

Kingdom of Cambodia
Nation Religion King

ROYAL GOVERNMENT

Council of Ministers

Phnom Penh, April 27,1999

No: 36 ANRK.BK

SUB-DECREE

on

SOLID WASTE MANAGEMENT

- Has seen the Constitution of the Kingdom of Cambodia (1993);
- Has seen the Royal Decree No. NS.RKT 1198.72 dated 30 November, 1998 on the Formation of the Royal Government of Cambodia of the Kingdom of Cambodia;
- Has seen Preah Reach Kram No.02 /NS/94 dated 20 July 1994, announcing to allow using the Law on the Establishment and Implementation of the Council of Ministers;
- Has seen Preah Reach Kram No. NS.RKM 0194/21 dated 24 January 1996, announcing to use the Law on the Establishment of the Ministry of Environment;
- Has seen Preah Reach Kram No. NS.RKM 1296/36 dated 24 December 1996, Announcing to use the Law on the Environment Protection and Natural Resources Management;
- Has received an approval from meeting of the council ministers on April 02, 1999.

CHAPTER 1

General provisions

- Article 1: The purpose of this sub-decree is to regulate the solid waste management with proper technical manner and safe way in order to ensure the protection of human health and the conservation of bio-diversity.
- Article 2: This sub-decree applies to all activities related to disposal, storage, collection, transport, recycling, dumping of garbage and hazardous waste.
- Article 3: Technical term used in this sub-decree shall have the meaning ascribed there to :
- a- Solid waste refers to hard objects, hard substances, products or refuse which are useless, disposed of;
 - b- Household waste is the part of solid waste which does not contain toxin or hazardous substance, and is discarded from dwellings, public buildings, factory, market, hotel, business building, restaurant, transport, recreation site,....etc;
 - c- Hazardous waste refers to radioactivity substances, explosive substances, toxic substances, inflammable substances, pathogenic substances, irritating substances, corrosive substances, oxidizing substances, or other chemical substances which may cause the danger to human (health) and animal or damage plants, public property and the environment. The hazardous waste may be generated from dwelling houses, industries, agricultural activities, business and service activities, mining.....etc. The type of hazardous waste is listed in the Annex of this sub-decree.

CHAPTER 2

Household waste management

Article 4: The Ministry of Environment shall establish guidelines on disposal, collection, transport, storage, recycling, minimizing, and dumping of household waste in provinces and cities in order to ensure the management of household waste with safe way.

The authorities of the provinces and cities shall establish the waste management plan in their province and city for short, medium and long- term.

Article 5: The collection, transport, recycling, minimizing and dumping of waste in the provinces and cities is the responsibility of the authorities of province and cities.

The Implementation as mentioned in the first paragraph of the article 5 shall comply with the guideline on the sound management of waste specified by the Prakas (declaration) of the Ministry of Environment

Article 6: The Ministry of Environment shall monitor the implementation in disposal, collection, transport, storage, recycling, minimizing and dumping of the household waste in the provinces and cities.

Article 7: The disposal of waste in public sites or anywhere that is not allowed by the authorities shall be strictly prohibited.

Article 8: The domestic investment in construction of landfill, incinerator, storage sites or recycling plant for household waste shall be subject to prior approval from the Ministry of Environment.

Article 9: The exportation of the household waste from the Kingdom of Cambodia to abroad could not be conducted unless there are approval from the Ministry of Environment, and export license from the Ministry of Trade, and permit from the import country.

Article 10: The importation of the household waste from abroad to the Kingdom of Cambodia shall be strictly prohibited.

CHAPTER 3

Hazardous waste management

Article 11: The Ministry of Environment shall establish guidelines on the management of hazardous waste to ensure the safe management.

Article 12: The Ministry of Environment shall issue Prakas on the standard of quantity of toxin or hazardous substances contained in the hazardous waste which could be allowed to be disposal in order to ensure the human health and environment quality protection, and bio-diversity conservation.

Article 13: The owner of the hazardous waste shall be responsible for temporary storage of his/her waste in proper technique and in safe manner.

Article 14: The owner of the hazardous waste shall make quarterly report on his/her waste and forward it to the Ministry of Environment.

The report include:

- Type and amount of the waste,
- Temporary storage method, and
- Treatment or elimination method.

Article 15: The storage, transportation and disposal of the hazardous waste shall be performed separately from the household waste, which will be stipulated by the Prakas of the Ministry of Environment.

The disposal of hazardous waste into public sites, public drainage systems, public waste area, and rural area and forest area shall be strictly prohibited.

