MOROĞLU ARSEVEN

Turkey Announces Procedures and Principles Regarding the Zero Waste Management System

8 Aug 2019

The Regulation on Zero Waste (the "**Regulation**") in relation to procedures and principles regarding the establishment of the zero waste management system and the issuing of the zero waste certificate was published in Official Gazette number 30829 on 12 July 2019.

The purpose of the Regulation is to determine the general rules and principles regarding the establishment, dissemination, development, monitoring, financing, recording and certification of the zero waste management system aimed at protecting the environment, human health and all resources in waste management processes in line with the principles of effective management of raw materials and natural resources and sustainable development.

In order to use resources efficiently in production, consumption and service processes, persons and institutions within the scope of the Regulation shall comply with the following principles:

- Prevention of waste generation by taking into account the principles in the Regulation,
- Reduction of the waste in cases that it is not possible to prevent waste generation,
- Evaluation of the possibilities of re-use of products and materials,
- Complying with the implementation schedule set out in the Regulation in the establishment and implementation of the zero waste management system
- Reporting duly within the scope of the Regulation.

In line with the implementation schedule set out in Annex-1 of the Regulation, it is required to establish and implement a zero waste management system for local authorities and buildings and premises. Persons and institutions that start their activity after the specified date, will put the zero waste management system into practice within one year from the start date of their activity. In this context, the following persons and organizations are required to complete the transition to the system until the specified dates:

Until 1 June 2020;

• State institutions and organizations.

Until 31 December 2020:

- Metropolitan sub-provincial municipalities with a population more than 250.000.
- Organized industrial zones.
- Airports.
- Business centers and commercial plazas with an office capacity of 100 or more.
- Ports.
- Shopping malls with an area larger than 5000 square meters.

- Educational institutions and dormitories with more than 250 students.
- Businesses with a room capacity of 100 or more.
- Health authorities with a bed capacity of 100 or more.
- Gas stations and rest areas. Sites with more than 300 houses.
- Chain markets.

Until 31 December 2021;

- Metropolitan sub-provincial municipalities with a population less than 250.000.
- Central sub-provincial municipalities.
- Associations of the municipality.
- Shopping malls with an area of 1000 to 4999 square meters.
- Business centers and commercial plazas with an office capacity of 20 to 99.
- Industrial facilities listed in Annex-2 of the EIA Regulation.
- Train and bus stations.
- Educational institutions and dormitories with 20 to 249 students.
- Businesses with room accommodation capacity of 50 to 99.
- Health authorities with a bed capacity of 50 to 99.

Until 31 December 2022;

- Municipalities other than central sub-provincial municipalities.
- Provincial special administrations outside the contiguous area.
- Shopping centers with an area less than 1000 square meters.
- Educational institutions and dormitories with less than 50 students.
- Businesses with room accommodation capacity of less than 50.
- Health authorities with a bed capacity less than 50.

"Provincial Zero Waste Management System Plan" will be prepared for each province with the resolution of the Local Environment Board, under the chairmanship of the local authority, in order to conduct the zero waste management system in integrity throughout the province. The transition of buildings and premises (including houses) to the system will be ensured within the framework of this plan.

In case of any violation of the zero waste management system, administrative sanctions will be imposed.

The zero waste certificate is issued for four different levels: basic, silver, gold and platinum. Accordingly, it is necessary to obtain a certificate at the basic level at first, and then after one year of work and developments, it is possible to obtain a qualified certificate at the silver, gold and platinum level.

For the zero waste certificate at the basic level;

• Institutions responsible for establishing the zero waste management system must obtain a zero waste certificate at the basic level in line with the specified process. Other institutions may apply for a certificate at the basic level if they request.

For the zero waste certificate at the silver, gold and platinum level;

• Institutions responsible for establishing the zero waste management system must apply by submitting the information and documents based on the scoring criteria determined for one year's work to the

zero waste information system within 30 calendar days after the completion of the twelve-month period following the obtaining of the zero waste certificate at the basic level. Other institutions may apply for these certificates if they request.

In case of determination of acts that require an administrative sanction, 90 calendar days of improvement period will be granted to the institutions which are found to be in violation of the principles of zero waste certificates after imposing an administrative sanction on them. At the end of the granted period;

- For institutions where the necessary improvement is at the level to ensure the continuity of the current certificate level, the zero waste certificate will continue to be valid.
- For institutions where the necessary improvement is not at a level to ensure the continuity of the current certificate level, the zero waste certificate will be canceled.

Please see this <u>link</u> for the full text of the Regulation on Zero Waste which was published in Official Gazette number 30829 on 12 July 2019 (Only available in Turkish).

Related Attorneys

- BENAN ARSEVEN
- C. HAZAL BAYDAR, LL.M.

Moroglu Arseven | www.morogluarseven.com