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|  | **Publisher: Cabinet of Ministers****Form: regulation****Number: 682****Adopted: 13.11.2018****Entered into force: 16.11.2018** | **Published:****Latvijas Vēstnesis [Latvian Official Gazette], 226/6312,****15.11.2018****OP number: 2018/226.2** |
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**Cabinet Regulation No 682**

Riga, 13 November 2018 (Ref. No 52 34. paragraph)

**Procedure under which the waste status of rubber materials obtained from end-of-life tyres ceases to apply**

*Issued pursuant to
Article 6(1)1
of the Waste Management Law*

1. This regulation lays down a procedure under which the waste status of rubber materials obtained from end-of-life tyres ceases to apply.
2. Within the meaning of this regulation, secondary raw materials are considered to be rubber materials obtained from end-of-life tyres through breaking, crushing, shredding, cutting or pelletising if, after the processing of the tyres, these materials are intended for sale on the market for further use, with or without binding agents, and they meet all the criteria mentioned in Annex 1 to this regulation.
3. The following secondary raw materials may be obtained from end-of-life tyres:
	1. rubber powder: a rubber material obtained from crushing end-of-life tyres into particles of up to 0.8 mm;
	2. rubber pellets: a rubber material obtained from pelletising end-of-life tyres into particles sized 0.9–20 mm;
	3. rubber mulch: a rubber material obtained from crumbling, crushing or shredding end-of-life tyres into irregularly shaped particles sized 10–50 mm. An admixture of textiles is allowed;
	4. crushed rubber: a rubber material obtained from crumbling, crushing or shredding end-of-life tyres into irregularly shaped particles sized mainly between 50 and 300 mm. An admixture of metal wires and textiles is allowed;
	5. rubber cuttings: a rubber material obtained from crumbling, crushing or shredding end-of-life tyres into irregularly shaped particles sized mainly between 300 to 500 mm. An admixture of metal wires and textiles is allowed.
4. Rubber materials shall not be considered as secondary raw materials but as waste if they are used for the following purposes:
	1. incineration with or without energy recovery;
	2. pyrolysis, plasmolysis, gasification and similar technological processes where the physical or chemical properties of the rubber materials are modified;
	3. depositing in landfills or storage for more than 1 year.
5. The processor of end-of-life tyres shall ensure the following:
	1. for each batch of secondary raw materials, a declaration is filled out showing that the secondary raw materials meet the end-of-waste applicable criteria set out in Annex 1 to this regulation pursuant to Annex 2 thereto (hereinafter referred to as the ‘declaration of compliance’);
	2. the record-keeping of recyclable end-of-life tyres is carried out according to the rules and regulations on the official environmental statistics forms;
	3. during transportation, each batch of secondary raw materials is accompanied by a hard copy of the declaration of compliance, enabling the State Environmental Service of the Republic of Latvia to require that the processor of end-of-life tyres produce the original copy of the declaration of compliance.
6. The declaration of compliance shall be prepared electronically pursuant to the rules and regulations on electronic documents.
7. The processor of end-of-life tyres shall keep the declaration of compliance for 5 years after the date of issue thereof and produce it at the request of the competent authorities responsible for waste management within 10 working days.
8. The processor of end-of-life tyres shall attach to each batch of secondary raw materials the technical specification of the product.
9. The person responsible for importing the secondary raw materials into Latvia shall ensure that the processor of the end-of-life tyres attaches to each batch of secondary raw materials a statement with information about the physical and chemical properties of the shipment and details of the processor of end-of-life tyres
10. The person responsible for importing secondary raw materials into Latvia shall keep the statement mentioned in paragraph 9 of this regulation for 5 years after the date it was made and shall produce it at the request of the competent authorities responsible for waste management within 10 working days.
11. The processor of end-of-life tyres shall introduce a quality management system to ensure the traceability of waste tyre processing. The processor of end-of-life tyres shall observe the quality requirements and the physical and chemical properties of the secondary raw materials laid down in the technical specifications of the buyer of secondary raw materials.
12. The quality management system shall include a detailed description of the processing of end-of-life tyres, which shall include the following information:
	1. description of the quality monitoring of the processing of end-of-life tyres pursuant to Annex 1 to this regulation;
	2. the sampling methods used, physical and chemical tests of samples, labelling of secondary raw materials, description of packaging and storage processes;
	3. compliance criteria for end-of-life tyres, types of control measures to assess end-of-life tyres for compliance and the ways in which the outcomes are documented;
	4. description of the entire processing cycle of end-of-life tyres, including the subsequent management and storage of the waste produced in the processing process, and information about the potential sale of the secondary raw materials;
	5. quality compliance criteria of secondary raw materials and self-check criteria pursuant to Annex 1 to this regulation;
	6. the waste tyre processor's staff who are responsible for each stage in processing the end-of-life tyres;
	7. potential volume of end-of-life tyre processing.
13. The processor of end-of-life tyres shall keep the information specified in paragraph 12 of this regulation for 5 years after accepting the relevant batch of secondary raw materials.
14. The processor of end-of-life tyres shall review the quality management system each year and also when significant changes are made to the technological processes for obtaining the secondary raw materials or when the physical or chemical properties of the secondary raw materials are modified.
15. At the written request of the competent authorities in charge of waste management, the processor of end-of-life tyres or the person responsible for the import of secondary raw materials into Latvia shall provide access to all areas, premises and documents associated with the processing and storage of end-of-life tyres, in order to assess them for compliance with the requirements stipulated in this regulation.
16. The processor of end-of-life tyres shall inform the buyer of secondary raw materials that end-of-life tyres are processed under a quality management system.
17. If rubber material is imported from other countries that is obtained from end-of-life tyres and the competent authorities of the dispatch country and the destination country cannot agree on its classification, 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.

