

MINISTER FOR INFRASTRUCTURE  
REGULATION

**Amendment to Regulation No. 12 of the Minister of the Environment of 10 May 2016  
Amendment of “Requirements for digestate generated  
in the production of biogas from biodegradable waste”**

The Regulation is enacted on the basis of § 2<sup>1</sup>(2) and 29(4)5) of the Waste Act and § 5(4) of the Product Conformity Act.

**§ 1. Amendment of Regulation No. 12 of the Minister of the Environment of 10 May 2016 “Requirements for digestate generated in the production of biogas from biodegradable waste”**

Regulation No. 12 of the Minister of the Environment of 10 May 2016 “Requirements for digestate generated in the production of biogas from biodegradable waste” is amended as follows:

1) in the preamble to the Regulation, after the text “§ 29(4)5)”, the text “and § 5(4) of the Product Conformity Act” is added;

2) in § 6(4)1), the words “every two months” are replaced by the words “with an interval of not less than 30 days and not more than 60 days after the previous sample”;

3) in § 9(2), the misspelt word in Estonian is replaced by the correctly spelt word [experience];

4) § 10(3) is worded as follows:

“(3) The tests and measurements required for the assessment of the safety and quality indicators of the digestate mentioned in Annex 2 hereto are performed by the respective accredited laboratory, following appropriate standards or other reliable methods of analysis.”;

5) § 10(7) is worded as follows:

“(7) The certification body has the right to carry out up to two repeat checks pursuant to subsection 6. If the certification body finds shortcomings in the organisation of digestate production by the digestate producer also during the two repeat checks, the certification body shall suspend the validity of the certificate. The certification body shall inform the Environmental Board within five working days of the deficiencies detected during the repeat check and of the suspension of the certificate.”;

6) subsection (7<sup>1</sup>) is added to § 10, worded as follows:

“(7<sup>1</sup>) If the certification body has suspended the validity of the certificate, the producer of the digestate must remedy the deficiencies within the deadline set by the certification body. The certification body shall check the organisation of digestate production again after the due date. Once the deficiencies have been remedied, the certificate shall be restored. If the certification body continues to find shortcomings in the organisation of digestate production by the digestate producer, the certification body shall revoke the certificate. The certificate shall also be revoked if the biogas plant does not remedy the deficiencies by the deadline and fails to

inform the certification body thereof. The certification body shall inform the Environmental Board of the revocation of the certificate within five working days.”;

7) subsections (4) to (6) are added to § 13, worded as follows:

(4) Certificates issued before the entry into force of this Regulation shall remain valid until their expiry, amendment or revocation.

(5) Applications for certificates accepted before the entry into force of this Regulation shall be processed in accordance with this Regulation.

(6) After this Regulation enters into force, the production of digestate shall be monitored and repeat samples shall be taken in accordance with this Regulation.”;

8) Annexes 1–3 to the Regulation are reworded (added).

## **Section 2. Entry into force of the Regulation**

This Regulation shall enter into force on the 20th day following its publication in Riigi Teataja.

Kuldar Leis  
Minister

Marten Kokk  
Secretary General

Annex 1. List of biodegradable waste

Annex 2. Safety and quality indicators of digestate

Annex 3. List of biodegradable waste for which certification is not required

Regulation No 12 of the Minister of the Environment of 10 May 2016  
 “Requirements for digestate generated in the production of biogas  
 from biodegradable waste”  
 Annex 1  
 (as amended)

**List of biodegradable waste**

<b>Waste code<sup>1</sup></b>	<b>Type and name of waste<sup>1</sup></b>	<b>Specification</b>
02	WASTE FROM AGRICULTURE, HORTICULTURE, AQUACULTURE, FORESTRY, HUNTING AND FISHING, FOOD PREPARATION AND PROCESSING	
<b>02 01</b>	<b>Waste from agriculture, horticulture, aquaculture, forestry, hunting and fishing</b>	
02 01 01	Sludges from washing and cleaning	Sludges from sand and mud traps from the processing of fruit and vegetables. No synthetic substances or additives were used for washing.
02 01 02	Animal-tissue waste	Animal by-products, e.g., bristle and horn waste, wool, feathers, hair, horns, hoof cutting residues, raw milk, crustacean shells, eggs, stew by-products, digestive tract.
02 01 03	Plant tissue waste	E.g., algae, fodder waste, arable crop waste, agricultural plant tissue waste, plant tissue derived from biological filters, straw, plants growing by water, used growing media based on plant tissue.
02 01 06	Animal faeces, urine and manure (including spoiled litter), effluent, collected separately and treated off-site	Animal by-products, except for pet faeces.
02 01 07	Waste from forestry (e.g., branches, clippings)	
<b>02 02</b>	<b>Waste from the preparation and processing of meat, fish and other foodstuffs of animal origin</b>	
02 02 01	Sludges from washing and cleaning	Animal by-products. Processing water and food washing waste, sludge from the processing of dairy products. May contain food waste.
02 02 02	Animal-tissue waste	Animal by-products, e.g., bristle and horn waste, wool, feathers, hair, horns, hoof cutting residues, raw milk, crustacean shells, eggs, stew by-products, digestive tract.

