



BIOLOGICAL OBSERVATIONS AND SURVEYS

PROBLEMS RELATED TO IMPLEMENTATION OF ALBANIAN LEGISLATION ON WASTE MANAGEMENT

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SYNOPSIS

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The increase of population, demographic movement towards urban areas and also the inadequate social infrastructure has contributed in the increase of waste, particularly inert. Waste legislation aims to minimize the impact of waste into the environment and to improve the efficiency of the usage of resources in Albania. The main objective of this study is to prevent environmental degradation, and promoting environmental sustainability.

National Policy of Waste Management is based on four steps: Planning, Education, Resources and Legislation. This policy intends to improve waste management, reducing environmental risks and improving human health according to EC requirements.

The biggest problem regarding to waste management in Albania does not consist in the lack of law, but in the lack of institutional management planning, and technical capacities and human as well.

It is also noticed the lack of experience/tradition, economic resources, and networks to collect and treat the waste.

Waste management in Albania has been identified as a significant environmental issue in a number of strategic documents of Environmental Research, with the aim of:

- Constructing of infrastructure for urban waste treatment, selective collection, recycling and disposing of them.
- Taking action to eliminate the uncontrolled disposal and incineration of municipal waste that continues to pose a threat to health and environment.
- Developing a clear strategy for waste disposal.

INTRODUCTION

Waste management in Albania is at a low level. Systems for the collection of urban solid waste are provided in most cities and towns, but not in rural areas.

The high rhythms of the population growth and high migration rate toward the most developed cities have had an impact in the increase of waste and in particular of inert waste quantity in these areas due to the construction of many new buildings, as well as the demolition of the old ones. The prevention or reduction of the wastes through recycling and incineration was one of the missing cornerstones of the waste management strategy.

There were no collection systems in rural areas and small towns. Most waste from these areas were disposed of by dumping in ditches, ravines, or at the side of roads where it is washed and blown onto other land and ultimately into water courses.

There was no system for the safe management of hazardous waste (household or commercial). For the materials recycling an indispensable condition was the division of waste at their source. This requires from the local government (municipalities) to organize or create a separate collection system or waste division of the waste from the households consisting in the division into streams, such as plastic, glass, metal, paper, etc.

The producer must be fully responsible for its products management during their overall life cycle, as well as for the waste generated during the production activity and must cover all the expenditures for the waste management. Unfortunately, the responsibility of the producers in Albania remains limited, while completion of his obligations restricted and made on voluntary bases for activities such as collection and recycling of materials.

Waste recycling is at an initial stage. The main method of waste treatment is that of the landfills, although it needs to be mentioned that such landfills do not have due engineering construction or are located in an environmentally sensitive area, leading thus to a perpetual environment pollution. Economic instruments for waste management are scarce and insignificant in value.

The problems of waste generation and management are many and various. The greatest amounts of waste generated (by weight) tend to be inert substances, construction waste in particular, but the greatest risks are associated with smaller volumes of (mainly industrial) hazardous wastes. Municipal wastes need extensive and expensive collection, transport and disposal arrangements. Special conditions should apply to particular categories, such as clinical wastes.

The latest State of the Environment Report summarizes the issues:

- Systems for collection and removal of waste are inadequate and inefficient;
- Informed decisions about collection and disposal choices cannot be made in the absence of reliable information;
- There is no tradition of proper waste treatment and disposal;
- Financial and technical resources are insufficient;
- Public awareness of the damage caused by poor waste management is lacking.

1. POLICY AND LEGISLATION ON WASTE MANAGEMENT: CURRENT SITUATION

Most of the progress in the waste management field has been made in the area of legislation. During the period 2002-2008 waste management legislation in Albania has been improved with new Laws, decisions and regulations/guidelines reflecting the EC directives/decisions and the Basel Convention requirements.

