department of local administration;
- 16.4 Occupational safety and technical utilization guidelines shall be developed and approved by manager of organization;
- 16.5 Staff of a facility for regeneration, recycling, disposal and landfilling of regular waste shall attend a training course relevant to his position and pass the knowledge test;
- 16.6 Registry of regular waste regenerated, processed, disposed and buried in a landfill shall be followed and registered in the database;
- 16.7. Location of facility for regeneration, recycling, disposal and landfilling of regular waste may be determined jointly by local citizen representatives' khural of several aimags and soums and districts;
- 16.8. Facilities for regeneration, recycling, disposal and landfilling of regular shall not be built on territories with green facilities, sanatoriums, tourist spots, vacation house (dacha) areas, public space, water basin areas, special protected areas, drinking water source areas, mining reserve areas and other areas where prohibited by law.
- 16.9. Establishment of facilities for regeneration of waste into energy shall be

agreed with the State Central Administrative body in charge of Energy matters.

Article 17. Facilities for regeneration, recycling, disposal and landfilling of regular waste: General requirements.

- 17.1. Facilities for regeneration, recycling, disposal and landfilling of regular waste shall meet the following general requirements:
 - 17.1.1. Have a fence to prevent people and animals to enter the territory without permission;
 - 17.1.2. Have security and alarm system;
 - 17.1.3. Have registration office with weighing equipment and tools;
 - 17.1.4. Have a control system monitoring the operation process;
 - 17.1.5. Have a security camera;
 - 17.1.6. Have equipment and tools for determining composition of waste;
 - 17.1.7. Have fire protection system and alarm system;
 - 17.1.8. Have a sensing system to detect faults in the operation process;
 - 17.1.9. Have equipment and tools for occupational health and safety;
 - 17.1.10. Have control system to monitor level of refuses from waste into air, soil and water;
 - 17.1.11. Have connection to the central engineering system or have an independent engineering system;
- 17.2. Waste disposal sites shall be classified in three categories depending on the landfill structure and technology;
- 17.3. Requirements for the first and second category waste disposal sites shall be determined according to the existing standards;
- 17.4. The first category waste disposal and landfill site shall meet the following additional requirements:
 - 17.4.1. The site shall be established according to the approved drawings and standards;
 - 17.4.2. The site shall have a leachate drainage, collection and treatment system;
 - 17.4.3. The site shall have a system for release and collection of landfill gas generated by decaying organic wastes;
 - 17.4.4. The site shall have a system to monitor/analyze ground water quality;

- 17.4.5. The site shall have an embankment system to prevent from flood and rain water;
- 17.4.6. The site shall have a dedicated area for reserve soil for landfill use;
- 17.4.7. The site shall have equipment, machinery and vehicles necessary for operating the landfill;
- 17.4.8. The site shall be located no closer than 300 meters from residential and public area;
- 17.4.9. The landfill base shall have a special isolation liner to withheld leachate;
- 17.4.10. The site shall have a dedicate are for cleaning waste transportation vehicles;
- 17.5. The second category waste disposal and landfill site shall meet the following additional requirements:
 - 17.5.1. In addition to requirements stated in Articles 17.4.1, 17.4.4, 17.4.6 -17.4.8 of this law, the site shall meet the following requirements:
 - 17.5.2. The site shall have a leachate drainage, collection and treatment system;
 - 17.5.3. The site shall have a system for release and collection of landfill gas generated by decaying organic wastes;
 - 17.5.4. The site shall have an embankment system to prevent from flood and rain water;
- 17.6. The third category waste disposal and landfill site shall meet the following requirements:
 - 17.6.1. The grounds of landfill site shall be lower than surrounding land;
 - 17.6.2. Thesite shall have a fixed fence or mobile net fence to prevent spreading of waste;
 - 17.6.3. The site shall have equipment and machinery for pulling waste to the landfill area.
- 17.7. The maximum level of refuse generated from recycling, regeneration and landfill operations shall be established by relevant standards.

Article 18. Landfill of waste at the disposal site

- 18.1. Landfill operations at waste disposal sites shall be performed by eligible business entity of organization as stated in Article 9.3.2 of this law;
- 18.2. The first and second category waste disposal site shall perform the following operations:
 - 18.2.1. Control, weigh, register and receive waste;

- 18.2.2. Cover waste by layer of soil and compact to prevent spreading of waste;
- 18.2.3. Monitor landfill area and regular operations of leachate and gas release systems and other machinery;
- 18.2.4. Maintain a plan for monitoring soil, air and water quality analysis;
- 18.2.5. Maintain a registry of landfilled waste volumes and compile a database;
- 18.3. The third category waste disposal site shall perform the following operations:
 - 18.3.1. Control, weigh, register and receive waste;
 - 18.3.2. Gather waste in one location and compact to prevent spreading of waste;
 - 18.3.3. Ensure regular operations of landfill machinery.

