

NB: Unofficial translation; legally binding texts are those in Finnish and Swedish

Ministry of the Environment, Finland

WASTE DECREE

(1390/1993; amendments up to 988/2004 included)

Chapter 1 - General provisions

Section 1 - Further provisions on the scope of the Waste Act (171/2000)

The provisions of the Waste Act shall apply to:

- 1) waste from a ship as referred to in the Act on the Prevention of Pollution from Ships (300/1979) as from the time that the waste has been received in the reception equipment referred to in sections 16, 21 and 26 of said Act; and
- 2) waste or contaminated soil arising from oil pollution accident occurring on land or on water as from the time that the initial measures required to combat oil pollution have been performed.

Section 2 - Application of the Waste Act within the Defence Forces

- (1) If application of the Waste Act or provisions or regulations issued thereunder may jeopardize confidentiality of issues vital to national security or if such application is not possible owing to the special nature of the Defence Forces, derogations from the provisions or regulations shall be permitted to the necessary extent at the following locations:
 - 1) operative command centres and control and signal stations;

- 2) industrial and production facilities, including depots and repair facilities whose primary purpose is not automobile maintenance or real estate management;
 - 3) Defence Forces reserve supplies which are separately fenced off and guarded;
 - 4) air bases;
 - 5) coast guard artillery fortifications;
 - 6) naval bases; and
 - 7) test and research institutions.
- (2) The Ministry of Defence shall decide on derogations from the provisions and regulations at the locations referred to in subsection 1 after consulting the Ministry of the Environment.

Section 3 - Classification as waste (472/1996)

The objects and materials listed in Annex 1 to this Decree are classified as waste as referred to in section 3(1)(1) of the Waste Act.

Section 3a - Classification as hazardous waste (472/1996)

- (1) Wastes belonging to the categories referred to in Annex 2 and 3 to this Decree and other wastes are classified as hazardous waste in accordance with section 3(1)(2) of the Waste Act if they are referred to as hazardous waste in the list of the most common wastes and of hazardous wastes referred to in section 75(1) of the Waste Act.
- (2) In individual cases the regional environment centre can decide:
 - 1) that a waste referred to as hazardous waste is not hazardous waste if the waste holder can reliably demonstrate that the waste in question does not have any of the properties listed in Annex 4; and
 - 2) that other waste is also hazardous waste if it has any of the properties listed in Annex 4 and it is necessary to classify this waste as hazardous waste in order to prevent or combat a hazard or harm caused by this waste.

- (3) For monitoring purposes, the regional environment centre shall send a copy of its decision as referred to in subsection 2 to the Finnish Environment Institute, which shall send a summary of these decisions every six months to the Ministry of the Environment.

Section 4 - *Definition of waste recovery and disposal*

The recovery referred to in section 3(1)(10) of the Waste Act shall mean the operations listed in Annex 5 to this Decree, and the disposal referred to in paragraph 11 of the same subsection shall mean the operations listed in Annex 6 to this Decree.

Chapter 2 - **General quality requirements for the organization of waste management**

Section 5 - *Collection, packaging and labelling of waste, and notifications concerning waste*

Waste shall be collected and, as necessary, packaged and labelled, and information provided on it in such a way that appropriate waste management can be organized for it and hazard or harm to health or the environment avoided.

Section 6 - *Labelling of hazardous waste packaging*

- (1) The name of the waste and the waste holder shall be marked on hazardous waste packaging together with any information and warnings necessary for safety and appropriate waste management organization.
- (2) The labelling duty referred to in subsection 1 above applies to hazardous waste generated in households or in comparable activities, when such waste has been delivered and gathered at a municipal or other reception facility for hazardous waste. (472/1996).

Section 7 - *Loading and transport of waste*

- (1) Loading and transport of waste shall be organized so as to minimize resulting noise or other disturbance to the environment.
- (2) Waste shall be transported in a closed-body vehicle or in a package inside a vehicle. Waste may also be transported in other ways if it can be ensured that no waste is discharged into the environment during loading or transport.