Actually, our legislation on waste management includes a wide range of laws, regulations and decisions such as:

- Law Nr.9010, date 11.02.2003 “Environmental Management of Solid Waste”
- Law Nr 9537, date 18.5.2006 “Hazardous waste management”
- Law Nr.10463, date 22.09.2011 “Integrated urbane waste management”
- Decision: Nr. 99, date 18.02.2005 “Approval of Albanian guide related to waste classification”

The improvement of legal framework by Ministry of Environment, Forestry and Water Administration regarding to National Plan on Implementation of Association Stabilization Agreement is made based on a detailed analysis of national laws (directives) in the field of solid waste, which include the assessment of deficiencies and prediction of legal initiatives and enforcement activities in this field.

In this context, in order to fulfill all identified gaps, it is approved Law nr 10463, date 22.09.2011 “Integrated Urban Waste Management” which transposes Waste Framework Directive 2008/98/EC. It is planed drafting of seven other acts of legislation, which transpose other important directives in order to bring domestic legislation closer to that of European. In the same time are developed National Plans and Strategies for Waste Management and are in the process two regional drafting plans, which include waste management at Tirana and Elbasan district

The transposition of new directives and further deepening of the transposition already made, has been planned for the short, medium and long term. This is a continuous recommendation of different EC progress reports, EU Partnership Document, Joint Committee Meetings, etc. and also an obligation under the SAA (article 108, Environment) states that “...Co-operation will mainly focus on priority areas related to the Community acquits in the field of environment”

1.1 The National waste plan for Albania

The National Waste Plan consists of 4 parts as follows:

1: Strategic overview of the current situation in Albania reflecting progress towards compliance with EU Accession agreements. In addition this part of the plan looks at issues of related strategy and policy and at the specifics of waste management finance. It also contains a section on the key milestones in Albania's progress towards full EU integration.

2: This is the National Waste Plan which outlines the requirements for Albania in regard to the new Waste Framework Directive and the key objectives in this regard and how the objectives will be met. It also outlines the principles on which the plan is based and addresses the issue of Best Practical Environmental Option in the context of local and national waste solutions.

3: This is a Waste Action Plan detailing how the plan will be implemented and in what timeframe.

4: This section has a complete list of all 12 waste area profiles for the 12 waste areas designated across Albania. The waste area profile consists of the following documents:

- Strategic Waste Statement
- Resource Inventory
- List of Waste Area Group members
- Area Waste Map showing existing and proposed waste management infrastructure

1.2 Objectives of Our Legislation relating to waste

- The adaptation of our legislation according to European Council Legislation
- Construction of landfills, that are thought to be used for solid urban waste processing. (treatment)
 - Covering of existing urban waste landfills.
 - Preparation of feasibility studies and project implementation.

The main concern is related to the lack of infrastructure on implementation of waste management legislation, this together with other factors makes much more difficult the law enforcement. The National Plan and Strategy on Waste Management, as well as regional will be the base of important needed information on planification of the necessary infrastructure for Integrated Solid Waste Management, according to European standards and directives that are transposed or will be transposed in the future.

The Ministry of Environment, Forestry and Water Administration is the main institution, dealing with development of policy and legislation on waste management, inspection and control situation regarded to law implementation. Other collaborators in this field are the Ministry of Public Work, Transportation and Telecommunications, Ministry of Health, Ministry of Economy, Trade and Energetics, Ministry of Agriculture, Food and Costumer Protection.

2. POLICY FOR THE INTEGRATED MANAGEMENT OF WASTE

In order to effect change and to bring about long term sustainable solution to the existing waste management problems of Albania the Ministry has focused its attention on 4 policy pillars as follows:

- 1.Planning
- 2.Education
- 3.Resourcing
- 4.Legislation

These policy pillars which are fundamental to long term sustainable solutions in the waste management sector in Albania need to be addressed as a priority in order to effect sustainable change. Changing the present attitudes and practices of individuals, commercial entities and institutions will take considerable time, effort and investment. Such an undertaking needs to be well planned at local, regional and national levels. Therefore the main focus of the early targets for this sector is the implementation of a simple but effective planning system.

