



On approval of environmental requirements for the operation of energy waste disposal facilities

Unofficial translation

Order of acting Minister of Ecology, Geology and Natural Resources of the Republic of Kazakhstan dated August 10, 2021 No. 320. Registered with the Ministry of Justice of the Republic of Kazakhstan on August 10, 2021 No. 23929

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In accordance with paragraph 3 of Article 324 of the Environmental Code of the Republic of Kazakhstan, **DECREE:**

1. Approve the attached environmental requirements for the operation of energy waste disposal facilities.

2. Recognize as invalid the order of the Acting Minister of Ecology, Geology and Natural Resources of the Republic of Kazakhstan dated March 25, 2021 No. 72 “On Approval of the Requirements for the Operation of Energy Waste Disposal Facilities” (Registered in the Register of State Registration of Regulatory Legal Acts under No. 22391).

3. The Department of State Waste Management Policy of the Ministry of Ecology, Geology and Natural Resources of the Republic of Kazakhstan, in accordance with the procedure established by the legislation of the Republic of Kazakhstan, shall ensure:

1) state registration of this order with the Ministry of Justice of the Republic of Kazakhstan;

2) placement of this order on the Internet resource of the Ministry of Ecology, Geology and Natural Resources of the Republic of Kazakhstan;

3) within ten working days after the state registration of this order with the Ministry of Justice of the Republic of Kazakhstan, submission to the Legal Service Department of the Ministry of Ecology, Geology and Natural Resources of the Republic of Kazakhstan of information on the implementation of the measures provided for in subparagraphs 1) and 2) of this paragraph.

4. To impose control over the execution of this order on the supervising Vice-Minister of Ecology, Geology and Natural Resources of the Republic of Kazakhstan.

5. This order shall be enforced ten calendar days after the day of its first official publication.

*Acting Minister of Ecology,
Geology and Natural Resources
of the Republic of Kazakhstan*

A. Primkulov

" AGREED "

Ministry of Finance
of the Republic of Kazakhstan

" AGREED "

Ministry of National Economy of the
Republic of Kazakhstan

Appendix to the order
Acting Minister of Ecology,
Geology and Natural Resources
of the Republic of Kazakhstan
dated August 10, 2021 No. 320

Environmental requirements for the operation of energy waste disposal facilities

Chapter 1. General Provisions

1. These Environmental Requirements for the operation of energy waste disposal facilities (hereinafter referred to as the Requirements) are developed in accordance with paragraph 3 of Article 324 of the Environmental Code of the Republic of Kazakhstan (hereinafter referred to as the Environmental Code) and define the basic requirements for the operation of energy waste disposal facilities.

2. The following concepts are used in these Requirements:

1) energy utilization of waste - the process of thermal treatment of waste in order to reduce their volume and obtain energy, including their use as secondary and (or) energy resources, with the exception of obtaining biogas and other fuel from organic waste;

2) facility for energy waste disposal (hereinafter referred to as the Object) - a set of technical devices and installations intended for energy waste disposal, and interconnected structures, and infrastructure, technologically necessary for energy waste disposal;

3) automated system for monitoring emissions into the environment (hereinafter - ASM) - an automated system for industrial environmental monitoring that monitors the indicators of emissions into the environment at the main stationary sources of emissions, which provides data transfer to the information system for monitoring emissions into the environment in real time in accordance with the rules for maintaining an automated system for monitoring emissions into the environment during industrial environmental control;

4) the authorized body in the field of environmental protection - the central executive body that manages and intersectoral coordination in the field of environmental protection and nature management, as well as its territorial bodies ;

5) environmental pollution (hereinafter - pollution) - the presence in the atmospheric air, surface and ground waters, soil or on the earth's surface of pollutants , heat, noise, vibrations, electromagnetic fields, radiation in quantities (concentrations, levels) exceeding those established by the state environmental standards for environmental quality;

6) environmental monitoring - a comprehensive system of observations, measurements, collection, accumulation, storage, accounting, systematization, generalization, processing and analysis of the data obtained in relation to the quality of the environment, provided by the state, as well as the production of environmental information based on them ;

7) ecological permit - a document certifying the right of individual entrepreneurs and legal entities to carry out a negative impact on the environment and determining the environmental conditions for carrying out activities.

Chapter 2. Requirements for the operation of the Objects

3. Individuals or legal entities operating the Objects, their separate parts (hereinafter - the Object operators) inform the authorized body in the field of environmental protection of any planned changes that affect the environment. Significant changes in the Objects that adversely affect human health or the environment are made only if there is an environmental permission issued in accordance with Article 106 Environmental Code.