Section 8 - *Waste recovery and disposal*

Waste recovery and disposal facilities shall be planned, established, built and managed so as not to cause hazard or harm to health or the environment. Special care must be taken to ensure that:

- 1) landfills are designed and used so that neither the landfill nor traffic to and from it causes hazard or harm to nearby residents or users of the landfill, or disfigurement of the landscape, contamination of the soil or littering of the environment and, if necessary, landfill leachate and runoff are collected and cleaned or conducted elsewhere for treatment;
- 2) incineration plants or comparable waste-fuelled plants are designed and used so that incineration of the waste and decomposition of harmful substances are as complete as possible, flue gases are cleaned effectively and the ash and slag generated are properly disposed of;
- 3) composting or sorting plants or other waste recovery or disposal facilities are designed and used so as not to give off odours or cause noise or soil contamination, littering of the environment or any other comparable harm typical of the plants in question, and so that runoff into the environment is appropriately prevented;
- 4) reception facilities for hazardous waste are designed and used so as not to cause hazard or harm to nearby residents, users of the facility or public safety, and so that soil contamination, littering of the environment and

runoff into the environment are appropriately prevented;
and

5) waste transfer stations are designed and used so as not to give rise to noise or dust or littering of the environment.

Section 9 - Closure of a waste recovery and disposal facility

After a waste recovery and disposal facility or part thereof has ceased to receive waste, the facility or part thereof shall without delay be reconditioned so that after closure it no longer causes the hazard or harm referred to in section 8.

Section 10 - Manager in charge of a waste recovery and disposal facility

The operator of a waste recovery or disposal facility shall designate a manager in charge of appropriate care, use, closure and related supervisory activities at the facility.

Chapter 3 - Approval procedures

Section 11

Section 11 has been repealed. (171/2000)

Section 11a - Control of waste on the green list (1414/1994)

Under Council Regulation 259/1993/EEC on the supervision and control of shipments of waste within, into and out of the European Community, hereinafter the Waste Shipment Regulation, the Ministry of the Environment may decide that any waste referred to in Annex II of said Regulation (green list) shall be subject to the same control as the waste referred to in Annex III (amber list) or IV (red list) of said Regulation.

Section 11b - *Returning waste on the green list or other measures* (64/1995)

Under the Waste Shipment Regulation the Finnish Environment Institute can decide on returning waste referred to in Annex II or on other measures.

Section 11c - *Decisions regarding movements of waste* (64/1995)

The Finnish Environment Institute shall issue a decision on all notifications conforming with the Waste Shipment Regulation. This decision shall be issued within the time frame specified in the Waste Shipment Regulation for processing notifications. If no written decision is required under the Waste Shipment Regulation, shipments of waste may be carried out in accordance with said Regulation even if the Finnish Environment Institute has not issued a decision within the specified time frame.

Section 11d - *Prohibition of movements of waste due to prior illegal movements* (64/1995)

The Finnish Environment Institute can decide to prohibit shipments of waste under the Waste Shipment Regulation if the notifier or the consignee of the waste has previously been guilty, wilfully or from gross negligence, of carrying out an illegal movement.

Section 11e - *Financial guarantees for movements of waste* (64/1995)

The Finnish Environment Institute can accept, as the financial guarantee referred to in the Waste Shipment Regulation, a bank deposit, bank guarantee or insurance that covers any costs incurred from the return or alternative recovery or disposal of waste, and any costs incurred from related measures.

Section 11f - *Collection of costs arising from movements of waste* (64/1995)

The Finnish Environment Institute shall collect the administrative costs arising from processing and

supervising the notifications referred to in the Waste Shipment Regulation and the ordinary expenses arising from the appropriate investigations and inspections, as separately prescribed by the Ministry of the Environment. The costs incurred by the government from the return, disposal or recovery of waste shall be collected primarily from the financial guarantee for the shipment, as provided in the Waste Shipment Regulation.

Section 11g - Designation of customs offices (1414/1994)

Under the Waste Shipment Regulation, the National Board of Customs can designate the Finnish customs offices through which waste movements shall take place into or out of the European Community.

Section 11h - Submission of notification at the notifier's request (64/1995)

If the notifier so requests, the Finnish Environment Institute can submit, on the notifier's behalf, a notification conforming with the Waste Shipment Regulation to the competent authorities of the countries concerned and to others referred to in the Waste Shipment Regulation.

Section 11i - Obligation to present a contract (775/1997)

Appended to the notification under the Waste Shipment Regulation, the notifier must submit the contract with the consignee of the waste referred to in said regulation for inspection by the Finnish Environment Institute.

