

The adequacy of the facility and the location of waste collection

Ustreznost objekta in lokacije za zbiranje odpadkov

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Abstract:

The purpose of this article is to summarise some provisions of the legislation applicable in the territory of the Republic of Slovenia that have to be complied with when selecting facilities intended for waste collection. In addition to equipment, the adequacy of such facility also depends on its site. Not only waste management legislation and environment protection legislation, but also legislation governing water, nature preservation and conservation, natural and cultural heritage and mining legislation stipulate the possibility of using facilities where collectors can sort and store waste before depositing it for subsequent management. This paper presents location examples where various factors exclude the possibility of using facilities as waste collection centres.

Key words: waste, collection, facility, location, legislation

Povzetek:

Namen članka je povzeti nekatere določbe veljavne zakonodaje na področju RS, ki jih je potrebno upoštevati pri izbiri objektov, ki so namenjeni izvajanju dejavnosti zbiranja odpadkov. Za ustreznost takega objekta je, poleg opremljenosti, pomembna tudi umeščenost objekta v prostor. Tako ne le zakonodaja s področja ravnanja z odpadki ter varstva okolja, temveč tudi zakonodaja s področja voda, s področja varstva in ohranjanja narave, zakonodaja s področja naravne in kulturne dediščine ter tudi rudarska zakonodaja določa možnost uporabe objektov, v katerih lahko zbiralci odpadke sortirajo in skladiščijo pred oddajo v nadaljnje ravnanje. Prikazani so primeri lokacij pri katerih različni dejavniki izključujejo možnost uporabe objektov kot centrov za zbiranje odpadkov.

Ključne besede: odpadki, zbiranje, objekt, lokacija, zakonodaja

Introduction

The EU-managed policy on environment encourages companies to operate in an environmentally friendly way to not only protect the health of people and nature, but also to preserve or improve the quality of life of the EU population. Owing to adopted strict environmental standards, the policy of Slovenia – a Member State – is committed to such action. The applicable legislation on waste management specifies that legal persons who plan to manage waste have to obtain the relevant permits from the competent ministry, namely the Ministry of the Environment and Spatial Planning. In order to obtain the relevant permits, it is necessary to meet all prescribed requirements that are defined in detail in the applicable legislation. The construction, equipment and siting of the waste management facility as well as the prescribed waste management rules have to be considered. The purpose and goal of such action is to prevent or reduce harmful impacts during waste management and waste generation.

Legislative basis

The framework regulation that is currently applied to all waste unless a special regulation on a specific type of waste stipulates otherwise is the Decree on waste [1]. The Decree was adopted in 2015 by the Government of the RS on the basis of Article 20, paragraph five of the Environmental Protection Act [2] and for implementing Article 83, paragraph two, Article 84, paragraph four, and Articles 104 and 105 of this Act. It superseded the then applicable regulation – Decree on waste published in the Official Gazette of the RS, No. 103/2011.

The said Article 20, paragraph five of the Environmental Protection Act stipulates that the government shall lay down, in a regulation, the rules on waste management and other conditions for waste management, which shall concern the prevention of waste generation, sorting of waste into the lists and the methods of waste management as well as the rules and conditions for obtaining certificates and permits.

It also stipulates the rules on design, construction and operation of waste management installations, the qualification of persons for waste management and the rules on the implementation of measures related to cessation of operation of waste management installations. Keeping of records on waste and waste management and the manner of reporting to the ministry responsible for the protection of the environment is also regulated by the said Article 20, paragraph five of the applicable act regulating environmental protection.

Therefore, the chapter on general requirements of the applicable Decree on waste [1] lays down that waste has to be managed in a way that is not detrimental to human health and that does not cause damage to the environment. More specifically, waste management may not

- pose a risk to water, air, soil, plants or animals;
- cause excessive nuisance to environment through noise or offensive odours;
- adversely affect the areas subject to a special regime according to the regulations governing nature conservation or the regulations governing conservation of drinking water sources; and
- adversely affect the countryside or areas subject to a special regime according to the regulations governing cultural heritage protection.