Article 16: The collection, transportation, storage and disposal of the hazardous waste from dwelling houses, markets, clinics, hospitals, hotels, restaurants, and public buildings are competence of the local authorities.

The implementation of the first paragraph of the article 16 shall be in accordance with the Prakas of the Ministry of Environment on the guidelines on the environmentally sound management of hazardous waste.

Article 17: The transportation or construction of storage place or landfill of hazardous waste from factories and manufacturing site shall be subject to permit from the Ministry of Environment.

Article 18: The owner or responsible person of storage place or landfill of the hazardous waste shall make quarterly report on the hazardous waste which is transported for disposal of or for storage and forward this report to the Ministry of Environment. The report shall include as follows:

- Type and amount of the waste,
- Sources of the waste,
- Packing and transport facility, and
- Process and management of the waste inside his/her location and forward this form to the Ministry of Environment.

Article 19: The investment of the treatment or incineration of the hazardous waste shall have prior approval from the Ministry of Environment.

Article 20: The exportation of the hazardous waste from the Kingdom of Cambodia to abroad could be conducted if there are an agreement from the Ministry of Environment, export license from the Ministry of Trade, and permit from the import country.

The exportation of the hazardous shall be consistent with the provisions and principals of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal in 1989 which come into force on May 05, 1992.

Article 21: The importation of hazardous waste from abroad into the Kingdom of Cambodia is strictly prohibited.

CHAPTER 4

Monitoring and inspection of hazardous waste management

Article 22: The monitoring of packing, storage, transport, recycling, incinerating, treatment, and disposal of the hazardous waste is the responsibility of the Ministry of Environment.

Article 23: The Ministry of Environment shall take sample of the hazardous waste at every point enumerated in the article 22 of this sub-decree.
The owner or person responsible for the site mentioned in the paragraph one of article 23 of this sub-decree shall collaborate and facilitate the environmental official who come to take the waste sample so that they can carry out their technical task.

Article 24: The sample of the hazardous waste which were taken during the monitoring or inspection shall be analysed in the Laboratory of the Ministry of Environment.

The owner or person who responsible for the site stipulated in the paragraph 1 of the article 23 of this sub-decree can request to test his/her waste sample at other public or private laboratories which are recognized formally and those laboratories must use the same testing method as used in the laboratory of the Ministry of Environment.

The owner or person responsible for the point or site stipulated in the paragraph 1 of the article 23 of this sub-decree shall pay analysis fee of his/her owner waste sample following the list of testing cost determined by the Minister of Environment and the Ministry of Economic and Finance.

These incomes shall be incorporated into the national budget for allocating the Environment Endowment Fund.

Article 25: In the case of finding out that there are an illegal disposal or dumping of the hazardous waste without a permit from the competent institution. The Ministry of Environment in collaboration with concerned ministries, shall conduct the inspection at the places in complying with procedures as follows:

- a- To present his / her identity card and mission letter while, entering into the premise or any site of point source of pollution for conducting inspection and taking sample.
- b- To make, at the site of inspection, the primary record and report of the inspection or sample taking with the presence

of witness if necessary;

- c- To inquire and require the owner or responsible person of the place to provide them with information and other relevant documents for taking statement or report and for evidence;
- d- To collect and detain evidence of the offence.

Article 26: In case if there are complaint or report that there is storage or disposal of the hazardous waste which causes danger to animal or human health or public property or contaminate the environment, the Ministry of Environment shall make urgent inspection and inform concerned ministries and local authority.

CHAPTER 5

Penalty

Article 27: Violations of this Sub-Degree shall be fined and punished according to article 20, 21, 22, 23 and article 25 of the chapter 9 of the Law on Environment Protection and Natural Resource Management.

Article 28: Any environmental inspection official or agent who is negligent fails to pay attention or conspires with a violator or facilitates the commission of a violation shall be subject to administrative sanction or face prosecution before the court.

Article 29: The report making and the prosecution for any person who violates or fails to abide by any article of this sub-decree is the responsibility of the Ministry of Environment's official.

CHAPTER 6

Final Provisions

Article 30: Any provision contrary to this sub-decree shall be considered null.

Article 31: The minister in charge of the cabinet of the council of Ministers, concerned ministers and institutions shall collaborate with the Ministry of Environment and implement this Sub- decree according to their duty.

Article 32: This Sub-decree shall be in force from the date of its signature.

