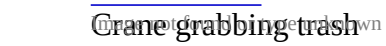
Photo Credit



Crane grabbing trash

Solid Waste Laws and Regulations

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When seeking to develop public private partnerships in solid waste or waste management projects, a host country's laws and regulatory environment must be considered.

Laws and regulatory considerations for solid waste management projects may include questions of land ownership, public health, standards and accountability, environmental and social benefits, and other issues.

Set out below are some examples of solid waste legislation and policies from different countries:

- Australia – Waste policy
- European Union - The Waste Framework Directive
- Morocco - Loi relative à la protection et à la mise en valeur de l'environnement 2003 (document in French)
- South Africa - Waste Act 2008
- USA – Waste Legislation - for summaries, see below

Below are some specific examples of legislation that enabled private sector involvement in the public sector:

- Ethiopia - As a result of a PPIAF study in 2007, Ethiopian passed the Solid Waste Management Proclamation No. 513/2007, which allows private operators to obtain a permit to engage in the collection, transportation, and use or disposal of waste.
- St. Lucia - Short Term Operations at Ciceron Solid Waste Disposal Site.
- USA - Operation of Cell 2 of SSWF-1 Sanitary Landfill in Delaware (PDF)
- USA - Engineering Services Agreement for Design and Construction Inspection, Delaware (PDF)
- USA - Construction of Cell 3 Disposal Area, Delaware (PDF)

To learn more about public-private partnership agreements visit Examples of Solid Waste Agreements.

Overview of the United States Environmental Protection Agency's (EPA) regulation of waste:

US Solid Waste Legislation - Solid Waste Disposal Act of 1965

1. Promote better management of solid wastes.
2. Support resource recovery.
3. Directed that the US Public Health Service (PHS) promulgate and enforce regulations for solid waste collection, transportation, recycling, and disposal (The US EPA was not formed until 1970).
4. Provided financial assistance for states to study and develop solid waste management plans.
5. Provided support for research and development of improved methods of solid waste management.

Resource Recovery Act of 1970

1. Directed that the nation would change its emphasis from solid waste disposal to recycling and energy recovery.
2. Required the US PHS to investigate and report on the disposal of hazardous waste in the nation.
3. The US EPA was formed in the interim.

4. In 1973 the US EPA issued the final Report to Congress: Disposal of Hazardous Wastes.
5. This was an important guidance document for the early stages of solid and hazardous waste management.

Resource Conservation and Recovery Act of 1976 (RCRA)

1. Significant requirements for the control of hazardous waste storage, treatment and disposal.
2. RCRA also included directives that the US EPA establish regulations to control solid waste disposal.

The Hazardous and Solid Waste Amendments of 1984 (HSWA)

1. Direct the US EPA to revise criteria for landfills which receive hazardous household waste or small quantities of industrial hazardous waste.
2. Require treatment of all contaminated surface water running off of landfills.
3. Methods of disposing of wastewater sewage sludge at landfills are included in the Clean Water Act as amended.
4. In October 1991, the US EPA promulgated regulations for municipal solid waste landfills. These regulations required groundwater protection -- a bottom liner and leachate collection system.
5. Leachate is liquid wastes that seep through the landfill and any precipitation or other water that comes in contact with the waste becoming contaminated. Without a landfill bottom liner this water would seep or leach into the groundwater.
6. After collection the leachate must be treated prior to discharge into a waterway.
7. Place restrictions on landfill locations. Landfills cannot be located:
    - near airports--danger to aircraft from scavenging birds,
    - in a wetland,
    - in a floodplain--water contamination,
    - on an earthquake fault.
8. Require minimum operating procedures
9. Minimum standards for landfill design. These minimum standards include monitoring the quality of the groundwater to insure that it is not polluted, or if it is, that corrective action is taken.

Related Content

- **Municipal Solid Waste (MSW) PPPs**
- **Solid Waste Laws and Regulations**
- **Sample Municipal Solid Waste (MSW) PPP Agreements**
- **Waste Management Toolkits**

Additional Resources

- Sub-national and Municipal PPPs

- Municipal Public-Private Partnership Framework
- Further Readings on Sub-national PPPs

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