These requirements apply to all waste management procedures, namely transport, recovery and disposal of waste as well as waste collection.

The presently applicable Decree on waste [1], adopted in 2015, does not impose an obligation on the applicant to submit, in the application for acquiring the status of a collector, an operating permit for the facility in which it plans to perform waste collection activity.

It requires that a certificate of entry in the waste collector records be issued at the request of a legal person or sole proprietor if they dispose with facilities for preliminary storage of waste organised according to the regulations governing the construction of facilities, together with installed installations and equipment providing for the prevention of adverse effects on the environment (one of the conditions), specified in Article 16, paragraph two, indent

two, of the Decree on waste [3], amended by the framework regulation on waste from 2011 [4]. A collector who wanted to collect waste had to have, as of the end of 2011, one or more collection centres that fulfilled the requirements laid down in Article 10, paragraph one of the then applicable Decree and the requirements stipulated in the regulations governing certain types of waste (Article 30, paragraph two, item two of the Decree on waste [4]).

Article 30, paragraph two, items 2 and 3 of the currently applicable regulation on waste [1] stipulates as follows:

- The applicant shall be the operator of one or more collection centres.
- Every collection centre shall fulfil the requirements specified herein, the regulations governing emissions of substances and energy into the environment and the regulations governing the collection of specific type of waste, if such waste is collected.

Notwithstanding the above, that does not mean that any facility built according to regulations governing building construction is also suitable for waste collection. Therefore, all the 'environmental' criteria stated in paragraph three of this chapter are verified according to the applicable legislation, when the adequacy of a facility for waste collection is assessed.

Disposal with a suitable facility – one of the criteria for obtaining the 'waste collector' status

Article 20, paragraph three of the Environmental Protection Act [2] among others specifies that the legal or natural person collecting waste shall have the decision of the competent ministry for waste collection. The legal person collecting waste shall be entered in the record of persons referred to in Article 104, paragraph four of the said Act on the basis of the issued decision. In view of the above, the framework regulation on waste [1], adopted based on the act regulating environmental protection, defines both the management of the administrative procedure and the conditions to be fulfilled by the applicant who plans to collect waste. This regulation [1] also defines the obligations of the applicant who obtained the status of

waste collector (e.g. keeping records, reporting, implementing measures to prevent and reduce adverse effects on the environment and human health, etc.), which are therefore binding.

A waste collector can be a legal person or a sole proprietor performing business activity of collection of waste generated by other holders of waste, but only in the territory of the Republic of Slovenia. The provisions of the waste legislation define the waste holder as the producer of waste or a legal or natural person in possession of waste.

One of the conditions that a legal person or a sole proprietor has to fulfil to obtain the status of a waste collector is to dispose with at least one suitable facility. According to the provisions of the applicable regulation on waste management [1], this facility is defined by the term 'collection centre'.

A collection centre is therefore a facility in which the collector collects waste (preliminary), sorts it and (preliminary) stores it until it is disposed of for subsequent management or treatment. A clarification is needed, namely the legislation on waste management [1] is using the term *preliminary storage* (and also *preliminary sorting*) to describe the procedures carried out by the waste collector. The original waste producer *temporarily stores* it at the place of production, whereas the waste recovery operator or waste disposal operator *stores* the waste.

The legislation stipulates that the applicant – future waste collector – has to dispose with a suitable facility for waste collection and does not allow the collector status to be obtained before a suitable waste collection facility is constructed. It is only possible to obtain environmental permits for waste recovery and disposal. It is therefore reasonable that before filing an application with the competent authority, the applicant checks if the facility that it plans to use for waste collection procedures is suitable (the construction, equipment and siting of the waste management facility). This is the only way to avoid the costs of preparing the relevant documentation for obtaining the collector status, based on which a decision granting entry in the waste collector records will be issued.