Article 19. Landfill closure.

- 19.1. Landfill can be closed fully or partially;
- 19.2 Landfill planning shall ensure that layers of landfill are stable, without landslides and landslips, have minimal degree of damage and depreciation;
- 19.3. Post-closure monitoring and maintenance of landfill site shall be performed by landfill operator or contracted entity;
- 19.4. The landfill operator shall be responsible for the costs stated in Article 19.3 of this law;
- 19.5. The process of landfill closure shall be supervised by and authorized official from the local department of special inspection.

Article 20. Activities prohibited at the waste disposal site.

- 20.1. The following types of waste shall not be buried at the waste disposal site:
 - 20.1.1. Hazardous waste;
 - 20.1.2. Contaminated waste;
 - 20.1.3. Liquid waste and waste containing free liquids.
- 20.2. Burning of waste is prohibited;
- 20.3. People and animals shall not enter the landfill site and waste reception area without permission;
- 20.4. Establishment of waste disposal site and conduct of operations in

unauthorized location is prohibited;

- 20.5. Construction of buildings on the territory of closed landfill site and use this land for residential purposes is prohibited.

CHAPTER FIVE.

PACKAGING, TEMPORARY STORAGE, TRANSPORTATION, STORAGE, COLLECTION, RECYCLING AND DISPOSAL OF HAZARDOUS WASTE.

Article 21. Registration of Hazardous waste generators and entities engaged in transportation, storage, collection, recycling and disposal of hazardous waste.

- 21.1. Hazardous waste generators and entities engaged in transportation, collection, storage, recycling and disposal of hazardous waste shall get registered in accordance with Article 8.1.9 and obtain a registration number.

Article 22. Packaging of hazardous waste.

- 22.1. Hazardous waste shall be sorted, packed in appropriate packaging and stored.
- 22.2. Each unit of packaging for hazardous waste shall be marked “Hazardous waste”, labelled according to standards, and a clear note stating a name of hazardous waste, date from which its collection began shall be available in a visible part of the packaging.

Article 23. Temporary storage of hazardous waste at the source.

- 23.1. Hazardous waste generator may temporarily store the hazardous waste at the source for the following periods:
- 23.1.1. If volume of generated hazardous waste is equal to or less than 1000 kg a month, it can be stored at the source location for 180 days;
- 23.1.2. If volume of generated hazardous waste is more than 1000 kg a month, it can be stored at the source location for 90 days;
- 23.2. If for some reason, the hazardous waste needs to be stored at the source for a period exceeding those stated in Article 23.1 of this law, the hazardous waste generator shall inform the aimag/city state administrative body in charge of waste management and obtain permission for extension of temporary storage period;

- 23.3. Hazardous waste shall be stored in ventilated premises that meet requirements for storing of this type of hazardous waste;
- 23.4. Volumes of generated and accumulated hazardous waste by type shall be registered;
- 23.5. Liquid refuse generated in the course of storage of hazardous waste shall be considered as hazardous waste;
- 23.6. When hazardous waste is transferred to entity eligible for conducting activities stated in Article 8.1.7.a of this law, the hazardous waste generator shall compile accompanying documents in accordance with approved templates;
- 23.7. Hazardous waste generator shall have a designated staff, responsible for hazardous waste. This position may be not on permanent basis.

Article 24. Transportation of hazardous waste.

- 24.1. State Administrative body in charge of environmental matters shall issue a permission to entity/organization willing to engage in collection and transportation of hazardous waste,
- 24.2. Transporter of hazardous waste shall receive hazardous waste from the hazardous waste generator in a packaging that is appropriate for this type of hazardous waste, adequately labelled and marked, together with accompanying documents;
- 24.3. Transporter of hazardous waste shall receive waste after checking accuracy and completeness of accompanying documents;
- 24.4. Transporter of hazardous waste shall transfer the waste to the recipient together with accompanying documents;
- 24.5. Transporter of hazardous waste shall be responsible for the completeness and safety of hazardous waste and its packaging during transportation;
- 24.6. Transporter of hazardous waste shall equip the transporting vehicle with tools and materials to be used in case of leakage or spillage of hazardous waste during transportation;
- 24.7. Hazardous waste recipient may fully or partially refuse of receiving hazardous waste if accompanying documents contain information different from actual quantity and type of hazardous waste;
- 24.8. In situation stated in Article 24.7 of this law, the the hazardous waste Generator shall be responsible for the expenses incurred during transporting waste back to the generator.
- 24.9. If transporting of hazardous waste is performed by more than one hazardous waste transporter, all transporters except the last one shall have a copy of accompanying documents;