02 02 03	Materials unsuitable for consumption or processing	Animal by-products. May contain intestinal, skin and shell waste.
02 02 04	Sludges from on-site effluent treatment	Animal by-products. Sludge from septic tanks and flotation equipment.
02 03	<b>Waste from fruit, vegetables, cereals, edible oils, cocoa, coffee, tea and tobacco preparation and processing; conserve production; yeast and yeast extract production, molasses preparation and fermentation</b>	
02 03 01	Sludges from washing, cleaning, peeling, centrifuging and separation	Food production sludge.
02 03 03	Waste from solvent extraction	Plant waste from extraction. The solvent must be biodegradable and non-toxic.
02 03 04	Materials unsuitable for consumption or processing	Industrial biological waste of plant origin from food processing.
02 03 05	Sludges from on-site effluent treatment	No synthetic substances or additives were used for washing.
02 04	<b>Waste from sugar production</b>	
02 04 03	Sludges from on-site effluent treatment	Sludges from the stages of sugar beet processing.
02 04 99	Waste not otherwise specified	E.g., sugar water, sugar vinasse, sugar
02 05	<b>Waste from the dairy industry</b>	
02 05 01	Materials unsuitable for consumption or processing	Animal by-products.
02 05 02	Sludges from on-site effluent treatment	No synthetic substances or additives were used for washing.
02 05 98	Whey	Animal by-products.
02 06	<b>Waste from the baking and confectionery industry</b>	
02 06 01	Materials unsuitable for consumption or processing	E.g., bread and baked goods past their expiry date.
02 06 03	Sludges from on-site effluent treatment	No synthetic substances or additives were used for washing.
02 07	<b>Waste from the production of alcoholic and non-alcoholic beverages (except coffee, tea and cocoa)</b>	
02 07 01	Waste from washing, cleaning and mechanical reduction (cutting and grinding) of raw materials	No synthetic substances or additives were used for washing and cleaning.
02 07 02	Distilling residues of spirit	
02 07 04	Materials unsuitable for consumption or processing	

02 07 05	Sludges from on-site effluent treatment	No synthetic substances or additives were used for washing.
03	WASTE FROM WOOD PROCESSING AND THE PRODUCTION OF PANELS AND FURNITURE, PULP, PAPER AND CARDBOARD	
03 01	<b>Waste from wood processing and the production of panels and furniture</b>	
03 01 01	Waste bark and cork	Clean unprocessed bark waste is permitted. Plywood or other coatings are not permitted.
03 01 05	Sawdust, including wood powder, shavings, cuttings, wood, particle board and veneer other than those mentioned in 03 01 04*	Clean unprocessed wood waste is allowed. Plywood or other coatings are not permitted.
03 03	<b>Waste from pulp, paper and cardboard production and processing</b>	
03 03 01	Waste bark and wood	Clean unprocessed wood waste is allowed. Plywood or other coatings are not permitted.
03 03 10	Fibre residues and fibre-, filler- and coating-sludges from mechanical separation	Without colourants or other synthetic substances or additives.
03 03 11	Sludges from on-site effluent treatment other than those mentioned in 03 03 10	Without colourants or other synthetic substances or additives.
04	WASTE FROM THE LEATHER, FUR AND TEXTILE INDUSTRIES	
04 01	<b>Waste from leather and fur industry</b>	
04 01 01	Fleshings and lime split waste	Allowed only if these are animal by-products, including raw hides or parts thereof, and are from animals that had no symptoms of a disease that could be transferred to humans or animals through this product.
04 02	<b>Waste from textile industry</b>	
04 02 10	Organic matter from natural products (e.g., grease, wax)	Permitted in the case of biodegradable material only.
04 02 21	Waste from unprocessed textile fibres	Plant fibres and cotton.
07	WASTE FROM ORGANIC CHEMICAL PROCESSES	
07 02	<b>Waste from the manufacture, formulation, supply and use of plastics, synthetic rubber and man-made fibres</b>	
07 02 13	Plastic waste	Biodegradable packaging and bioplastics certified according to the requirements of the harmonised standard or equivalent requirements and the complete degradation of which is technically possible at the