Equipment of waste collection facilities (collection centres)

The collector must therefore dispose with a collection centre that allows for separate preliminary storage of waste based on its characteristics so as not to cause excessive burdening of water, air and soil. At the collection centre, hazardous waste may not be mixed with non-hazardous waste, which has different physical and chemical properties and hazardous nature. Hazardous waste may also not be mixed with other waste or substances and material with the aim of diluting hazardous substances. It is also important that at the collection centre waste is managed so as to be suitable for proper subsequent treatment. The collector must store waste at the collection centre so that waste is not directly exposed to precipitation, if this could impact the properties of waste that are relevant to its subsequent treatment. That is why preliminary storage of some waste is only permitted in facilities where contact with precipitation is prevented. All the said requirements are defined in the framework regulation on waste management [1].

In addition to the general requirements specified in the Decree on waste [1], a collection centre must have additional equipment depending on the type of waste collected, preliminary sorted and preliminary stored at the collection centre by the collector. The requirements pertaining to additional equipment of a collection centre are defined in special substantive provisions regulating waste management and also collection of specific types of waste. Instead of 'collection centre', some regulations may refer to other terms.

Below is a summary of the requirements for preliminary sorting and preliminary storage of certain types of waste: construction waste, waste electrical and electronic equipment (WEEE), end-of life vehicles, waste oils, waste generated by human or animal health care and/or related research and waste medicines.

Construction waste

In addition to meeting the requirements specified in the regulation on waste management [1], the collection centre shall have equipment for checking waste and equipment for determining the quantity of waste (weighing) arising from

construction works, as prescribed by the substantive provisions on management of waste arising from construction works [5]. The collection centre for collecting construction waste can be an arranged outdoor area or area within a facility.

At exploitation (mining) area (e.g. quarry), there is often a tendency to designate a part of the area for construction waste collection or also for the recovery of such waste. In such case, the provisions of Article 93 of the Mining Act have to be complied with [6]. This Act stipulates that exceptionally, only under certain conditions (if safety measures are provided for and safety pillars are determined so as not to pose a threat to life or property) and in line with the regulations governing environmental protection, activities not intended for mining may be carried out in part of the exploitation area. Among the activities defined by this Act (among other stated) is waste treatment (recovery and disposal) and other similar activities (e.g. waste collection). However, the investor must request from the mining exploitation right holder an opinion about which orientation and position of the facilities or areas in the mining area would be most suitable. This requirement has to be fulfilled before an investment programme is made for facilities and before a decision is adopted on the performance of the activities not intended for mining. Before the construction of facilities or activity performance is started, the construction investor or the activity operator and mining exploitation right holder have to conclude a written agreement on the division of responsibilities.

Waste electrical and electronic equipment (WEEE)

If the collector of WEEE is not a provider of obligatory municipal public utility service, it shall dispose with a facility – the term used is WEEE collection facility. According to the regulation governing WEEE management [7], a collection facility is a place or area within a waste electrical and electronic equipment collection facility.

Collection at the facility has to be organised so that a maximum volume of collected WEEE may be submitted for preparation for re-use (where relevant) or recovered. Preliminary storage of WEEE at the collection facility must be organ-

ised so as to prevent WEEE being mixed with other waste, crumpled, crushed or destroyed in any other manner or polluted by hazardous or other substances. Unauthorised persons must be prevented from any unsupervised handling of WEEE. However, the operator preparing WEEE for re-use must be able to exclude from collected WEEE that WEEE which is suitable to be prepared for re-use. In addition to the above, the collection facility must also fulfil the requirements laid down in the first item of Attachment No. 5 to the said Decree. Therein, it is stipulated that the area for preliminary storage of WEEE shall have leak-proof floor fitted with spillage tanks and, if necessary, settling tanks and devices for cleaning and degreasing of fluids where necessary. A collection facility shall also have a covering resistant to weather impacts (preliminary storage outdoor is not permitted).