Section 11j - Application of the export of waste prohibition in the Waste Shipment Regulation in exceptional cases (13/2000)

- (1) The Finnish Environment Institute may decide:
- 1) that the export prohibition referred to in article 16(1) of the Waste Shipment Regulation shall not apply to certain waste referred to in Annex V of the Waste Shipment

Regulation if the waste holder shows reliably that said waste has none of the properties listed in Annex 4 of this Decree; and

2) that the export prohibition shall apply to certain waste even if it is not included in Annex V of the Waste Shipment Regulation or if it is included in the list of part B of said annex if the waste in question has any of the properties listed in Annex 4 of this Decree.

- (2) Before making the decision referred to in subsection 1, the Finnish Environment Institute must notify the competent authority in the country into which the waste is to be imported. The Finnish Environment Institute must also notify the Ministry of the Environment and the Commission of the European Communities of such a decision by the end of each calendar year.

Section 12 - Notification of operations to the waste data register (64/1995)

The notification for entry in the waste data register referred to in section 49 of the Waste Act shall be made to the regional environment centre of the operator's domicile.

Section 13 - Content of the notification to the waste data register (171/2000)

- (1) The notification for entry in the waste data register of operations referred to in section 49(1)(1) of the Waste Act shall include:
- 1) the name or trade name of the economic operator, the name of a contact person and the domicile or municipality of residence as referred to in the Municipality of Residence Act (201/1994), and the address of both the above;
 - 2) an extract from the Trade Register if an entry in the Trade Register is required for operations;
 - 3) a copy of the transport licence;
 - 4) a description of the transport equipment;

- 5) a description of the type, quality and quantity of the waste to be collected and transported;
 - 6) a description of the operating area;
 - 7) information on the expertise at the economic operator's disposal;
 - 8) information for the assessment of solvency or on financial guarantees to be posted.
- (2) The notification for entry in the waste data register of operations referred to in section 49(1)(2) of the Waste Act shall include:
- 1) the name or trade name of the economic operator, the name of a contact person and the domicile or municipality of residence as referred to in the Municipality of Residence Act and the address of both the above;
 - 2) an extract from the Trade Register if an entry in the Trade Register is required for operations;
 - 3) a description of the type, quality, quantity and origin of the waste to be sold or dealt in abroad for recovery or disposal;
 - 4) information on the expertise at the economic operator's disposal;
 - 5) information for the assessment of solvency or a description of insurance policies necessary for operations or of the financial guarantees to be posted.

Section 13 (3) has been repealed. (988/2004)

Section 14 - *Processing of notifications to the waste data register* (171/2000)

- (1) The regional environment centre shall review notifications without delay, request any additional information from the economic operator to supplement the notification, make a decision concerning the notification and enter the information on the decision in the waste data register.
- (2) If the operations referred to in the notification extend to the area of two or more regional environment centres, the information given in the notification shall be

entered on the basis of the same notification in the waste data register of each regional environment centre involved.

Section 14a - *Decision on acceptance in the waste data register* (171/2000)

- (1) Decisions issued on notifications shall include:
 - 1) the information given in the notification;
 - 2) the decision on acceptance in the waste data register or refusal to accept the operations for entry in the register;
 - 3) regulations to be issued;
 - 4) justification of the decision and the provisions applied.
- (2) Decisions issued on notifications shall be sent to the economic operator. Appeal instructions shall be appended to the decision.

Section 14b - *Supervision of operations accepted in the waste data register* (171/2000)

- (1) In a decision on acceptance in the waste data register, the regional environment centre may issue further provisions requiring the economic operator to submit regular notifications to the waste data register on issues necessary for supervision of the operations concerned.
- (2) Economic operators accepted in the waste data register shall notify the regional environment centre of any changes in operations that may have a bearing on the data entered in the waste data register.
- (3) The regional environment centre shall send those accepted in the waste data register an extract of the data in the register to be checked by the end of the calendar year during which three years have passed since the latest change concerning operations entered in the waste data register.

Chapter 4 - **Waste management work**

Section 15 - *Agreements on waste management work* (775/1997)

- (1) Agreements between the government and municipality on waste management work as referred to in section 35 of the Waste Act shall specify the purpose, implementation, costs and their distribution, the supervision and completion of the work, the dispute settlement procedure, any cost recovery procedures and other relevant matters.
- (2) If an agreement as referred to in subsection 1 is not concluded, the municipality must be given an opportunity to explain its views on the waste management work.