- 24.10. Transportation of incompatible types of hazardous waste at the same time is prohibited.
- 24.11. Hazardous waste shall be transported in a specialized vehicle displaying “Hazardous waste” that is marked and labeled according to standards. The transporter shall load, unload and transport hazardous waste in accordance with the guidelines stated in Article 7.1.2 of this law.
- 24.12. Transporter of hazardous waste shall have facilities for cleaning and disinfection of a vehicle transporting hazardous waste.
- 24.13. In case of leakage and spillage of hazardous waste during transportation, the transporter shall inform the hazardous waste generator of waste and local emergency department;

Article 25. Requirements for storage, recycling and disposal of hazardous waste.

- 25. 1 Facilities for storage and disposal of hazardous waste shall not be constructed at the following locations:
 - 25.1.1. River basins, special and protected areas containing water sources;
 - 25.1.2. Areas that feed sources of drinking and household water;
 - 25.1.3. Areas closer than two km from the source of drinking and household water and residential area;
 - 25.1.4. Areas prone to flood;
 - 25.1.5. Areas with water and swamp;
 - 25.1.6. Areas with deposits of coal, oil and natural gas;
 - 25.1.7. Areas with deposits of limestone and mineral rock containing more than 50% of carbonate minerals;
 - 25.1.8. Areas under national and local protection;
 - 25.1.9. Area closer than one km from fields cultivated by potatoes, vegetables and crops;
 - 25.1.10. Areas closer than 1 km from residential buildings and public space;
- 25.2. Areas stated in Article 25.1 of this law shall be measured from the outer border of the waste storage and disposal site or the fence separating the site from surrounding territory.
- 25.3. The facilities for storage, processing and disposal of hazardous waste shall meet the following requirements:
 - 25.3.1. Have embankment facilities considering 1% of soil moisture and annual flood flow;

- 25.3.2. Have surface water collection pond with capacity considering 1% of soil moisture and annual flood flow;
- 25.3.3. Facility shall be built considering tolerance to strong earthquake;
- 25.3.4. Facility shall be built with minimal risk of accidental or intentional leakage and spillage of hazardous waste into air, soil or water that may cause harm to human health and environment or minimal risk of explosion and fire;
- 25.3.5. Have surveillance system allowing to observe entrance and exit to the facility and inside and outside grounds and roads to prevent people and animals entering the territory of facility without permission and allowing continuous observation of operations;
- 25.3.6. Have roads, entrance and exit that allow vehicles, machinery and equipment to operate without any obstacles in and outside of the facility during emergency situation;
- 25.3.7. Have alarm system to be activated in case of accidents and emergency, equipment, tools, substances and materials to be used in response action.

Article 26. Engaging in activities related to collection, storage, recycling and disposal of hazardous waste.

- 26.1. Legal entities and organizations obtained permission in accordance with Article 37.1 of this law shall engage in activities related to collection, storage, recycling and disposal of hazardous waste.
- 26.2. Activities related to collection of waste containing hazardous parts shall be considered as a form of storage of hazardous waste;
- 26.3. Entity shall have a plan of activities to prevent accidents and reduce risks in the process of storage, processing and disposal of hazardous waste;
- 26.4. Entity shall enter into agreement with local police, emergency department, and health organization for taking joint actions in case of accidents or emergency;
- 26.5. Staff shall be provided an appropriate training to meet requirements of the facility;
- 26.6. Staff shall not be permitted to work in the facility without attending the training stated in Article 26.5 of this law;
- 26.7. Plan of actions to be taken during accidents and emergency situations shall be developed by the entity and approved by the local emergency department;

- 26.8. Facility where storing, processing and disposal of hazardous waste takes place shall have a coordinator from emergency department;
- 26.9. Emergency coordinator shall implement the preapproved plan of actions in emergency situations.
- 26.10. Report on implementation of emergency plan of actions shall be submitted to the aimag/city emergency department and local state administrative body in charge of environmental matters within 15 days after the accident.

Article 27. Reception of hazardous waste.