End-of-life vehicles

According to the Decree on end-of-life vehicles [8] the collector of end-of-life vehicles shall manage a facility – collection point for end-of-life vehicles that must be surrounded by a fence. An area for acceptance and collection of end-of-life vehicles and their preliminary storage must be provided at the collection point. It is also necessary to ensure that end-of-life vehicles are prepared to be submitted for subsequent treatment. In view of the above, the collection point has to be fitted with suitable equipment for inspection and relocation of end-of-life vehicles. The entire area of the collection point designated for acceptance has to be divided into the area for delivery of end-of-life vehicles and the area where preparations are made for transport to disassembly plant for end-of-life vehicles. The entire area has to be compacted so that it is leak-proof, and wastewater drainage must be provided through at least one oil trap. Wastewater drainage through an oil trap is not required only if the collection point is a covered area of the facility. Since end-of-life vehicles are hazardous waste, the collection point has to be equipped also with a suitable number of fire extinguishing devices and sorption agents for absorbing leaking fluids. End-of-life vehicles may not be treated, in particular dried or disassembled, at a collection point.

The regulation on managing end-of-life vehicles stipulates [8] that a collection point must have an operating permit according to the regulations on building construction. As stated above, the framework regulation on waste management does not impose an obligation on the applicant to submit, in the process of acquiring the certificate of entry in the waste collector records, an operating permit for the facility in which it plans to perform waste collection activity. The legislation prescribes that a suitable act issued according to the regulations governing building construction has to be submitted for end-of-life vehicles collection point.

Waste oils

The applicable regulation on waste oils [9] does not specify additional technical requirements on equipment of the facility. However, Article 10, paragraph two of the special regulation stipulates that the collector shall preliminarily store collected waste oils in containers, reservoirs, barrels or other vessels. Preliminary storage must be separate from other waste and compliant with the requirements on environment protection and human health protection according to the regulation governing waste. In line with the regulation [10], a collector of waste edible oils must have leak-proof containers and vessels for storage of waste edible oils. Preliminary storage at a collection centre shall be organised so that waste edible oils can be stored separately from other waste in leak-proof containers or vessels suitable for storing waste edible oils (preventing emission of odours and the release of oil into the environment). The collection centre must provide for treatment and disinfection of the preliminary storage with the possibility of wastewater drainage into the public sewage through an oil trap. The applicable legislation stipulates that every shipment of waste edible oils collected by the collector and submitted for recovery must be weighted, where the weight of waste collected may be determined by measuring its volume and estimating the average specific weight of waste edible oils.

Waste from human or animal health care

The regulation governing the collection of waste arising from human or animal health

care and/or related research [11, 12] lays down that the collection centre for waste from human health care must be a covered area arranged and equipped for separate collection and preliminary storage of waste arising from human health care before it is submitted for treatment after recovery and disposal. The collector may collect this waste from producers only in containers or bags bearing suitable labels (stating the number and quantity of waste and where and when waste was generated). The legislation also stipulates that the collector shall provide for cleaning and disinfection of the equipment for collection and transport of waste, but it does not explicitly specify that these procedures must be carried out at the collection centre.

Unused medicines and residues of medicinal products

The regulation governing the collection of unused medicines and residues of medicinal products or, in short, on waste medicines [13, 14] stipulates that the collection centre is a facility or a place in such facility organised for preliminary storage of waste medicines before they are sent for disposal. When determining the siting of the collection centre, the collector shall also consider the population density and the volume of generated waste medicines, the layout of the premises where retail supply of medicinal products takes place and the quantity of waste medicines collected, as well as the siting or distance from the facilities where waste medicines are disposed.

Siting of waste collection facilities (collection centres)

As civil engineering structures, the collection centres owned or managed by waste collectors may be suitably equipped open areas or closed facilities.

If the future applicant – waste collector — plans to construct the waste collection facility, a detailed municipal spatial plan shall provide the basis for preparing the project to obtain the building permit. This plan is an act that in detail defines the spatial arrangement in a specific area [15]. It sets out the conditions referring to the intended purpose of developments (facility construction), the position, design and size.