2.1 Planning in Waste Management

The main focus of the early targets for this sector will be the implementation of simple but effective waste management plans based on newly defined waste areas across Albania. These waste management plans shall include, at a minimum:

- a) the type, quantity and source of waste generated within the territory shipped from or to the national territory, and an evaluation of the development of waste future;
- b) Existing waste collection schemes and major disposal and recovery installations, including any special arrangements for waste oils, hazardous waste or waste streams addressed by specific legislation;
- c) an assessment of the need for new collection schemes, the closure of existing waste installations, additional waste installation infrastructure required, and, if necessary, the investments related thereto;
- d) sufficient information on the location criteria for site identification and on the capacity of future disposal or major recovery installations, if necessary;

e) general waste management policies, including planned waste management technologies and methods, or policies for waste posing specific management problems.

3. ESTABLISHMENT OF WASTE HIERARCHY AS A PRIORITY ORDER IN WASTE PREVENTION AND MANAGEMENT

Waste will be managed in accordance with the new waste hierarchy outlined in the Waste Framework Directive. Those accepted forms of waste treatment and disposal are as follows:

- Prevention
- Preparing for re-use
- Recycling
- Other recovery, e.g. energy recovery
- Disposal.

A substance or object may be regarded as not being waste but as being a by-product only when the following conditions are met:

- further use of the substance or object is certain;
- the substance or object can be used directly without any further processing other than normal industrial practice;
- the substance or object is produced as an integral part of a production process;
- further use is lawful, i.e. the substance or object fulfills all relevant product, environmental and health protection requirements for the specific use and will not lead to overall adverse environmental or human health impacts.

Certain wastes can stop being 'waste' when they have undergone recovery operation (which includes recycling) and which complies with specified criteria. Such end-of-waste criteria should be considered for aggregates, paper, glass, metal, tires and textiles.

Waste management:

The term Waste Management means collection, transportation and disposal of waste including even monitoring of such operations, which are related to the care that we need to show for landfills and actions undertaken as enterprise or moderators. In our country the management of waste is decentralized.

The costs of waste management must be borne by the original waste producer or by the current or previous waste holder – in accordance with the "polluter pays" principle. Waste management means the collection, transport, recovery and disposal of waste, including the supervision of such operations and the after-care of disposal sites, and including actions taken as a dealer or broker. Taxes for waste collection known as Cleaning Taxes are set by local government units under the Law on Local Taxes. These

taxes change from one municipality to the other. The fees paid are low and with some differences. These taxes are only used to clean the city, to collect, transport urban waste in the proper destination (landfill). They do not cover extra services (processing, monitoring, etc.). There is no any integrated and appropriate network for installation and their displacement and recovery of waste as well.

In most cities the service of collection and transportation is carried out by private companies, which are contracted by municipalities.

Member States must establish an integrated and adequate network of waste disposal installations and of installations for the recovery of mixed municipal waste collected from private households. This should take into account best available techniques (BAT). These measures may be taken in cooperation with other Member States where this is necessary or advisable.

Producer responsibilities:

Legislative and non-legislative measures must be taken for persons who in a professional way develop, produce, treat, sell or import products (product producer) and have responsibility to grow production. These measures may include acceptance of each reversible product, and every waste that remains after these products are used, waste management and financial responsibility. This can involved even public information about recycling.

Recycling:

Recycling is defined like any other operation in which wastes are converted in the products, materials, or substances which can be used for primer goal or other purpose.

It includes the reprocessing of organic material but does not include energy recovery and the reprocessing into materials that are to be used as fuels or for backfilling operations.

The re-use of products should be encouraged. High quality re-cycling is to be promoted. Separate collections of waste should be set up where technically, environmentally and economically practicable and appropriate to meet the necessary quality standards for the relevant recycling sectors.