Section 16 - *Recovery of costs incurred from waste management work*

- (1) The costs incurred by the government from waste management work shall be recovered from the party responsible for cleaning the site under the Waste Act. No costs shall be recovered, however, if recovery would be unreasonable or if it is likely that the costs cannot be recovered or if recovery would not be appropriate for some other comparable reason.
- (2) If it is obvious before the commencement of waste management work that costs must be recovered under subsection 1, work shall not commence unless a legally valid decision on administrative compulsion has been issued on cleaning the site or unless agreement on payment of costs has been reached with the party responsible for cleaning the site. Work may, however, commence in the situation referred to in section 62 of the Environmental Protection Act (86/2000).(171/2000)

Chapter 5 - **Some authorities and their duties**

Section 17 - *Duties of the Environment Administration* (64/1995)

- (1) In addition to what is prescribed in the Waste Act, the Finnish Environment Institute shall:

- 1) maintain a master register of waste data registers;
 - 2) conduct research on waste and waste management, arrange training, provide information and advice, make announcements, compile statistics and engage in monitoring;
 - 3) take part in preparing the national waste plan and regulations and directives to be issued under the Waste Act;
 - 4) act as the correspondent referred to in the Waste Shipment Regulation; and
 - 5) perform other tasks assigned to it by the Ministry of the Environment and within its purview.
- (2) In addition to what is prescribed in the Waste Act, the regional environment centre shall:
- 1) conduct research on waste and waste management serving regional administration, arrange training, provide information and advice, make announcements, compile statistics and engage in monitoring;
 - 2) take part in preparing the regional waste plan; and
 - 3) perform other tasks assigned to it and within its purview.

Section 18 - Advisory authorities and agencies (269/1997)

The advisory authorities and agencies for waste matters are, within their respective purviews, the Ministry of Social Affairs and Health, the Public Health Institute, the Customs, the Technical Research Centre of Finland and the Finnish Environment Institute. These authorities and agencies issue opinions, conduct research and draw up reports for the Ministry of the Environment and the supervisory authorities specified in the Waste Act.

Section 19

Section 19 has been repealed. (126/2000)

Section 20 - *Supervision of compliance with the Waste Act within the Defence Forces (775/1997)*

Compliance with the Waste Act within the Defence Forces at the locations referred to in section 2(1) shall be supervised by the Ministry of Defence if it has issued the regulations referred to in section 2(2) concerning the implementation of provisions issued in or under the Waste Act at said locations. Upon request, the Ministry of Defence shall provide the Ministry of the Environment with information on the application of the Waste Act at said locations. The Ministry of the Environment shall not supply such information to any other party without the consent of the Ministry of Defence.

Chapter 6 - **Miscellaneous provisions**

Section 21 - *Master register of waste data registers (171/2000)*

The master register of waste data registers referred to in section 17(1)(1) above shall include the following waste data registers:

- 1) the waste data register maintained by the Finnish Environment Institute, containing information on the notifications of transboundary movements of waste and on the relevant decisions;
- 2) the waste data register maintained by the regional environment centre, containing information on waste collection and transport on a professional basis, operation as a seller or dealer in waste if the waste is intended for recovery or disposal outside Finnish territory, producer corporations and economic operators.

Section 22 - *Keeping information on waste and waste management*

The information on waste and waste management referred to in section 51(3) of the Waste Act shall be kept for three years unless otherwise laid down or prescribed elsewhere.

Section 23 - *Inspection*

- (1) The party performing the inspection referred to in section 54 shall notify the holder of the facility to be inspected or his representative of the inspection in advance unless special reasons to the contrary exist.
- (2) The inspection shall be performed in a way that ensures achievement of the supervision purpose without undue disruption of operations.
- (3) A report on the inspection specifying any shortcomings observed shall be drawn up without delay. A copy of the report shall be given to the holder of the facility inspected.