		facility.
15	PACKAGING WASTE, ABSORBENTS, SCRUBBERS, FILTER MATERIALS AND PROTECTIVE CLOTHING NOT SPECIFIED OR INCLUDED ELSEWHERE	
15 01	<b>Packaging (including separately collected municipal packaging waste)</b>	
15 01 01	Paper and cardboard packaging	Not permitted if non-biodegradable coatings are present.
15 01 02	Plastic packaging	Biodegradable packaging and bioplastics certified according to the requirements of the harmonised standard or equivalent requirements and the complete degradation of which is technically possible at the facility.
15 01 03	Wooden packaging	Not permitted if non-biodegradable coatings or problematic wood protection products are present. Only unprocessed wood.
17	CONSTRUCTION AND DEMOLITION WASTE (INCLUDING EXCAVATED SOIL FROM CONTAMINATED SITES)	
17 02	<b>Wood, glass and plastic</b>	
17 02 01	Tree wood	Not allowed in processed form, for instance, if it contains plywood, other coating materials or problematic wood protection products.
19	WASTE FROM WASTE MANAGEMENT FACILITIES, OFF-SITE WASTE WATER TREATMENT PLANTS AND TREATMENT OF DRINKING AND INDUSTRIAL WATER	
19 05	<b>Waste from aerobic treatment of solid waste</b>	
19 05 03	Off-specification compost	Compost and aerobic waste treatment products that do not comply with the requirements of Regulation No. 7 of the Minister of the Environment of 8 April 2013 “Requirements for the production of compost from biodegradable waste”.
19 06	<b>Waste from anaerobic treatment of waste</b>	
19 06 05	Liquid from anaerobic treatment of plants and animal waste	Permitted only if it contains waste mentioned in this Annex.
19 06 06	Sediments from anaerobic treatment of plant and animal waste	Permitted only if it contains waste mentioned in this Annex.
19 08	<b>Waste not specified elsewhere</b>	
19 08 09	Mixture of fat, oil and water produced by	

	separating the mixture of oil and water containing only cooking oils and fats	
20	MUNICIPAL WASTE (HOUSEHOLD WASTE AND SIMILAR COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL WASTE) INCLUDING SEPARATELY COLLECTED WASTE	
20 01	<b>Waste discarded or separately collected from municipal waste (except waste specified in 15 01)</b>	
20 01 01	Paper and cardboard	Excluding high-gloss paper and toxic dyes. Not permitted if non-biodegradable coatings are present.
20 01 08	Biodegradable kitchen and canteen waste	Plant materials and animal by-products.
20 01 25	Cooking oil and fat	Plant materials and animal by-products. Permitted if these are kitchen waste.
20 01 38	Wood other than that mentioned in 20 01 37	Unprocessed wood waste. Not permitted if non-biodegradable coatings are present.
20 02	<b>Garden and park waste (including cemetery waste)</b>	
20 02 01	Biodegradable waste	Garden and park waste, e.g., plant tissue, hedge and tree pruning waste, material consisting of grass and leaves that does not contain hazardous substances. Except street cleaning waste and drain waste.
20 03	<b>Other municipal waste</b>	
20 03 02	Waste from markets	Separately collected vegetables and other biological waste.

<sup>1</sup> Pursuant to a regulation enacted on the basis of § 2(4) of the Waste Act.

Regulation No. 12 of the Minister of the Environment of 10 May 2016  
 “Requirements for digestate generated in the production of biogas  
 from biodegradable waste”  
 Annex 2 (as amended)

**Safety and quality indicators of digestate**

**Table 1. Limit values of allowed substances**

	<b>Parameter</b>	<b>Limit value</b>
Hygiene	Salmonella bacteria	25 grams contains no Salmonella
	<i>E. coli</i>	No more than 1,000 CFU/g in the product
Undesirable ingredients and content	Impurities	≤0.5 % of dry matter
	Weed seeds (germinative)	≤ 2 seeds per litre
Inorganic pollutants	Lead (Pb)	130 mg/kg of dry matter
	Cadmium (Cd)	1.3 mg/kg of dry matter
	Chromium (Cr)	60 mg/kg of dry matter
	Copper (Cu)	300 mg/kg of dry matter
	Nickel (Ni)	40 mg/kg of dry matter
	Mercury (Hg)	0.45 mg/kg of dry matter
	Zinc (Zn)	800 mg/kg of dry matter

If copper content exceeds 110 mg/kg of dry matter and zinc content exceeds 400 mg/kg of dry matter, these indicators have to be presented in the certificate.

