

Waste Management

Packaging Waste Management Plan

(a) Attainment of recovery and recycling targets. Article 6 of the National Laws of 2002 to 2006 on packaging and packaging waste determines that, by 31.12.2005, at least 50% of the weight of packaging waste should be recovered, as per the European Parliament and Council Directive 94/62/EC. This target has not yet been achieved. In its letter dated 24.4.2012, the European Commission reported that, according to the report submitted in 2011, the percentage of recovery of packaging waste was 43%, therefore it considers that the Republic of Cyprus has failed to fulfil its obligations under the above Directive and inquired about the steps taken or planned to be taken to achieve this target.

The Director of the Department of Environment informed us that the Republic of Cyprus has notified the European Commission that the recovery targets were not met because of the need for further measures to achieve the recovery targets for certain materials, such as glass and plastic. The Department believes that the various measures taken, such as the extension of the collective system of packaging and packaging waste management and the operation of an integrated household waste management unit, have significantly contributed to the increase in the recovery / recycling rate in 2010, which, according to the latest estimates of the Department, is expected to be within the set targets.

(b) Alignment of the Packaging and Packaging Waste Laws of 2002 to 2006, with Directive 1994/62/EC. The House of Representatives, with the

enactment of Law 125(I)/2012, approved an amendment bill, which harmonizes the Packaging and Packaging Waste Laws of 2002 to 2006, with Directive 1994/62/EC as amended by Regulation (EC) 219/2009. The amending Act also provides, inter alia, for extrajudicial fines in cases of breaches of the provisions of the Law, a provision which is expected to be a deterrent for violations.

(c) Recycling bins. Following a recommendation of our Office, the Department of Environment submitted a Proposal to the Council of Ministers, which on 4.1.2011 approved the granting of 209 recycling bins that had been used in the state recycling programme implemented during 2006-2008, to Municipalities. According to the Department, the bins have remained in the Municipalities participating in the state recycling programme. 55 of the remaining 183 bins of the above programme, remain unused. These will be allocated, according to a new decision of the Council of Ministers dated 28.2.2012, to schools, military camps and other Municipalities and Communities that did not participate in the state recycling program but have expressed a desire to acquire bins for recycling purposes.

The Director of the Department informed us that, according to the latest data, 35 bins remain unused and these are allocated, on demand, to competent authorities, and indicated that efforts to utilise the bins are being intensified.

Hazardous waste.

According to the provisions of Directive 2006/12/EC, the member states shall take the appropriate measures to establish an integrated and adequate

network of installations for the disposal of waste and shall draw up a waste management plan.

In August 2009, the Technical Committee appointed by the responsible Ministerial Committee submitted a proposal for the construction and operation of a Special Waste Management Centre, which caused the intense reaction of the local authorities affected.

The Ministerial Committee, taking into account the interest expressed by the private sector for involvement in hazardous waste management, decided on 7.4.2010 that the Department of Environment would submit a report on hazardous waste management in Cyprus, which would include up to date information on waste production and management, and developments in private initiatives in this sector. Following the submission of the report by the Department, the Ministerial Committee decided that, at present, no need seems to exist for the establishment of a hazardous waste management unit or landfill. It also decided to intensify the controls regarding hazardous waste disposal, management and export, and that the matter is closely monitored and reassessed in one year.

As we were informed by the Director of the Department of Environment, the workload resulting from the EU Presidency by Cyprus did not allow a reassessment of the matter, however, controls have been intensified and information is being collected for reassessment in 2013.

Waste electrical and electronic equipment.

According to Directive 2002/96/EC on waste electrical and electronic equipment (WEEE), which was transposed into national law by the Regulatory

Administrative Act 668/2004, member states must adopt appropriate measures in order to minimise the disposal of WEEE as unsorted municipal waste and shall ensure that by 31.12.2008, at the latest, a rate of separate collection of at least four kilograms on average per inhabitant per year of WEEE from private households is achieved. The Directive also defines WEEE recovery targets to be achieved by 31.12.2008.

According to the Department of Environment, the per capita collection rate in Cyprus for 2009 and 2010 was 2,86 kg and 3,22 kg, respectively. Consequently, the collection target set by the Directive has not been met.