Section 24

Section 24 has been repealed. (614/1999)

Section 25 - *Further regulations and directives (269/1997)*

The Ministry of the Environment may:

- 1) after hearing the Ministry of Social Affairs issue further regulations on the packaging and labelling of hazardous wastes or grant exemptions therefrom, and issue regulations on the packaging and labelling of other waste and on marking waste storage sites and on providing information on waste; and
- 2) issue further regulations and directives on other implementation of this Decree.

Chapter 7 - **Entry into force and transitional provisions**

Section 26 - *Entry into force*

- (1) This Decree enters into force on January 1, 1994, with the exception of section 6, which enters into force on January 1, 1997, and section 19, which enters into force on March 1, 1994. (472/1996)
- (2) Measures necessary for the implementation of this Decree may be undertaken before the Decree enters into force.

Annex 1

CATEGORIES OF WASTE

The following substances shall be classified as waste:

- Q 1 Production or consumption residues not otherwise specified below.
- Q 2 Off-specification products.
- Q 3 Products whose date for appropriate use has expired.
- Q 4 Materials spilled, spoiled or otherwise damaged, including any materials, equipment or other objects contaminated as a result of damage.
- Q 5 Materials contaminated or soiled as a result of planned actions, e.g. residues from cleaning operations, packing materials and containers.
- Q 6 Unusable parts, e.g. exhausted batteries or catalysts.
- Q 7 Substances which no longer perform satisfactorily, e.g. contaminated acids and solvents and exhausted tempering salts.
- Q 8 Residues of industrial processes, e.g. slags and still bottoms.
- Q 9 Residues from pollution abatement processes, e.g. scrubber sludges, baghouse dusts and spent filters.
- Q 10 Residues from machining or finishing, e.g. lathe turnings and mill scales.
- Q 11 Residues from raw materials extraction and processing, e.g. mining residues and oil field slops.
- Q 12 Adulterated materials, e.g. oils contaminated with polychlorinated biphenyls (PCBs).
- Q 13 Any materials, substances or products whose use has been banned by law.
- Q 14 Products for which the holder has no further use, e.g. agricultural, household, office, commercial and shop discards.
- Q 15 Contaminated materials, substances or products resulting from remedial action with respect to soil.

Q 16 Any other materials, substances or products discarded by the holder or which the holder intends or is required to discard.

Annex 2

CATEGORIES OR GENERIC TYPES OF HAZARDOUS WASTE LISTED ACCORDING TO THEIR NATURE OR THE ACTIVITY WHICH GENERATED THEM*

Annex 2 A.

Wastes displaying any of the properties listed in Annex 4 and which consist of the following substances or materials:

1. Anatomical substances; hospital and other clinical wastes.
2. Pharmaceuticals, medicines and veterinary compounds.
3. Wood preservatives.
4. Biocides and phyto-pharmaceutical substances.
5. Residue from substances employed as solvents.
6. Halogenated organic substances not employed as solvents excluding inert polymerized materials.
7. Tempering salts containing cyanides.
8. Mineral oils and oily substances, e.g. cutting sludges.
9. Mixtures and emulsions of oil and water or hydrocarbons and water.
10. Substances, e.g. dielectrics, containing polychlorinated biphenyls (PCBs) or polychlorinated terphenyls (PCTs).
11. Tarry materials, e.g. still bottoms, arising from refining, distillation and any pyrolytic treatment.
12. Inks, dyes, pigments, paints, lacquers and varnishes.
13. Resins, latex, plasticizers, and glues and other adhesives.
14. Chemical substances, e.g. laboratory residues, arising from research and development or teaching activities which are not identified or are new and whose effects on man or the environment are not known.
15. Pyrotechnics and other explosive materials.
16. Photographic chemicals and processing materials.
17. Any material contaminated with any congener of polychlorinated dibenzo-furan.

18. Any material contaminated with any congener of polychlorinated dibenzo-p-dioxin.

Annex 2 B.