**Table 2. Indicators to be measured and presented**

<b>Indicator</b>	<b>Parameter</b>	<b>Unit of measure</b>	<b>Assessment result</b>
Soil improvement properties	Organic matter (OM)	[% of dry matter]	≥ 15 % presentation
Fertilising properties	Total nitrogen (N)	[% of dry matter]	Presentation
	Total phosphorus (P)	[% of dry matter]	Presentation
	Total potassium (K)	[% of dry matter]	Presentation
Material property	Maximum component size	[mm]	Presentation
	Total density	[g/l]	Presentation
	Water content	[g/l]	Presentation
	Salt content / electrical conductivity	[mS/m]	Presentation
	pH value		Presentation

Regulation No. 12 of the Minister of the Environment of 10 May 2016  
 “Requirements for digestate generated in the production of biogas  
 from biodegradable waste”  
 Annex 3  
 (as amended)

**List of biodegradable waste for which certification is not required**

<b>Waste code<sup>1</sup></b>	<b>Type and name of waste<sup>1</sup></b>	<b>Specification</b>
02	WASTE FROM AGRICULTURE, HORTICULTURE, AQUACULTURE, FORESTRY, HUNTING AND FISHING, FOOD PREPARATION AND PROCESSING	
02 01	<b>Waste from agriculture, horticulture, aquaculture, forestry, hunting and fishing</b>	
02 01 01	Sludges from washing and cleaning	Sludges from sand and mud traps from the processing of fruit and vegetables. No synthetic substances or additives were used for washing.
02 01 03	Plant tissue waste	E.g., algae, feed waste, crop waste, arable crop waste, agricultural plant tissue waste, plant tissues from biofilters, straw, plants growing by water, used growing media based on plant tissue.
02 01 06	Animal faeces, urine and manure (including spoiled litter), effluent, collected separately and treated off-site	Animal by-products, except for pet faeces. Permitted only on condition that the plant concerned is an agricultural biogas plant (only agricultural waste from subheading 02 01 is used and the digestate is used on agricultural land and not marketed as a product for general use).
02 03	<b>Waste from fruit, vegetables, cereals, cooking oils, cocoa, coffee, tea and tobacco preparation and processing; conserve production; yeast and yeast extract production, molasses preparation and fermentation</b>	
02 03 01	Sludges from washing, cleaning, peeling, centrifuging and separation	Sludges from the processing of plant-based raw materials and the production of plant food products. No synthetic substances or additives were used for washing and cleaning.
02 03 04	Materials unsuitable for consumption or processing	Fruits and vegetables and their peeling and pressing residues,

		grain residues, vinasse, molasses, yeast residue, starch residue, rapeseed cake, cooking oil and fat, glycerol
02 03 05	Sludges from on-site effluent treatment	Sludges from on-site treatment of wastewater from the processing of plant-based raw materials. Has not been mixed with sludges from other production streams or with domestic waste water. No synthetic substances or additives were used for washing.
02 04	<b>Waste from sugar production</b>	
02 04 03	Sludges from on-site effluent treatment	Sludges from the stages of sugar beet processing. Has not been mixed with sludges from other production streams or with domestic waste water. No synthetic substances or additives were used for washing.
02 04 99	Waste not specified elsewhere	Molasses, sugar water, sugar vinasse, sugar
02 05	<b>Waste from the dairy industry</b>	
02 05 01	Materials unsuitable for consumption or processing	E.g., glycerol
02 05 02	Sludges from on-site effluent treatment	Separately collected sludges from production lines. Has not been mixed with sludges from other production streams or with domestic waste water. No synthetic substances or additives were used for washing.
02 05 98	Whey	
02 06	<b>Waste from the baking and confectionery industry</b>	
02 06 01	Materials unsuitable for consumption or processing	E.g., bread and baked goods, cooking oil and fat, glycerol
02 06 03	Sludges from on-site effluent treatment	Sludge from the manufacture of bakery and confectionery products only. Has not been mixed with sludges from other production streams or with domestic waste water. No synthetic substances or additives were used for washing.
02 07	<b>Waste from the production of alcoholic and non-alcoholic beverages (except coffee, tea</b>	

	<b>and cocoa)</b>	
02 07 01	Waste from washing, cleaning and mechanical processing (cutting and grinding) of raw materials	Fruits and vegetables and their peeling and pressing residues. Grain residues.
02 07 02	Distilling residues of spirit	Cereal residues, fruit and vegetable residues.
02 07 04	Materials unsuitable for consumption or processing	Brewing waste and solid waste from the production of other beverages, e.g., brewer's grains and glycerol.

<sup>1</sup> Pursuant to a regulation enacted on the basis of § 2(4) of the Waste Act.