- 27.1. Entity engaged in activities related to storage, processing and disposal of hazardous waste shall conduct analysis if a sample and identify necessary characteristic, before receiving hazardous waste;
- 27.2. Reception of hazardous waste shall be subject to verification of accompanying documents with actual quantity and type of waste;
- 27.3. Entity may fully or partially refuse of reception if inconsistencies in terms of quantity and type were found between accompanying documents and actual waste;
- 27.4. Unpacking of hazardous waste shall be conducted in accordance with the regulations stated in Article 7.1.2 of this law.

Article 28. Registry of operations.

- 28.1. Entity engaged in activities related to storage, processing and disposal of hazardous waste shall keep the following information for 10 years after official closure of facilities:
 - 28.1.1. Description of received hazardous waste, its quantity, methods and dates of its disposal, processing and storage;
 - 28.1.2. Location of each type of hazardous waste within the premises, quantity and accompanying documents;
 - 28.1.3. Results of analysis and tests;
 - 28.1.4. Report on implementation of emergency plan per each accident and emergency situation;
 - 28.1.5. Report on monitoring and evaluation.
- 28.2. Notes on implementation of a plan stated in Article 26.7 of this law and reports on actions take shall be stored for three years.

Article 29. Reporting.

- 29.1. Entity engaged in activities related to transportation, collection, storage,

recycling and disposal of hazardous waste shall annually produce a report on hazardous waste recycled and disposed in that year, in accordance with template stated in Article 8.1.7 and submit in accordance with Article 8.1.3 of this law.

Article 30. Monitoring and evaluation.

- 30.1. Entity engaged in activities related to storage, processing and disposal of hazardous waste shall have a plan of monitoring and evaluation of ground and surface water, soil and air, and have a plan of response actions;
- 30.2. Quantity of pollutant in the analysis of water sample taken from the water monitoring well shall not exceed levels permitted in the standard;
- 30.3. If the environmental baseline study and ground water analysis conducted by a certified laboratory before construction of a facility resulted in high content of pollutant exceeding the standard depending on geological formation, the entity shall inform the state administrative body in charge of environmental matters;
- 30.4. In situations stated in Article 30.3 of this law, the State Administrative body in charge of environmental matters shall determine the permitted maximum to be used for monitoring and evaluation of ground water.
- 30.5. Monitoring and evaluation shall be conducted in accordance with the program stated in Article 30.1 of this law.

Article 31. Closure of a facility.

- 31.1. Entity engaged in activities related to storage, processing and disposal of hazardous waste shall develop a plan and estimate budget for partial or full closure of the facility and obtain approval from the State Administrative body in charge of environmental matters;
- 31.2. If the technology and operations of a facility changed, amendments to the plan shall be introduced and approved in accordance with Article 31.1 of this law.
- 31.3. Notice about full or partial closure of a facility shall be submitted to the State Administrative body in charge of environmental matters and aimag/city governor 90 days prior to implementation of the plan;
- 31.4. Local special inspection department shall monitor implementation of a plan for full closure of a facility;
- 31.5. Implementation of a plan for full or partial closure of a facility shall be completed within 180 days from reception of the last load of waste;
- 31.6. Notice about and report on the full closure of a facility shall be submitted

to the State Administrative body in charge of environmental matters and aimag/city governor within 60 days after the closure.

Article 32. Post-closure monitoring and evaluation.

- 32.1. Entity engaged in activities related to storage, processing and disposal of hazardous waste shall develop a plan for monitoring and evaluation activities including post-closure renovation and estimate associated budget and obtain approval from the State Administrative body in charge of environmental matters;
- 32.2. Post-closure monitoring and evaluation activities shall continue for 20 years after the closure;
- 32.3. Monitoring and evaluation activities stated in Article 32.2 of this law shall be conducted by the entity engaged in activities related to storage, processing and disposal of hazardous waste or by the sub-contracted on the basis of official contract;
- 32.4. If monitoring and evaluation activities stated in Article 32.2 of this law result in situation where refuse from hazardous waste reach levels that negatively impact on human health and environment, the entity shall inform the State Administrative body in charge of environmental matters and aimag/city governor;
- 32.5. In situation stated in Article 32.4 of this law, the entity engaged in activities related to storage, processing and disposal of hazardous waste shall be responsible for expenses incurred;
- 32.6. Entity engaged in activities related to storage, processing and disposal of hazardous waste shall be responsible for costs associated with implementation of a program stated in Article 30.1 and plan stated in Article 31.1 of this law;
- 32.7. Advance payment of costs stated in Article 32.6 of this law shall take place in any of the following two forms:
 - 32.7.1. Establishment of trust fund;
 - 32.7.2. Deposit a collateral.
- 32.8. Activities related to raising and expenditure of funds as stated in Article 32.7 of this law shall be organized according to an agreement established with the State Administrative body in charge of environmental matters.