The act specifies the conditions about connection with the public infrastructure as well as the criteria and conditions of land subdivision. The act lays down the conditions of environment protection and the protection of environmental goods, the conditions applicable to protection against natural and other disasters and human health protection. This makes it possible to check, already in the phase of building permit acquisition, if the construction of a waste collection facility is permitted at the relevant location. Therefore, if the development was consistent with the detailed municipal spatial plan, no obstacles are to be expected at subsequent acquisition of the collector status due to siting of the collection centre.

As stated, when the collector status is awarded, the content of the building and operating permits obtained for the waste collection facility is not verified. But it is necessary to determine if the location of the projected collection centre is in an area subject to a special legal regime, not only according to environment protection legislation, but also other applicable legislation. The above is particularly true in cases when the permit obtained for the facility was in compliance with the legislation on building construction, but its original intended use was not waste management. It is therefore necessary to stress that the applicant who intends to collect waste should, before filing an application, check not only the technical equipment of the facility in which it shall collect, preliminarily sort and preliminarily store waste before submitting it for subsequent management, but also the siting of the facility.

Waters Act

It is necessary to determine if the waste collection activity at the selected location could result in adverse effects on water or if the location is in an area subject to a special legal regime according to the Waters Act [16,17].

Informative data about the location can be obtained at the Environmental Atlas [18] portal, accessible on the website of the Environmental Agency of the Republic of Slovenia. The following has to be checked in the selected “WATER” drop-down menu:

- Data about the flood hazard (integral map of flood risk)

- Data about the issued water permits and issued water agreements
- Data about the issued concessions for the use of water
- Data about bathing waters
- Data about water protection areas (catchments, national and municipal water protection level, presence of Artesian aquifers, commercial level).

If it is established that the location of the planned waste collection is, for instance, in a water-protection area, it is necessary to check what water-protection regime applies to the relevant area. According to Article 74 of the Waters Act, the Government of the Republic of Slovenia adopted legal acts – decrees for certain (some) water protection areas, defining/specifying water protection area and water protection regime applying to the body of water of the aquifers used for supplying drinking water to the population. The goal of adopting decrees is to protect the body of water used for abstraction of water or intended for public supply of drinking water against pollution or other types of burdening that could impact the drinking water wholesomeness or its quantity. The water-protection area is specified based on expert groundwork relying on hydrogeological characteristics of aquifers. The decrees also specify a water protection regime. The term ‘water protection regime’ defines the measures designed for protecting the body of water and the prohibitions and restrictions to activities affecting the environment in specific internal zones of a water-protection area aimed at reducing the risk of pollution of the body of water [19]. Internal zones of varied protection levels may be set up in a water-protection area. A component of decrees is the list of land plots in a certain water protection area (if the land plots in a water-protection area are combined with the land plots that are subject to a different water-protection regime or with land plots outside the water-protection area, the stricter of the water-protection regimes is prescribed for construction on the newly created land plots). The decrees also define local communities if a body of water is intended for supply of drinking water to the population, and supervision over the implementation of the prescribed regime.

There may be exceptions in these areas, allowing, for example, facility reconstruction that does not change the intended purpose of the facility and provided the change in facility use does not pose a higher risk of pollution to the body of water. For reconstruction or construction of a new facility, a water approval must be issued for project solutions stated in the project for obtaining the building permit. That is why the competent authority will decide on the issue of certificate of entry in the waste collector records also on the basis of opinions of the competent organisation(s) in the Republic of Slovenia.

Nature Conservation Act

It is also necessary to determine the possibility of adverse effects on the areas subject to a special legal regime according to the Nature Conservation Act [20] at the selected location and whether the planned location is in an area subject to a special legal regime according to said Act.

Informative data about the selected location can be obtained at the Environmental Atlas [18] portal, accessible on the website of the Environmental Agency of the Republic of Slovenia. The following data about the planned collection centre location has to be checked in the selected “NATURE” drop-down menu:

- Valuable natural features (points)
- Valuable natural features (caves)
- Natura 2000 (2013)
- Valuable natural features
- National protected areas (points)
- Local protected areas (points – informative layer).