**Reference to European Union Directive**

The legal provisions shall be agreed with the European Commission and the Member States of the European Union in accordance with Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and Information Society services.

*Prime Minister Māris Kučinskis*

*Minister for Environmental
Protection and Regional Development Kaspars Gerhards*

Annex 1
to Cabinet
Regulation No 682
of 13 November 2018

**End-of-waste criteria for rubber materials obtained from end-of-life tyres**

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| Serial No | End-of-waste criteria | Self-check criteria |
| 1. | Quality requirements for rubber materials obtained from end-of-life tyres through mechanical processing: | The quality of rubber materials shall be assessed:- visually;- in terms of their physical and chemical properties, which are obtained through laboratory tests, including those covered by the technical specifications of the buyers of secondary raw materials. At the request of the buyer of secondary raw materials, other laboratory tests may be carried out in accordance with the additional specifications of the buyer of secondary raw materials.For each type of secondary raw material obtained from end-of-life tyres, a testing of representative samples shall be carried out.The representative samples shall be obtained according to the sampling procedure covered by and described in detail as part of the quality management system (for example, sampling methods used, sampling frequency, size, sample types and number, statistical analysis, etc.). The physical and chemical properties shall be tested in a laboratory.The compliance criteria of secondary raw materials specified in paragraph 1 of this annex shall be introduced and described within the operated quality management system. |
| 1.1 | they do not have hazardous properties mentioned in Commission Regulation (EU) No 1357/2014 of 18 December 2014 replacing Annex III to Directive 2008/98/EC of the European Parliament and of the Council on waste and repealing certain Directives, and they do not exceed the concentration limits specified in Annex IV to Regulation (EC) No 29/2004 of the European Parliament and of the Council of 29 April 2004 on persistent organic pollutants and amending Directive 79/117/EEC; |
| 1.2. | they meet the restrictions of Article 50 of Annex XVII to Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC; |
| 1.3. | they do not contain noticeable amounts of oil and lubricants; |
| 1.4. | separation and quantitative determination is carried out according to type/size. |
| 2. | Requirements for waste to be recycled into secondary raw materials: | The quality of rubber materials shall be assessed visually. The record-keeping of the quantity of end-of-life tyres received and recycled is carried out according to the rules and regulations on the official environmental statistics forms; |
| 2.1. | only end-of-life tyres corresponding to the waste classification and properties of hazardous waste as specified in rules and regulations may be used; |
| 2.2. | end-of-life tyres contaminated with hazardous substances or hazardous waste may not be used; |
| 3. | End-of-life tyres shall be processed as follows: | tyres shall be cleaned mechanically or manually; |
| 3.1. | foreign objects (such as stones, pieces of metal and debris) shall be removed; |
| 3.2. | methods and processes used shall not have a detrimental impact on the environment; |
| 3.3. | the rules and regulations governing the management and handling of waste shall be followed. |

Minister for Environmental
Protection and Regional Development Kaspars Gerhards

Annex 2
to Cabinet
Regulation No 682
of 13 November 2018

**Declaration stating that the secondary raw materials meet the end-of-waste criteria**

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| 1. Details of the processor of end-of-life tyres |  |
| Name of legal person |  |
| Registration number |  |
| Actual address |  |
| Legal address |  |
| Contact person |  |
| Telephone number |  |
| E-mail |  |

2. The technical requirements laid down in the technical specification of the buyer of secondary raw materials, including composition, size, admixtures, physical and chemical properties (please specify the technical requirements).

The secondary raw materials obtained from end-of-life tyres meet the requirements set out in the technical specifications.

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| 3. Shipment size in kg |  |

4. The secondary raw materials obtained from end-of-life tyres meet the end-of-waste criteria.\*

5. The processor of end-of-life tyres operates in accordance with the quality management system.

6. The secondary raw materials included in the shipment are intended only for direct use (please specify the intended use)

7. Other information

8. I hereby confirm that the information in the declaration is complete and correct.

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| Representative of the economic operator |  |  |  |  |  |
|  | (first name, surname) |  | (position) |  | (signature) |

Date

Note: \* Criteria laid down in Annex 1 to Cabinet Regulation No 682 of 13 November 2018, entitled ‘Procedure under which the waste status of rubber materials obtained from end-of-life tyres ceases to apply’ and included in the quality management system of the processor of end-of-life tyres.

Minister for Environmental
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