Article 33. Additional requirements for storage of hazardous waste.

- 33.1 hazardous waste shall be stored in a packaging that is made of or lined with material that does not react with the hazardous waste;

- 33.2. Facility for storage of liquid hazardous waste shall have a system for withholding leaked or spilled liquid refuse or accumulated precipitation;
- 33.3. Storage of hazardous liquid waste in underground tanks is prohibited;
- 33.4. Facility for storage of solid hazardous waste shall have a system for drainage of precipitation waters and packaging that does not contact with accumulated liquid refuse;
- 33.5. Facility for storage of shall have a roof that protects from direct sunray and precipitation;
- 33.6. Storage of incompatible wastes in the same packaging is prohibited.

Article 34. Additional requirements for landfilling of hazardous waste.

- 34.1. Landfill of hazardous waste shall have special inlay system that prevents contamination of soil, ground and surface waters, and system for collection and drainage of leachate;
- 34.2. Inlay system of hazardous waste landfill and leachate collection and drainage system shall meet requirements stated in the standard;
- 34.3. Management of the entity shall approve a plan of actions in situation when quantity of leachate generated from waste is significant;
- 34.4. Within 30 days from completion of implementation of a plan stated in Article 34.3 of this law, the entity shall develop a plan of further actions and a report on activities conducted and submit it to the State Administrative body in charge of environmental matters;
- 34.5. Entity engaged in landfill operations shall keep a map registry and record log on buried hazardous waste, its location, type, quantity, depth of burial and composition of hazardous waste;
- 34.6. During partial or full closure of landfill operation, the entity shall follow an approved drawing for covering and sealing of landfill; the layer shall meet the requirements stated in the standard;
- 34.7. After full closure of the landfill, the entity engaged in landfilling operations shall implement monitoring and evaluation as stated in Article 32.2 and maintenance service;
- 34.8. It is prohibited to conduct any activity on and use land where a closed landfill of hazardous waste is located;
- 34.9. It is prohibited to bury the following types of waste at the landfill:
 - 34.9.1. Inflammable and reactive waste;
 - 34.9.2. Untreated medical waste generated by human and veterinary clinics, health centers and sanatoriums;

- 34.9.3. Unpacked liquid waste, waste containing free liquids;
- 34.9.4. Chemical waste and waste of unknown nature generated from research, training and experiment, impact of which on human health and environment has not been identified;
- 34.9.5. Incompatible waste shall not be buried in one cell, at once;
- 34.10. It is possible to bury in landfill the following packaging that contains free liquids:
 - 34.10.1. Free liquids removed, absorbed in absorbent or solidified and strengthened;
 - 34.10.2. With packaging that contains less than 50 ml;
 - 34.10.3. Items containing liquid, not intended for packaging of liquid, used as a whole without separation;
 - 34.10.4. Liquid in double packaging less than 1 liter capacity;
- 34.11. It is prohibited to bury in landfill all types of liquid, except for those stated in Article 34.10 of this law;
- 34.12. Empty packaging must be filled by waste up until 90% of its capacity. Landfill of such packaging must take place after reducing of its size through crashing and pressing.
- 34.13. Hazardous waste in small packaging (chemical substances) shall be packed in special larger-size packaging before landfill in accordance with regulations stated in Article 7.1.2. of this law.

Article 35. Additional requirements for incineration of hazardous waste.

- 35.1. Entity engaged in incineration of hazardous waste shall establish operational regime and technological characteristics though conduct of experimental incineration;
- 35.2. Experimental incineration stated in Article 35.1 of thislaw shall be conducted for 30 days. If incineration process did not regularize and reach required level, duration of experimental incineration may be extended for up to 30 more days;
- 35.3. The oven for incineration of hazardous waste shall have a system of automatic shutdown of waste feeding operation in case of disruption.
- 35.4. The oven for incineration of hazardous waste shall have an equipment for monitoring of incineration process. Such equipment shall meet the requirements stated in 7.1.2.
- 35.5. Operation of incineration oven shall be stopped if oven load is exceeded, oven structure changed, characteristics of oven's operation exceed

permitted levels;

- 35.6. Operation of incineration oven and accompanying equipment shall be monitored at least once a day.