If the waste collection centre is planned to be located in any of the stated areas, the following has to be determined: has a nature conservation approval already been issued for the construction of the facility intended for waste collection or has a nature conservation approval been issued in the procedures of environmental impact assessment. The authority conducting the procedure for the issue of certificate of entry in the waste collector records shall decide also based on the opinion of the organisation competent for nature conservation in the Republic of Slovenia.

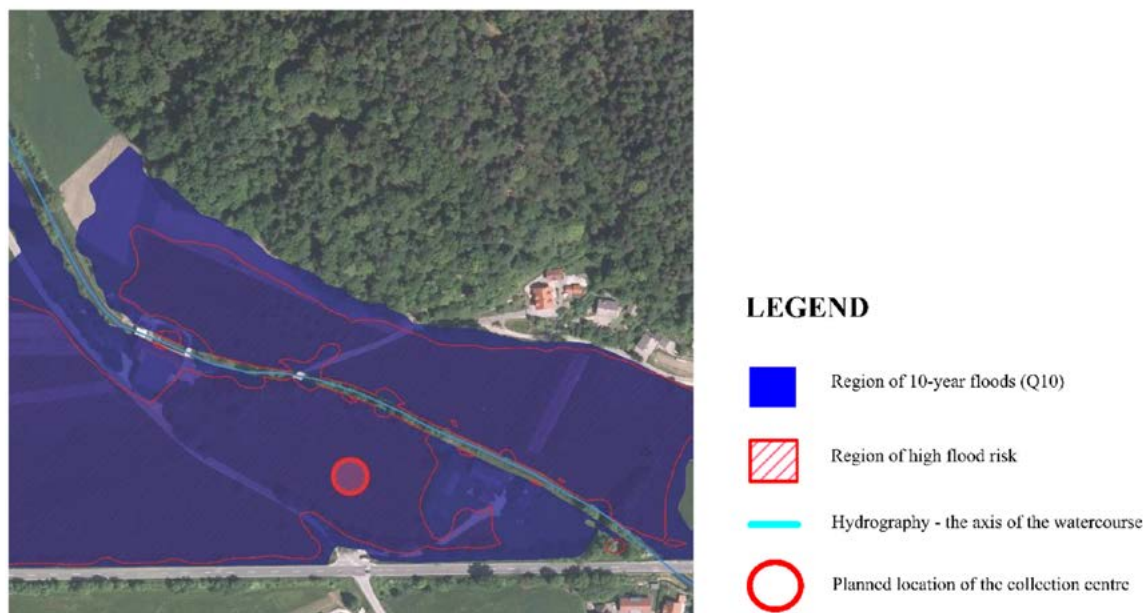


Figure 1.

Natural and Cultural Heritage Act

It is further necessary to establish if adverse effects on countryside or areas protected under the regulations governing cultural heritage [21] might arise at the planned location.

Therefore, the applicant should check on the website of the Ministry of Culture of the Republic of Slovenia [22] if the collection centre is planned to be located in an area subject to a special regime as regards cultural heritage.

Examples of inadequately selected locations for waste collection

Below are examples of inadequate siting of a waste collection facility. All presented locations are fictitious and do not represent the actual status.

Figure 1 presents the location of the planned collection centre, which was found to be bordering a watercourse and is partly situated in an area of high flood risk and fully in an area of medium flood risk. On the basis of data from integral flood risk maps, the entire location of the planned collection centre is in an area of 10-year floods (data from the Environmental Atlas portal). In this case the administrative authority issuing the certificate of entry in the waste collector records requires that the appli-

cant submits a water approval issued by an independent competent authority in the Republic of Slovenia (Slovenian Water Agency). Water approval cannot be obtained given the situation and therefore a decree allowing entry in the waste collector records cannot be issued.