4. The Facility Operators shall ensure that appropriate soil or groundwater contamination prevention measures are in place and that such measures are regularly monitored to prevent leaks, spills, incidents or accidents arising from equipment use or waste storage.

In order to detect potential contamination of soils and groundwater at an early stage and take appropriate corrective actions to prevent the spread of pollution, environmental monitoring of soils and groundwater for the presence of relevant hazardous substances is carried out . When determining the frequency of environmental monitoring by the Facility operators, the type of activities, as well as the frequency and extent of monitoring, are taken into account.

5. The state of soil and groundwater pollution is determined by generating information on the state of soil and groundwater pollution by the relevant hazardous substances (hereinafter referred to as the basic report).

The base report reflects the condition of the site on which the Facility is located, as well as information on measurements of soils and groundwater, reflecting historical data on the operation of the site.

6. The Facility operators submit a baseline report to the authorized body in the field of environmental protection once a half-year, no later than the 10th day of the month following the reporting half-year.

7. The Facility Operator ensures the cleanliness of the surrounding area, which excludes the spread of individual waste fractions outside the bunkers of the receiving compartment, as well as the content in emissions and discharges of substances that do not exceed the standards established by Directive No. 2010/75/EC of the European Parliament and the Council of the European Union Emissions (On Integrated Pollution Prevention and Control).

8. In case of malfunction or malfunction of the treatment equipment for more than twenty-four hours, the Facility operator does not operate the Facility. At the same time, the

continuous operation of the Object does not exceed one hundred and twenty hours within 12 months.

The authorized body in the field of environmental protection provides the opportunity to deviate from these terms if there is a need for energy supply, as well as to prevent a general increase in emissions resulting from the operation of another Facility.

9. In order to ensure that there is no transboundary transfer of waste to facilities operating at lower environmental standards, operating conditions, technical requirements and emission thresholds for the Facilities are established and maintained in accordance with these Requirements and Directive No. 2010/75/EC of the European Parliament and of the Council of the European Union "On Industrial Emissions (On Comprehensive Pollution Prevention and Control)".

10. The facility operates for at least 8,000 (eight thousand) hours per year.

11. After acceptance of waste, manual and (or) automated selection and sorting of waste components is required, the types of which are included in the List of waste not subject to energy utilization, approved in accordance with paragraph 2 of article 324 of the Environmental Code.

12. During the operation of the Facilities, an ASM is provided, installed at each organized source of emissions from incinerators and discharges (if any).

The transfer of data from the ASM of the Facility to the information system of the authorized body in the field of environmental protection in online mode is provided.

13. Slag and ash generated at the Facility are classified according to the waste classifier of the Republic of Kazakhstan, approved by the authorized body in the field of environmental protection in accordance with paragraph 1 of Article 338 of the Environmental Code. If the owner of the Object disagrees with the existing classification, it is necessary to conduct laboratory tests in accordance with the environmental legislation of the Republic of Kazakhstan.

14. The facility for energy waste disposal ensures waste disposal at the landfill in the absence of technology for the neutralization of generated waste.

15. In the event of an incident or accident that has a significant impact on the environment, the Facility operator ensures:

- 1) immediately informing the authorized body in the field of environmental protection;
- 2) taking measures to limit environmental consequences and to prevent potential incidents or accidents;

16. If non-compliance with the terms of the permit poses an immediate danger to human health or creates a threat of adverse impact on the environment, the operation of the Facilities is suspended until the violations are eliminated.

17. Emission Thresholds for Pollutants are applied at the point of release of emissions from the Facilities.

18. If treatment equipment fails, the Facility operator reduces or terminates its operation if return to normal operation is not provided within twenty-four hours.

The Facility Operator notifies the authorized body in the field of environmental protection within forty-eight hours after the occurrence of a malfunction or malfunction of the treatment equipment.

The total duration of work without cleaning equipment does not exceed one hundred and twenty hours for any period equal to twelve months.

19. The Operator of the Facility informs the authorized body in the field of environmental protection about the planned changes in the nature or functioning, as well as about the planned expansion of the Facility.

20. Environmental conditions permits are reviewed and adjusted to meet the requirements of the Environmental Code .

21. Emission of gaseous waste from the Facilities is carried out under control through a chimney containing one or more gas ducts.

22. The environmental permits for the Facility provide for threshold values for emissions into the atmospheric air from such Facility that do not exceed the emission thresholds established in Directive No. 2010/75 / EC of the European Parliament and the Council of the European Union control over it).