Article 36. Requirements to the system for monitoring refuse generated in the process of storage, recycling and disposal of hazardous waste.

- 36.1. Level of pollutant substance contained in gas generated in the process of storage, processing and disposal of hazardous waste shall not exceed level stated in the standard.
- 36.2. If a permitted level of pollutant substance stated in Article 36.1 of this law is not available in national standard, the international standards will apply.
- 36.3. Facility where hazardous waste is stored, processed and disposed shall have a system to monitor toxic fumes in the air and leachate collection system.
- 36.4. The leachate stated in Article 36.3 of this law shall be disinfected or neutralized according to the standard and disposed or transferred for disposal to an eligible entity engaged in disposal of hazardous liquid waste.
- 36.5. Solid waste such as dust and ash generated in the system of gas purification of the hazardous waste processing and disposal facility shall be treated according to appropriate technology and buried at the landfill for hazardous waste.

Article 37. Permission for conduct of operations related to transportation, collection, storage, recycling and disposal of hazardous waste.

- 37.1. Based on the resolution of the Expert Committee stated in Article 12.1 of this law, the State Administrative body in charge of environmental matters shall issue the following permissions for the conduct of activities related to transportation, collection, storage, recycling and disposal of hazardous waste.
- 37.1.1. Temporary permission for conduct of operations;
- 37.1.2. Permission for conduct of operations.
- 37.2. Permission stated in Article 37.1.1 of this law shall apply to a period from start of construction until start of operations;
- 37.3. Permission stated in Article 37.1.2 of this law shall be issued for one year from the start of operations related to collection, transportation, storage, processing and disposal of hazardous waste;
- 37.4. Based on the performance, technology used and results of monitoring/

- evaluation of the experimental period of operations stated in Article 37.3 of this law, the permission shall be issued for five years;
- 37.5. Permission for conduct of operations shall be extended for ten years;
- 37.6. Permission for conduct of operations shall be suspended for up to three months if the entity violated the terms, requirements and duration of the permission;
- 37.7. Suspension of permission shall be revoked if the violation has been liquidated;
- 37.8. Permission shall be annulled in the following circumstances:
- 37.8.1. Permission holder requested so;
 - 37.8.2. Business entity has been dissolved;
 - 37.8.3. Entity supplied forged documentation in application for permission;
 - 37.8.4. Entity repeatedly or seriously violated the terms of the permission;
 - 37.8.5. Entity failed to remedy the violations of the permission.
- 37.9. Issuance of permission for conduct of operations related to transportation, collection, storage, recycling and disposal of hazardous waste shall follow the regulations stated in Article 7.1.2 of this law.

Article 38. Export of hazardous waste

- 38.1. Individuals, business entities and organizations may export hazardous waste.
- 38.2. Permission for hazardous waste export shall be issued by the State administrative body in charge of environmental matters in following circumstances:
- 38.2.1. Entity has no equipment or specialized machinery for hazardous waste processing and disposal;
 - 38.2.2. Hazardous waste import is permitted in a receiving country;
- 38.3. Application for permission of hazardous waste export shall be done in written form and include the following documents:
- 38.3.1. Agreement signed by the hazardous waste Importer and Importer's request in written form;
 - 38.3.2. Permission for import of hazardous waste issued to the Importer by authorized body of the importing country.
 - 38.3.3. In case if hazardous waste is transported across territory of a country other than exporting and importing countries, a permission or notification about transit of hazardous waste issued by an

authorized body of a transit country.

- 38.4 Exported hazardous waste shall be packaged, labeled and marked in accordance with internationally accepted standards and regulations and shall have accompanying documents.
- 38.5 Hazardous waste shall be transported in compliance with requirements as stated on international conventions and regulations.

Article 39. Prohibition of import and cross-border transportation of hazardous waste

- 39.1 Import of hazardous waste to Mongolia for use, storage, temporary storage or disposal is prohibited.
- 39.2 Transportation of hazardous waste through Mongolia is prohibited.