Figure 2 presents a location that is subject to a special regime according to the Decree on the water-protection area for the aquifers of Ruše, Vrbanski plato, Limbuška dobrava and Dravsko polje [23]. This Decree stipulates the water-protection area and the water-protection regime for the body of water of the aquifers of Ruše, Vrbanski plato, Limbuška dobrava and Dravsko polje in the area of the Maribor City Municipality and the Municipalities of Hoče - Slivnica, Lovrenc na Pohorju, Miklavž na Dravskem polju, Rače - Fram, Ruše, Slovenska Bistrica and Starše, used for supplying drinking water to the population. The Decree also specifies the water protection regime and the deadlines by which owners or other real-estate holders have to adjust their operations to the provisions of this Decree. The water protection area is composed of catchments and internal zones presented in the publication map in Attachment 1, which is a constituent part of this Decree. The catchment areas constitute the areas around extraction bores and contained springs stated in the list in Attachment 4, which is a constituent part of this



Figure 2.

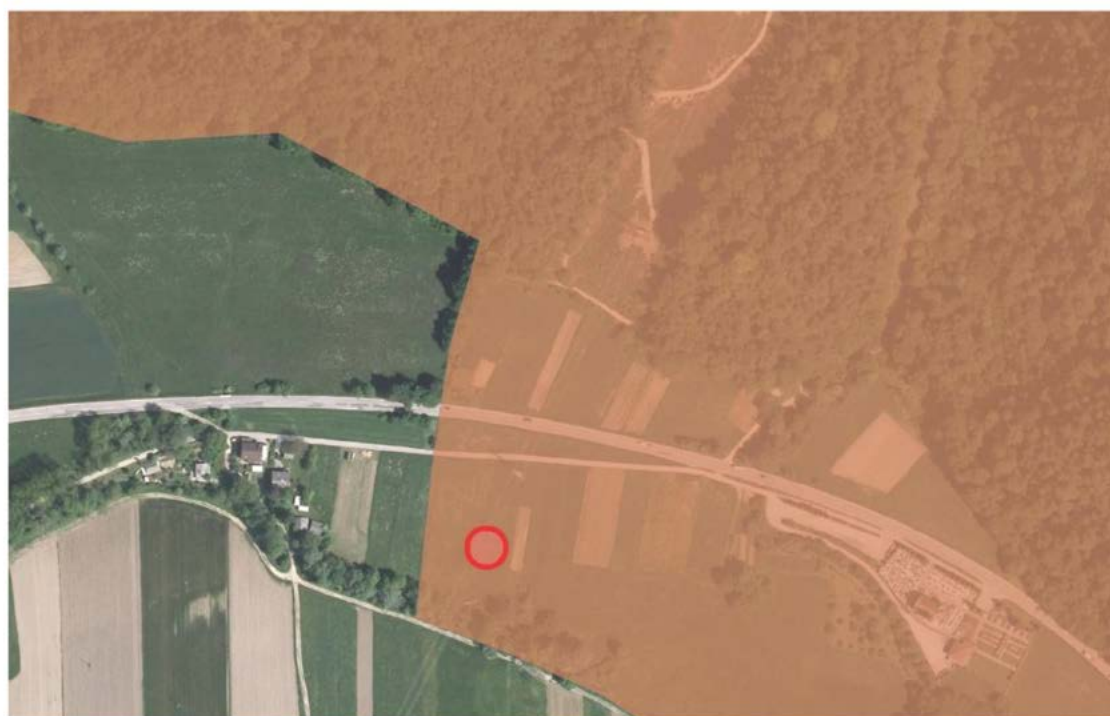


Figure 3.

Decree. The catchment areas are presented in the publication map referred to in the previous paragraph and are marked white and coded '0'. Internal zones are marked in the publication map referred to in the first paragraph hereinafter as follows:

- The narrowest areas with orange colour and the code 'VVO I';
- The narrow areas with yellow colour and the code 'VVO II'.

The location of the planned collection centre in Figure 2 is in VVO I or, specifically, in the I.A Protection regime area. According to Attachment 3 to this Decree, the facilities under 'CC.SI VI – Other civil engineering structures' under section '5b – Waste collection and treatment facilities, except non-hazardous waste collection and treatment facilities' and under section '5c – Non-hazardous waste collection and treatment facilities' are defined as " – ", which means that the development affecting the environment is prohibited.