Regarding the recovery targets of WEEE for the years 2009 and 2010, we asked to be informed whether these have been achieved, since up to the date of completion of our audit the relevant data were not available. Until the completion of our audit in August 2012, the submission of the relevant report to the European Commission which, under Directive 2002/96/EC, should have been carried out by 30.6 .2012, was still pending.

The Director of the Department informed us that, following meetings with representatives of the collective system and private recyclers, calculation methods of WEEE recovery targets were agreed, according to which the targets have been met as regards large household appliances, small household appliances and IT and telecommunications equipment. He also informed us that the data of the report to the European Commission for the years 2009-2010 have been electronically submitted and the actual report will be submitted as soon as possible.

Landfills. According to the European Commission, the Republic of Cyprus has acted in breach of Directive 99/31/EC on the landfill of waste, since not all landfills operating in the territory of Cyprus have ceased to operate, or have complied with the requirements of the Directive.

The Law Office of the Republic, by letter dated 6.4.2012, informed the Permanent Secretaries of the Ministries of Interior and Agriculture, Natural Resources and Environment, that since the response of the Republic did not refer either to full compliance with its obligations or to a short timescale for achieving such compliance, it is reasonable to expect that the Commission will appeal against the Republic in the coming months and that by autumn 2013 a conviction will be issued by the European Court of Justice for non-compliance of the Republic with its obligations under Article 14 of the Directive. The Republic will then have to take all the necessary measures to comply within reasonable time in order to avoid the imposition of financial penalties in the form of a lump sum and / or a daily penalty payment for each day the violation continues.

For this reason, the Law Office suggested that measures are immediately examined to accelerate the compliance schedule for the completion of construction and commencement of operation of the integrated municipal waste management centres in the Nicosia and Limassol districts and the closure of the two landfills, with a new deadline before 2015.

On 21.6.2012 the Commission announced its intention to appeal to the Court.

Disposal of chemical cleaning waste in the Larnaca salt lakes.

In violation of the provisions of the Water Pollution Control Laws of 2002 to 2008, the company which undertook the chemical cleaning of the air conditioning system of the new airport disposed of toxic waste in the salt lakes area, which is part of the Natura 2000 network due to its significance as a wetland.

The case was registered at the Larnaca District Court on 14.10.2009 and on 9.8.2011 the Court convicted two of the seven defendants as guilty in connection with the offence of operating an installation that may cause water and/or soil pollution without a disposal permit issued by the competent authority, in violation of articles 8 and 30 of the Water Pollution Control Law and article 20 of the Criminal Code. On 14.9.2011 a fine of €2.000 was imposed on each guilty party and on 21.9.2011 one of them filed an appeal. An appeal was also filed on 20.7.2011 by the Attorney General, against the interim decision of the Larnaca District Court dated 7.7.2011, which acquitted the accused of a number of charges.

Channeling of sewage and waste into rainwater pipes discharging in Larnaca Salt Lake. In January 2012, following a formal complaint, the Department of Environment conducted an inspection in the Larnaca Municipality, which revealed that a number of houses were connected to rainwater pits with pumps and hoses ending up either in rainwater pipes (with the Larnaca Salt Lakes as the final destination) or directly in the Larnaca Salt Lakes. The fact that the rainwater pits are adjacent to the urban sewage pits, coupled with the fact that groundwater samples are microbiologically contaminated, resulted in the rainwater discharged to the pipes and the Salt

Lakes being contaminated with pathogenic microorganisms, in breach of article 6 of the Water Pollution Control Laws of 2002 to 2009. The Department, in collaboration with stakeholders, decided to take measures, such as removal from Larnaca Municipality of the equipment allowing the disposal of contaminated rainwater in rainwater pipelines and subsidising the emptying of private urban waste pits adjacent to the Salt Lake up to four times a month, in order to tackle the problem until the construction of the sewerage system in Larnaca, estimated to be completed in January 2013.

During an inspection on 28.3.2012, the Department found that the illegal equipment had not been removed and on 16.5.2012 imposed extrajudicial fines in three cases in which illegal discharge into rainwater pipes leading to the Salt Lake was noted. Until the completion of our audit by the end of June 2012, all of the above fines, whose payment deadline expired on 15.6.2012, remained unpaid. It was noted that, according to a survey conducted by the Larnaca Sewerage Board in March 2012, 68 households were committing the infringement.