

## **Procedure for the application of the criteria for termination of the status of ash waste from wood incineration plants**

*Issued pursuant to Article 6(1)<sup>1</sup> of the  
Waste Management Law*

1. The Regulation lays down the procedure for the application of the criteria for termination of the status of ash waste from wood incineration plants.

2. The following terms are used in the Regulation:

2.1. wood incineration plant — a technical device in which wood is oxidised in order to obtain thermal energy for subsequent use;

2.2. collected ash — ash from wood incineration plants of the ash producer, which have not been checked in accordance with the criteria for termination of waste status referred to in Annex 1 to this Regulation;

2.3. obtained ash — ash according to the requirements laid down in Paragraph 3 of this Regulation.

3. For the purposes of this Regulation, ash derived from wood incineration plants shall be regarded as secondary raw materials if:

3.1. after termination of the appropriate waste status, it is planned to sell the ash to the market for subsequent use in the construction of road or ground embankments, which would serve as sound absorbing elements, or in the manufacture of cement, concrete, potash and caustic potash;

3.2. the ash complies with all the criteria for termination of waste status referred to in Annex 1 to this Regulation.

4. The producer of ash within the meaning of this Regulation shall be the entity whose economic activity results in the ash referred to in Paragraph 2(2) of this Regulation.

5. An operator which has been issued a permit for the performance of Category A or B polluting activities and which manages the ash collected from wood incineration plants and ensures that the obtained ash complies with the criteria for termination of waste status, shall be considered an ash processor within the meaning of this Regulation (hereinafter — the processor).

6. This Regulation shall apply to:

6.1. wood ash corresponding to waste classification code 10 01 01;

6.2. the volatile wood ash fraction captured in the air purification plants of wood incineration plants;

6.3. mixed wood ash (mixture of ash types specified in Paragraphs 6(1) and 6(2) of this Regulation).

7. Collected ash shall be considered as waste in the cases specified in the Waste Management Law, as well as in the case where the processor is unable to certify the compliance of the obtained ash with the requirements of this Regulation.

8. The processor shall ensure that:

8.1. a declaration regarding the conformity of obtained ash with the criteria for termination of the applicable waste status referred to in Annex 1 to this Regulation (hereinafter — declaration of conformity) (Annex 2 to this Regulation) has been completed and attached for each batch of obtained ash;

8.2. the recording of collected and obtained ash shall be carried out in accordance with the laws and regulations regarding the official statistics of environmental protection and the reporting forms for polluting activities;

8.3. each batch of obtained ash shall be identifiable during transport, ensuring that the State Environmental Service (hereinafter — Service) can receive the original of the declaration of conformity from the processor upon request.

9. The processor shall draw up the declaration of conformity by electronic means in accordance with the laws and regulations regarding the drawing up of electronic documents.

10. The processor shall keep the declaration of conformity for a period of three years from the date on which it was drawn up and submit it within 10 working days of receipt of the Service's request.

11. The processor shall put in place and maintain a quality management system to ensure traceability and quality monitoring of the ash production process.

12. The quality management system shall include a detailed description of the obtaining of ash and quality verification process, which shall include the following information:

12.1. the sampling methodology used, analyses of physicochemical properties carried out for samples, labelling of secondary raw materials, description of the packaging and storage process;

12.2. the types of control measures for assessing the conformity of ash and the method of documenting the results;

12.3. a full description of the obtaining of ash and quality verification cycle, as well as information on the disposal of obtained ash and an action plan, if the obtained ash is not disposed of within one year;

12.4. the conformity criteria for the quality of the obtained ash in accordance with Annex 1 to this Regulation;

12.5. the identifying data (name, surname) and position of the processor's employees responsible for each stage of the obtaining of ash and quality verification process;

12.6. the estimated amounts of obtained ash.

13. The processor shall review the quality management system at least once a year and whenever the physicochemical characteristics of the ash obtained are changed.

14. The processor shall keep the information referred to in Paragraph 12 of this Regulation for three years from the date of collection of the ash batch.

15. The processor shall, upon written request of the competent authorities in the field of waste management, submit the information referred to in Paragraph 12 of this Regulation to the competent authorities within 10 working days.

16. The processor shall, upon written request of the competent authorities in the field of waste management, provide access to all areas, premises and documentation related to the obtaining and storage of ash in order to verify compliance with the requirements of this Regulation.

17. The processor shall inform the ash purchaser that the obtaining of ash and quality verification is carried out via a quality management system.

18. The processor may export obtained ash to other countries only if the competent authority of the country of destination in the field of transboundary waste shipments recognises the criteria for termination of the application of waste status referred to in Annex 1 to this Regulation. Where the competent authorities of dispatch and destination cannot agree on its classification, the condition of Article 28(1) of Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste shall apply.

19. If the processor or the Service finds that any of the ash batches imported from other countries do not meet the criteria for termination of the waste status of this Regulation, the whole batch shall be deemed to consist of waste to be properly managed.