Figure 3 presents the location that was found to be in Nature 2000 site. The Nature Conservation Act [20] refers to an ecologically important area in the territory of European Communities that is critical for conservation or achievement of a favourable status of species, habitats and habitat types as a 'Natura 2000 site' or a 'special protection area'. The activities affecting nature that might jeopardise biodiversity, valuable natural feature or protected area and that require permits under spatial planning regulations and other regulations shall be performed on the basis of a permit for activities affecting nature based on the above Act. The permits for activities affecting nature shall be issued by the competent administrative unit on the basis of a favourable opinion of the organisation competent for nature conservation, unless the Act stipulates that they be issued by the ministry.

Figure 3 presents an additional element that restricts the selection of the location, since the planned location of the collection centre is in the approximate vicinity of a 220 (400) kV transmission line. The Energy Act prescribes a 40-metre buffer zone for 220 kV and 400 kV transmission lines (15-metre buffer zone for 110 kV transmission lines). Which structures may be built and how the facilities within the buffer zones may be used is specified in the

Rules on conditions and restrictions regarding the construction and use of installations and the performance of activities in the electricity network safety zone. An approval from ELES must be obtained for all developments within the buffer zones, but in most cases ELES does not issue approval for 220 and 400 kV transmission lines. The restrictions are somewhat less strict for the underground cable system, as the buffer zone for 400 kV is 10 metres.

A similar situation arises if the location is close to a gas network (at least regional). The buffer zone extends 100 metres in both directions from the gas network axis and the system operator is entitled to supervise the activity of the area users. According to the provisions of the Construction Act, before the planned construction in this area, the investor has to obtain project conditions prior to starting the project for obtaining a building permit and, from the system operator, approval of project solutions. The buffer zone extends 5 metres in both directions from the gas network axis, which additionally restricts developments affecting physical environment.

It should be stressed that before issuing the relevant legal act and before entry in the register, the official authorised for processing the application for obtaining the "waste collector" status will check the adequacy of the location under all criteria stated in item 3.2 and, in case of doubt, request the competent institutions to provide an opinion.

Conclusion

As an EU Member State, the Republic of Slovenia had to transpose in its national law the provisions of the EU regulations and then implement them. The Decree on waste, adopted in 2015 [1], when compared to the repealed Decree on waste [4] from 2011, brought changes also due to the correct transposition of Article 13(a) of Directive 2008/98/EC about the protection of human health and the environment. The regulation which was repealed in mid-2015 did not define that waste management must not pose a risk to plants or animals. Instead of 'excessive nuisance' the currently applicable legislation applies the term 'risk'.

The applicable regulation also in greater detail defines the requirements for temporary storage, preliminary storage and waste storage, especially in terms of protection of human health and the environment. The said amendments to the regulation affect decision-making in various administrative procedures for the issue of decisions, also on granting the collector status. The article states the main requirements about the adequacy of the facility that a legal or natural person who wishes to collect waste of various origin must meet. The required equipment of a collection centre facility is stated. The parameters of influence determining siting of a waste collection facility are defined.

In view of the above, the article summarises those provisions of the applicable legislation that need to be considered in the selection of the civil engineering structure intended for waste collection. It defines the general and specific requirements for equipment of such facility depending on the type of waste that will be collected and also preliminarily stored (e.g. construction waste, waste electrical and electronic equipment, end-of life vehicles, waste oils, waste generated by human or animal health care and/or related research, and waste medicines). It also states some criteria that need to be taken into account as regards siting of such facility. These criteria are not affected only by the legislative provisions on environmental protection, specifically, the legislation on managing various types of waste, but also by legislation on water protection, nature protection, protection of natural and cultural heritage and mining. The article exhibits three cases of inadequate siting of the facility intended for waste collection. All presented locations are fictitious and do not represent the actual status of siting. They are intended to present inadequate selection leading to the rejection of the competent authority to issue a decree in administrative procedure.

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