**CHAPTER SIX.
ECONOMIC MANAGEMENT OF WASTE**

Article 40. Obtaining economic benefit from waste

- 40.1. Economic benefits shall be obtained through sorting, regeneration, recycling and reuse of waste in order to save natural resources.
- 40.2 Producers shall make a selection of recyclable resources and advanced technologies which generate no waste or minimum amount of waste in the process of manufacturing.
- 40.3 Citizens, business entities and organizations shall purchase recycled and regenerated products in order to promote green procurement.
- 40.4 Citizens, business entities and organizations engaged in activities related to waste sorting, collection, transportation, storage, reuse, recycling, regeneration, disposal, landfill and export, shall be entitled to receive economic incentives.
- 40.5 Producers and importers of products as listed in Article 8.1.14 shall be responsible for collection; reuse, recycling and export of wastes from products and their packaging.
- 40.6 Producers and importers shall develop and disclose to general public lifecycle schemes displaying ways of collection; reuse, regeneration, landfill, disposal, and export of wastes from products, and their packaging.
- 40.7 Products made of recycling of waste or products that generate recyclable waste shall have the marking stipulated in Article 8.1.13 of this law.
- 40.8. Issues of land ownership and utilization for the purpose of waste sorting,

collection, recycling, regeneration and disposal facility or integrated waste site or industrial and technological park shall be regulated by the Land Law.

Article 41. Waste service fees, payments and financing of operations.

- 41.1. Citizens, business entities and organizations generating regular waste shall pay waste service fee.
- 41.2. Citizens, business entities, and organizations generating hazardous waste shall pay hazardous waste service charges that should cover costs associated with collection, transportation, storage, recycling, and disposal of hazardous waste.
- 41.3. Service charges for transportation and disposal of bulky and construction waste shall not be included in the list of fees listed in Article 41.1 of this law.
- 41.4. Service charges listed in Articles 41.2 and 41.3 of this law shall be negotiated through agreement with citizens, business entity or organization that receive wastes.
- 41.5. Waste service fee for regular waste generated by citizens, business entities and organizations shall be calculated based on quantity of waste generated.
- 41.6. Waste service fee for regular waste generated by households shall be calculated on per person basis.
- 41.7. Waste service fee revenues may be collected together with fees for electricity, clean water, sewage, heating, maintenance of public space of residential buildings and common services.
- 41.8. Service fee revenues shall be accumulated in the soum and district budget.
- 41.9. Revenue accumulated from the waste service fees stated in Article 20.2 of this law shall be used for the following purposes:
 - 41.9.1. Waste collection, transportation;
 - 41.9.2. Waste landfilling;
 - 41.9.3. Commission for services if waste service fees are collected together with other fees stated in Article 41.7 of this law.
- 41.10. Waste collection and transportation activities shall be financed based on quantity of waste collected and transported in accordance tariffs stated in Article 9.2.1 of this law.
- 41.11. Waste landfilling activities shall be financed based on quantity of waste landfilled in accordance tariffs stated in Article 9.1.4 of this law.

- 41.12. Activities related to: cleaning of public areas; promotion of waste sorting, reuse and recycling; public campaign aimed at cleaning of surrounding area; organization of training and public awareness events shall be financed from the aimag, city, soum and district budgets.
- 41.13. A monetary incentive equal to 15% of fines imposed for violation of Law on Waste shall be paid by soum or district governor to the informant if the information on violation was confirmed.
- 41.14. Subsidies may be transferred from aimag and city budget to soums and district budget to support sorting, collection, transportation, recycling and landfilling operations.
- 41.15. Subsidies stated in Article 41.14 of this law shall be used for the purposes stated in Articles 41.9.1 and 41.9.2 of this law.
- 41.16. Subsidies may be transferred from state budget to aimag and city budget to support activities for regeneration and disposal of waste.
- 41.17. Planning, monitoring of and reporting on expenditures from revenues stated in Article 41.8 of this Law shall be conducted in accordance with the Budget Law, General Taxation Law and related legislations.

CHAPTER SEVEN

EDUCATION ON WASTE

Article 42. Provision of education on waste

- 42.1 Education on waste aims at instilling in citizens, business entities and organization a culture of environmentally-friendly consumption, the need to practice appropriate discarding, sorting, reuse of wastes; raising public awareness on negative impact of waste on human health and environment.
- 42.2 Education on waste shall be provided in following ways:
- 42.2.1 Reflect objectives and activities for giving education on waste in the national programs that stated in Article 7.1.1 of this law.
 - 42.2.2 Give formal education on waste through the provision specified in Article 8.4.2 of this law.
 - 42.2.3. Through mass-media, promote national traditions and customs related to waste, good practices and legislations;
 - 42.2.4. Provide informal education on waste through Government and non-government organizations, specialized training and research centres;
- 42.3. Governors at all levels of public administration shall provide financial

- and organizational support in involving citizens in training events aimed at providing education on waste;
- 42.4. Soum, district, bagh and khoroos governors and local entities and organizations shall provide support to private sector entities that are initiating and organizing training events on waste. Support may be in form of providing venue for training events, assisting in engagement of local citizens in such events.
- 42.5. Professional organizations engaged in waste management activities shall provide support in organizing events and trainings on waste for citizens, staff of business entities and organizations by providing venue for training events or any other support deemed necessary.