Wastes which contain any of the constituents listed in Annex 3 and having any of the properties listed in Annex 4 and consisting of the following substances or materials:

19. Animal or vegetable soaps, fats or waxes.
20. Non-halogenated organic substances not employed as solvents.
21. Inorganic substances without metals or metal compounds.
22. Ashes or cinders.
23. Soil, sand and clay, including dredging spoils.
24. Non-cyanidic tempering salts.
25. Metallic dust and powder.
26. Spent catalyst materials.
27. Liquids or sludges containing metals or metal compounds.
28. Residue from pollution control operations, e.g. baghouse dusts, excluding the sludges specified at 29, 30 and 33.
29. Scrubber sludges.
30. Sludges from water purification plants.
31. Decarbonization residue.
32. Ion-exchange column residue.
33. Sewage sludges, untreated or unsuitable for use in agriculture.
34. Residue from cleaning of tanks or equipment.
35. Contaminated equipment.
36. Uncleaned containers, e.g. packaging and gas cylinders, whose contents included one or more of the constituents listed in Annex 3.
37. Batteries and other electrical cells.
38. Vegetable oils.
39. Materials resulting from selective waste collections from households and which exhibit any of the characteristics listed in Annex 4.

40. Any other wastes which contain any of the constituents listed in Annex 3 and have any of the properties listed in Annex 4.

* Wastes may be in liquid, sludge or solid form. Certain duplications of entries found in Annex 3 are intentional.

Annex 3

**CONSTITUENTS OF THE WASTES IN ANNEX 2B WHICH RENDER THEM
HAZARDOUS WHEN THEY HAVE THE PROPERTIES DESCRIBED IN ANNEX 4***

Wastes having as constituents:

- C 1 Beryllium and beryllium compounds.
- C 2 Vanadium compounds.
- C 3 Chromium (VI) compounds.
- C 4 Cobalt compounds.
- C 5 Nickel compounds.
- C 6 Copper compounds.
- C 7 Zinc compounds.
- C 8 Arsenic and arsenic compounds.
- C 9 Selenium and selenium compounds.
- C 10 Silver compounds.
- C 11 Cadmium and cadmium compounds.
- C 12 Tin compounds.
- C 13 Antimony and antimony compounds.
- C 14 Tellurium and tellurium compounds.
- C 15 Barium compounds, excluding barium sulphate.
- C 16 Mercury and mercury compounds.
- C 17 Thallium and thallium compounds.
- C 18 Lead and lead compounds.
- C 19 Inorganic sulphides.
- C 20 Inorganic fluorine compounds, excluding calcium fluoride.
- C 21 Inorganic cyanides.
- C 22 The following alkaline or alkaline earth metals: lithium, sodium, potassium, calcium and magnesium in uncombined form.
- C 23 Acidic solutions or acids in solid form.
- C 24 Basic solutions or bases in solid form.
- C 25 Asbestos dust and fibres.
- C 26 Phosphorus and phosphorus compounds, excluding mineral phosphates.
- C 27 Metal carbonyls.
- C 28 Peroxides.

- C 29 Chlorates.
- C 30 Perchlorates.
- C 31 Azides.
- C 32 Polychlorinated biphenyls (PCBs) or polychlorinated terphenyls (PCTs).
- C 33 Pharmaceutical or veterinary compounds.
- C 34 Biocides and phyto-pharmaceutical substances, e.g. pesticides.
- C 35 Infectious substances.
- C 36 Creosotes.
- C 37 Isocyanates and thiocyanates.
- C 38 Organic cyanides, e.g. nitriles.
- C 39 Phenols and phenol compounds.
- C 40 Halogenated solvents.
- C 41 Organic solvents, excluding halogenated solvents.
- C 42 Organohalogen compounds, excluding inert polymerized materials and other substances listed in this Annex.
- C 43 Aromatic compounds, polycyclic and heterocyclic organic compounds.
- C 44 Aliphatic amines.
- C 45 Aromatic amines.
- C 46 Ethers.
- C 47 Substances of an explosive character, excluding those listed elsewhere in this Annex.
- C 48 Organic sulphur compounds.
- C 49 Any congener of polychlorinated dibenzo-furan.
- C 50 Any congener of polychlorinated dibenzo-p-dioxin.
- C 51 Hydrocarbons and their oxygen, nitrogen and sulphur compounds not otherwise taken into account in this Annex.

* Certain duplications of generic types of hazardous wastes listed in Annex 2 are intentional.