Prime Minister  
Minister

(signature\*)  
(signature\*)

N. Surname  
N. Surname

\* The document has been signed with a secure electronic signature

Annex 1  
to Cabinet  
«=TAP\_DOC\_DATE\_GEN»  
Regulation No «=TAP\_DOC\_NUMBER»

### Criteria for termination of the applied waste status for wood ash from wood incineration plants

Criteria for the termination of applied waste status	Self-check criteria
<b>I. Quality requirements for collected ash</b>	
<p>Collected ash shall comply with the ash types specified in Paragraph 6 of this Regulation.</p> <p>Collected ash should be cooled and stored in closed containers until further use.</p>	<p>Ash that does not comply with the conditions referred to in this Chapter shall be delivered by the processor to the relevant waste disposal facilities if it permits the disposal of the relevant waste in accordance with the issued permit for the operation of the relevant plants in accordance with the laws and regulations on pollution.</p>
<b>II. Quality requirements for obtained ash</b>	
<p>1. General quality parameters of obtained ash:</p> <p>1.1. Obtained ash shall not contain visible foreign objects. Foreign objects are:</p> <ul style="list-style-type: none"> <li>- ferrous and non-ferrous metal;</li> <li>- soil, glass, stones;</li> <li>- other impurities.</li> </ul> <p>1.2. The specific radioactivity of radionuclide <math>^{137}\text{Cs}</math> of the obtained ash is <math>\leq 1000</math> Bq/kg.</p> <p>2. Specific quality parameters of obtained ash according to the intended application:</p> <p>2.1. pH is <math>\geq 12.4</math> if the obtained ash is intended to be used in the construction of road or ground embankments, which would serve as sound</p>	<p>The quality of ash shall be assessed on the basis of the physical and chemical characterisation obtained by laboratory tests, including those contained in the technical specifications of ash purchasers. At the request of the ash purchaser, other laboratory tests shall be carried out according to the additional specifications of the ash purchaser.</p> <p>Each batch of collected ash shall be subjected to an analysis of representative samples. Representative samples shall be obtained in accordance with the sampling procedure included in the quality</p>

<p>absorbing elements, or in the manufacture of cement or concrete;</p> <p>2.2. pH is <math>\geq 10.0</math> and <math>&lt; 12.4</math> if the obtained ash is intended to be used in the production of technical grade potassium carbonate (potash) or technical grade potassium hydroxide (caustic potash).</p> <p><u>Note</u>: the processor may also use obtained ash which meets the criterion set out in Paragraph 2(1) of this Annex for the uses specified in Paragraph 2(2) of this Annex.</p> <p>3. The classification of obtained ash shall be carried out in accordance with the requirements laid down in Article 4(1) of Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006.</p> <p>Obtained ash shall be stored in closed packaging by the processor.</p>	<p>management system (e.g. sampling methodology used, sample size and number, statistical processing).</p> <p>The processor shall ensure that those analyses are carried out and the materials shall be collected and analysed by an accredited testing laboratory.</p> <p>The analyses of collected ash shall be conducted in testing laboratories accredited by the national accreditation body in accordance with the laws and regulations on the assessment, accreditation and supervision of conformity assessment bodies or in laboratories accredited in other Member States of the European Union, Turkey or the European Economic Area.</p> <p>If the processor has at its disposal certified and appropriate measurement equipment for analyses and a qualified specialist to work with this measuring equipment, the processor may, as part of the quality management system, collect representative samples and carry out the necessary analyses on the processor's own account.</p>
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Annex 2  
to Cabinet  
«=TAP\_DOC\_DATE\_GEN»  
Regulation No «=TAP\_DOC\_NUMBER»

**Declaration of compliance of ash with the criteria for termination of waste status**

1. Details of the processor:

Name of the legal entity \_\_\_\_\_

Registration number \_\_\_\_\_

Actual address \_\_\_\_\_

Registered office \_\_\_\_\_

Telephone number \_\_\_\_\_

E-mail \_\_\_\_\_

2. Obtained ash batch:

number \_\_\_\_\_

volume in tonnes \_\_\_\_\_

3. The obtained ash in this batch is compliant with the criteria for termination of the waste status laid out in Annex 1 to the Cabinet «=TAP\_DOC\_DATE\_GEN» Regulation No «=TAP\_DOC\_NUMBER» "Procedure for the application of the criteria for termination of the status of ash waste from wood incineration plants".

4. I declare that all information provided in the declaration is complete and correct.

5. Other information \_\_\_\_\_  
\_\_\_\_\_

6. Name, surname and position of the processor's representative \_\_\_\_\_

\_\_\_\_\_

THIS DOCUMENT HAS BEEN ELECTRONICALLY SIGNED WITH A SECURE  
ELECTRONIC SIGNATURE AND CONTAINS A TIMESTAMP