Recently has been established an association, its intention is processing, reuse and the recycling of waste. Private companies that deal with waste recycling are not well trained and do not possess official contract with buyers. The barriers preventing recycling are identified, they are:

- the high price of transport and energy,
- weak economic power of collectors,
- individs and companies
- lack of responsibilities during the first step;

- lack of information in the public, administrative, and commercial level;
- absence in stimulating and promoting re-use, recycling and processing;
- lack of expertise by businesses themselves; difficulties in entering of financial resources in order to develop such businesses.

Actually, in our country exist some recyclable private companies which collect and treat different kind of wastes such as: scrap, paper, plastics, drapery, used tires etc.

A big issue is the separation process at source. Individual collectors and the companies encounter difficulties in finding separated wastes.

The major part of recyclable waste comes from urban areas and partially from industrial sector.

Waste Removal:

Albania contains high quantity of waste that are left from the past. Most of them are illegal and hazardous. They do not match the requirements that are found in Directives concerning to burial. The Ministry of Public Work, Transport and Telecommunication plans to conduct studies and works in order to close the existing landfill and to construct some new.

Waste recovery:

Recovery is defined as any operation the principal result of which is waste serving a useful purpose by replacing other materials which would otherwise have been used to fulfill a particular function, or waste being prepared to fulfill that function, in the plant or in the wider economy.

Measures must be taken to ensure waste recovery operations. If necessary, and if technically, environmentally and economically practicable, waste should be collected separately and not mixed with other waste or other material with different properties.

Hazardous waste:

So far, even though is forbidden, the hazardous waste is mixed with no harmful waste. Packaging and labeling are not yet part of practices although legislation provides it.

Disposal of waste:

If the recovery of waste has not fully completed they must undergo to the specific operations that include their removal and burial. Waste disposal should be done without harming human health and environment. This disposal is defined as an operation that can not be recovered even though it has as the second result advertising of substances or energies.

4. WASTE MANAGEMENT IN ALBANIA

The actual level of waste generation per capita varies between the urban and rural environments. In this regard the INPAEL project team have developed the following ranges and waste generation figures for Albania and based on the analysis of the waste survey, population and municipal questionnaire data.

These figures have been calculated on the results of a waste survey carried out in 8 separate locations throughout Albania. The population figures used is those supplied by the INSTAT for the official resident of Albania for the year 2009. These results are given in Table 1.

Basic systems for the collection of urban solid waste are provided in most cities and towns however in the rural environment the picture is very different. This basic system is based on a single waste stream collection and transportation to the nearest dump site. There is very little recycling of waste unless it is carried out by the Roma community and the very nascent recycling industry in Albania.

Inevitably waste dumps are set on fire and again the emissions from this primitive and hazardous practice spread to neighboring settlements.

5. THE PROBLEMS OBSERVED

The main problems related to waste management include deficiencies in legal framework. Even though progress has been made in waste law drafting, further improvements are needed to involve all issues associated with better waste management. Implementation in a wrong way of laws in our existing legislation is an important link for the efficient functioning of legal instruments. Furthermore collection and transportation of urban waste in the appropriate landfill come across difficulties due to lack of main tools. The places of waste processing do not meet the environmental criteria. The wastes are mixed and collected together, and then are transported to landfill without any special treatment. It is observed a lack of a specific monitoring system in urban waste dumps. The recycling of urban waste is at a low level, this because of we are not able to do the separation of recycling wastes at source.

There is a low level of public awareness about the consequences that come from poor management of waste. Limited opportunities of financial sources that are very important in implementation of policies on urban solid waste management, the lack of infrastructure that is necessary to support law implementation (permanent, regional, local landfills according to European standards), together with other factors make extremely difficult its implementation.

In order to have an effectiveness of environmental legislation related to the waste area, we need to increase the strength of administrative capacities through the

development of respective institutions, and building of capacities in respect to inspectors who participate during the legislative process implementation, in local and national levels. In this point we need technical assistance and increase of human capacities. The poor coordination between ministries and other institutions causes barriers during law implementation.