Annex 4

PROPERTIES OF WASTES WHICH RENDER THEM HAZARDOUS AND THE LIMIT VALUES TO BE APPLIED IN INTERPRETING THEM (1128/2001)

Annex 4 A. Properties of wastes which render them hazardous

- H 1 *Explosive*: substances and preparations which may explode under the effect of flame or which are more sensitive to shocks or friction than dinitrobenzene.
- H 2 *Oxidizing*: substances and preparations which exhibit highly exothermic reactions when in contact with other substances, flammable substances in particular.
- H 3-A *Highly flammable*:
- liquid substances and preparations having a flash point below 21°C, including extremely flammable liquids;
 - substances and preparations which may become hot and finally catch fire in contact with air at ambient temperature without any application of energy;
 - solid substances and preparations which may readily catch fire after brief contact with a source of ignition and which continue to burn or to be consumed after removal of the source of ignition;
 - gaseous substances and preparations which are flammable in air at normal pressure; or
 - substances and preparations which, in contact with water or damp air, evolve highly flammable gases in dangerous quantities.
- H 3-B *Flammable*: liquid substances and preparations having a flash point equal to or greater than 21°C and less than or equal to 55°C.
- H 4 *Irritant*: non-corrosive substances and preparations which, through immediate, prolonged or repeated contact with the skin or mucous membrane, can cause inflammation.
- H 5 *Harmful*: substances and preparations which, if they are inhaled or ingested or if they penetrate the skin, may involve health risks.

- H 6 *Toxic*: substances and preparations, including very toxic substances and preparations, which, if they are inhaled or ingested or if they penetrate the skin, may involve serious, acute or chronic health risks or death.
- H 7 *Carcinogenic*: substances and preparations which, if they are inhaled or ingested or if they penetrate the skin, may induce cancer or increase its incidence.
- H 8 *Corrosive*: substances and preparations which may destroy living tissue on contact.
- H 9 *Infectious*: substances containing viable micro-organisms or their toxins which are known or reliably believed to cause disease in man or other living organisms.
- H 10 *Teratogenic*: substances and preparations which, if they are inhaled or ingested or if they penetrate the skin, may induce non-hereditary congenital malformations or increase their incidence.
- H11 *Mutagenic*: substances and preparations which, if they are inhaled or ingested or if they penetrate the skin, may induce hereditary genetic defects or increase their incidence.
- H 12 Substances and preparations which release toxic or very toxic gases in contact with water, air or an acid.
- H 13 Substances and preparations capable by any means, after disposal, of yielding another substance, e.g. a leachate, which possesses any of the characteristics listed above.
- H 14 *Ecotoxic*: substances and preparations which present or may present immediate or delayed risks for the environment.

Interpretation of properties H 1, H 2, H 3-A, H 3-B, H 4, H 5, H 6, H 7, H 8, H 10 and H 11 and classification of substances shall comply with provisions issued under section 11(4) of the Chemicals Act (744/1989) on a list of the most common highly hazardous chemicals and with provisions issued under section 19(2) on warning labels concerning chemicals and on classification of chemicals.

Annex 4 B. Limit values applied to interpretation of properties H 4, H 5, H 6, H 7, H 8, H 10 and H 11

Waste shall be considered to have one or more of the properties H 4, H 5, H 6, H 7, H 8, H 10 or H 11 referred to in annex 4 A if the concentration of the substance in it (expressed in weight percentage) is as great as or greater than the limit value given in the table below. The limits are not applicable to pure metal alloys not contaminated by dangerous substances. If a lower limit value is laid down in the list of the most common highly hazardous chemicals issued under section 11(4) of the Chemicals Act, the said lower limit value is applied.

Classification	Limit value for concentration (%)
Irritant (Xi and R41)* ¹⁾	5
Irritant (Xi and R36, R37, R38)* ¹⁾	20
Harmful (Xn and R20, R21, R22)* ¹⁾	25
Harmful, may cause risk of permanent injury (Xn and R68/route of exposure)	10
Harmful, prolonged exposure may cause serious harm to health (Xn and R48/route of exposure)	10
Very toxic (T+ and R26, R27, R28)* ¹⁾	0.1
Very toxic, may cause risk of very serious permanent injury (T+ and R39/route of exposure)	0.1
Toxic (T and R23, R24, R25)* ¹⁾	3
Toxic, may cause risk of very serious permanent injury (T and R39/route of exposure)	1
Toxic, prolonged exposure may cause serious harm to health (T and R48/route of exposure)	1
Carcinogenic, category 1 or 2 (T and R45, R49)	0.1
Carcinogenic, category 3 (Xn and R40)	1
Corrosive (C and R35)* ¹⁾	1
Corrosive (C and R34)* ¹⁾	5
Teratogenic, category 1 or 2 (T and R60, R61)	0.5
Teratogenic, category 3 (Xn and R62, R63)	5
Mutagenic, category 1 or 2 (T and R46)	0.1

Mutagenic, category 3 (Xn and R68)	1
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*If waste contains more than one substance classified as hazardous, the calculation of aggregate concentration complies with provisions issued under section 19(2) of the Chemicals Act on warning labels concerning chemicals and classification of chemicals.