CHAPTER EIGHT

MISCELLANEOUS

Article 43. Accountability for violation of legislation

- 43.1. If violator of legislation on waste is not subject to criminal law, the state inspector, police and soum, district, bag and khoroos Governors shall impose the following sanctions:
- 43.1.1. Violation of regulations stated in Article 7.1.2 of this law shall be fined MNT200,000 for an individual and MNT1,000,000 for a legal entity;
- 43.1.2. Violation of regulations stated in Articles 8.2.1, 8.3.2, 8.5.1, 8.6.2, 9.1.3 of this law shall be fined MNT50,000 for an individual and MNT200,000 for a legal entity;
- 43.1.3. Violation of regulations stated in Articles 10.2.1, 10.2.4, 10.2.5, 10.2.7, 10.2.9, 10.2.10 and 10.2.11 of this law shall be fined MNT30,000 for an individual and MNT200,000 for a legal entity;
- 43.1.4. Violation of regulations stated in Articles 10.3.1 and 10.3.2 of this law shall be fined MNT50,000 for an individual and MNT200,000 for a legal entity;
- 43.1.5. Violation of regulations stated in Articles 10.3.3 and 10.3.4 of this law shall be fined MNT50,000 for an individual and MNT400,000 for a legal entity;
- 43.1.6. Violation of regulations stated in Article 10.3.5 of this law shall be fined MNT50,000 for an individual and MNT200,000 for a legal entity;
- 43.1.7. Violation of regulations stated in Article 10.3.6 of this law shall

- be fined MNT200,000 for a legal entity;
- 43.1.8. Violation of regulations stated in Article 10.3.7 of this law shall be fined MNT50,000 for an individual and MNT500,000 for a legal entity;
- 43.1.9. Violation of regulations stated in Articles 14.4, 14.5, 14.6, 14.8 of this law shall be fined MNT200,000 for an individual and MNT500,000 for a legal entity;
- 43.1.10. Violation of regulations stated in Article 14.3 of this law shall be fined MNT200,000 for an individual and MNT400,000 for a legal entity;
- 43.1.11. Violation of regulations stated in Article 16.7 of this law shall be fined MNT500,000 for an individual and MNT1,000,000 for a legal entity and required to compensate for the damages incurred;
- 43.1.12. Violation of regulations stated in Article 18.1 of this law shall be fined MNT500,000 for an individual and MNT1,000,000 for a legal entity;
- 43.1.13. Violation of regulations stated in Articles 20.1 and 20.2 of this law shall be fined MNT200,000 for an individual and MNT500,000 for a legal entity;
- 43.1.14. Violation of regulations stated in Article 20.4 of this law shall be fined MNT1,000,000 for an individual and MNT2,000,000 for a legal entity and required to compensate for the damages incurred;
- 43.1.15. Violation of regulations stated in Article 24.1 of this law shall be fined MNT1,000,000 for an individual and MNT2,000,000 for a legal entity;
- 43.1.16. Violation of regulations stated in Article 25.1 of this law shall be fined MNT1,000,000 for an individual and MNT2,000,000 for a legal entity and required to compensate for the damages incurred;
- 43.1.17. Violation of regulations stated in Article 26.1 of this law shall be fined MNT1,000,000 for an individual and MNT2,000,000 for a legal entity and required to compensate for the damages incurred;
- 43.1.18. Violation of regulations stated in Article 28.1 of this law shall be fined MNT2,000,000 for a legal entity and required to compensate for the damages incurred;
- 43.1.19. A transportation vehicle, tool, equipment and machinery used by individual and legal entity for dumping waste in public area and green facilities shall be confiscated and fines imposed at MNT1,000,000 for an individual and MNT3,000,000 for a legal entity;

- 43.1.20. Violation of regulation stated in Article 40.5 of this law shall be fined MNT1,000,000 for an individual and MNT 5,000,000 for a legal entity;
- 43.1.21. Violation of regulation stated in Article 40.6 of this law shall be fined MNT100,000 for an individual and MNT 1,000,000 for a legal entity;
- 43.1.22. In case if violation of regulation of this law by a public servant is not a criminal offense, the case shall be regulated by the Public Service Law.