CONCLUSIONS AND RECOMMENDATIONS

It is necessary the strength of legal framework related to waste management and it is required an increase of penalties for the persons who break the law. Approximation of our legislation with that of European Union Directives will fulfill even more the legal framework. An important issue is the implementation of existing legislation which needs to be much more tough, in order to improve current situation of waste management. It is required a cooperation between ministries and local governments for better implementation and improvement of infrastructure dealing with waste management.

It is necessary an institutional strength, and coordination between national and local representatives is needed as well. In the other hand we should work to prevent uncontrolled dumping and waste burning which harm the environment and human health.

The minimization of negative impact into the environment requires construction of plants being able to treat solid urbane wastes and in the same time closing of existing landfills.

The environment and its monitoring is very important issue and those people who contaminate the environment should be punished according to the law.

REFERENCE:

1. National Plan on Implementation of Association Stabilization Agreement 2010-2014
2. Draft of National Strategy for Waste Management (MMPAU, April 2010)

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Waste Area No.	Cities	Inhabitant	Waste generation kg/person/day	Waste Production (Day)	Waste generation kg/person/year	Waste production (Year)	Average waste weight within container x No. of containers	Waste collection container	Vol. of containers in Liters	Frequency of collection	Settlement Population Range	Waste coefficient Kg/person/ day
											Rural Communes	0.4
8	Erseke	2,956	0.7	2	247	730	36 x 124kg	36	1,100	3 x week		
4	Koplik	3,569	0.6	2	205	730	80 x 124kg	80	1,100	Weekly		
6	Klos	4,344	0.7	3	252	1,095	20 x 124kg	20	1,100	Daily		
3	Rreshen	4,498	1.1	5	406	1,825	53 x 112kg	53	1,000	Daily		
8	Billisht	7,966	0.6	5	229	1,825	40 x 124kg	40	1,100	Daily	< 25,000 inhabitants	0.7
4	Vau Dejes	10,240	0.3	3	107	1,095	22 x 124kg	22	1,100	Daily		
2	Fushe-Kruje	12,154	0.6	7	210	2,555	52 x 124kg	52	1,100	Daily		
1	Vore	16,350	0.6	10	223	3,650	120 x 124kg	120	1,100	40% Daily 60% 2nd day		
3	Lezhe	21,150	1.1	24	414	8,760	150 x 124kg 50 x 338kg	200	150 x 1,100L 50 x 3,000L	Daily 150 & 2 x weekly 50		
8	Pogradec	27,104	0.7	19	256	6,935	150 x 124kg	150	1,100	Daily		
1	Kavaje	28,193	0.9	24	311	8,760	195 x 124kg	195	1,100			
12	Lushnje	29,649	1.4	41	505	14,965	331 x 124kg	331	1,100	Daily		
9	Berat	36,354	0.9	34	341	12,410	270 x 124kg	270	1,100	Daily	>25,000 but < 100,000 inhabitants	1.0
12	Fier	51,773	1.3	66	465	24,090	530 x 124kg	530	1,100	Daily		
8	Korce	56,593	0.9	50	322	18,250	400 x 124kg	400	1,100	Daily		
4	Shkoder	75,097	0.9	71	345	25,915	575 x 124kg	575	1,100	Daily		

Waste Area No.	Cities	Inhabitant	Waste generation kg/person/day	Waste Production (Day)	Waste generation kg/person/year	Waste production (Year)	Average waste weight within container x No. of containers	Waste collection container	Vol. of containers in Liters	Frequency of collection	Settlement Population Range	Waste coefficient Kg/person/ day
7	Elbasan	78,446	1.1	88	409	32,120	350 x 124kg 250 x 180kg	350 250	1,100 1,600	Daily		
2	Durres	127,851	1.1	136	388	49,640	1100 x 124kg	1,100	1,100	Daily	>100,000 but < 200,000 inhabitants	1.1
1	Tirana	468,718	1.5	703	547	256,595	3215 x 192kg 255 x 271kg 48 x 361kg	3,518	3,215 x 1,700L 255 x 2,400L 48 x 3,200L	Daily	> 200,000 but < 750,000 inhabitants	1.5