RECOVERY OPERATIONS

- R 1 Use principally as a fuel or other means to generate energy.
- R 2 Solvent reclamation or regeneration.
- R 3 Recycling or reclamation of organic substances, which are not used as solvents or including composting and other biological transformation processes.
- R 4 Recycling or reclamation of metals and metal compounds.
- R 5 Recycling or reclamation of other inorganic materials.
- R 6 Regeneration of acids or bases.
- R 7 Recovery of components used for pollution abatement.
- R 8 Recovery of components from catalysts.
- R 9 Oil re-refining or other reuses of oil.
- R 10 Land treatment resulting in benefit to agriculture or ecological improvement.
- R 11 Use of wastes obtained from any of the operations numbered R 1 to R 10.
- R 12 Exchange of wastes for submission to any of the operations numbered R 1 to R 11.
- R 13 Storage of wastes pending any of the operations numbered R 1 to R 12, excluding temporary storage, pending collection, on the site where it is produced.

DISPOSAL OPERATIONS

- D 1 Deposit into or onto land, e.g. landfill.
- D 2 Land treatment, e.g. biodegradation of liquid or sludgy discards in soils.
- D 3 Deep injection, e.g. injection of pumpable discards into wells, salt domes or naturally occurring repositories.
- D 4 Surface impoundment, e.g. placement of liquid or sludgy discards into pits, ponds or lagoons.
- D 5 Specially engineered landfill, e.g. placement into discrete cells which are capped and isolated from one another and the environment.
- D 6 Release into a water body except seas and oceans.
- D 7 Release into seas and oceans including sea-bed insertion.
- D 8 Biological treatment not specified elsewhere in this Annex which results in final compounds or mixtures which are discarded by means of any of the operations numbered D 1 to D 12.
- D 9 Physico-chemical treatment not specified elsewhere in this Annex which results in final compounds or mixtures which are discarded by means of any of the operations numbered D 1 to D 12, e.g. evaporation, drying or calcination.
- D 10 Incineration on land.
- D 11 Incineration at sea.
- D 12 Permanent storage, e.g. emplacement of containers in a mine.
- D 13 Blending or mixing prior to submission to any of the operations numbered D 1 to D 12.
- D 14 Repackaging prior to submission to any of the operations numbered D 1 to D 13.
- D 15 Storage pending any of the operations numbered D 1 to D 14, excluding temporary storage, pending collection, on the site where it is produced.

The Decree on Amending the Waste Decree (29.12.1994/1414) came into force on 1 January 1995.
The Decree on Amending the Waste Decree (24.1.1995/64) came into force on 1 March 1995.
The Decree on Amending the Waste Decree (20.6.1996/472) came into force on January 1, 1997.
The Decree on Amending the Waste Decree (26.3.1997/269) came into force 1 April 1997.
The Decree on Amending the Waste Decree (4.4.1997/294) came into force 1 June 1997.
The Decree on Amending the Waste Decree (15.8.1997/775) came into force 1 September 1997.
The Decree on Amending the Waste Decree (21.5.1999/614) came into force 1 October 1997.
The Decree on Amending the Waste Decree (14.1.2000/13) came into force 1 February 2000.
The Decree on Amending the Waste Decree (11.2.2000/126) came into force 29 February 2000.
The Decree on Amending the Waste Decree (18.2.2000/171) came into force 1 March 2000.
The Decree on Amending the Waste Decree (22.11.2001/1128) came into force 1 January 2002.
The Decree on Amending the Waste Decree (18.11.2004/988) came into force 1 December 2004.

Council Directive 75/442/EEC as amended by Council Directive 91/156/EEC and Commission Decision 96/350/EC; Council Directive 91/689/EEC; Commission Decision 2000/532 as amended by Commission Decision 2001/118/EC