Annex

Type on the hazardous waste

1. Fibrous and clothing wastes from textile and garment industry;
2. Paper wastes from paper-mill industry;
3. Sludge waste from factory waste water treatment and product manufacturing processes;
4. Combustion residues from coal-fired power plants;
5. Plastics waste from production or use of plasticizers;
6. PCB waste from use of PCB contained in discarded air conditioners, TVs and microwaves;
7. Rubber waste from production or use of resins and latex;
8. Oil waste from oil refinery, use of lubrication oils, washing oils;
9. Acid waste;
10. Alkalis waste;
11. Metal waste and their compounds

Zine (Zn)	Selenium (Se)	Tin (Sn)	Vanadium (V)
Copper (Cu)	Arsenic (As)	Barium (Ba)	Cobalt (Co)
Nickel (Ni)	Antimony (Sb)	Beryllium (Be)	Tellurium (Te)
Lead (Pb)	Titanium (Ti)	Uranium (U)	Silver (Ag)

12. Soot and dust waste from incineration facilities, treating exhaust gas;
13. Wastes from used or discarded electricity lamp;
14. Wastes from production or use of battery;
15. Wastes from production and use of paints, lacquers and pigments;
16. Wastes from production and use of inks and dyes;
17. Explosive wastes;
18. Infectious diseases wastes;
19. Agriculture drugs wastes;
20. Ask wastes from incinerators;
21. Wastes from expired products;
22. Wastes from production and use of film;
23. Waste from treatment of polluted soil;
24. Waste from production of drugs and medicines, and expired drugs;
25. Inorganic fluorine wastes;
26. Cyanide wastes;
27. Asbestos wastes;
28. Phenols wastes;
29. Ethers wastes;
30. Wastes from production and use of solvents;
31. Wastes from production and use of dioxin and furin;
32. Radioactive waste;

(unofficial translation)

Kingdom of Cambodia
Nation Religion King

Ministry of Environment
No: 83

Phnom Penh, 10 April, 2001

Prakas
Minister of Environment

- Having seen...
- Having seen...
- Having seen...

Hereby Decides

- Article 1: Licenses Sa Rom Trading Co Ltd, #122 Aeo, Street 430, Sangkat Toul Tum Puong, Khan Chamkarmon, represented by the company' s director Mr. Yu Sa Rom, male, aged 29, Cambodian, holder of ID# 024215PP of 07 Sept 1992, to construct an **industrial solid waste dump** which is located in Phum Chambok, Khan Kombol, Srok Angsnuol, Kandal Province.
- Article 2: The company shall comply with the law on environmental protection and natural resource management, and the sub-decree on the environmental impact assessment process.
- Article 3: The company shall comply with the approved environmental management plan of the environmental impact assessment.
- Article 4: The company shall seek advice from the Ministry of Environment when it changes the location or constructs a new division.
- Article 5: The company shall be obliged to donate environmental fund to the Ministry of Environment until it ceases its operation.
- Article 6: Sa Rom Trading Co Ltd shall implement this Prakas.
- Article 7: This Prakas shall enter into force from the date on which it is signed

Minister
Signed and Sealed
Mak Mareth
PhD (Biology)

CC:

- CDC
- Ministry of Industry, Mine and Energy
- Ministry of Land Management, Urbanisation and Construction
- Kandal Province Hall
- Kandal Environmental Office "co-implementation"
- File-chronicle

(unofficial translation)

Kingdom of Cambodia
Nation Religion King

Ministry of Environment
No: 156

Phnom Penh, 3 July , 2001

Prakas
Minister of Environment

- Having seen...
- Having seen...
- Having seen...

Hereby Decides

- Article 1: Licenses Sa Rom Trading Co Ltd, #122 Aeo, Street 430, Sangkat Toul Tum Puong, Khan Chamkarmon, represented by the company' s director Mr. Yu Sa Rom, male, aged 29, Cambodian, holder of ID# 024215PP of 07 Sept 1992, to construct an industrial solid waste dump and operate waste collection and transportation business, as well as to monopolize the storage of industrial waste in Phnom Penh and Kandal Province.
- Article 2: In constructing the industrial waste dump, the company shall be requierd to draw a plan and conduct plausibility study, and to report the environmental impact assessment by outlining the clear environmental preventive measures subject to the prior approval form the authority concerned and land industry.
- Article 3: The company shall comply with the instructions from the institution in charge during the course of construction.
- Article 4: During the operation of the industrial waste collection and transportation business, the company shall ensure public safety and the quality of the environment around the waste dump, and shall write a monthly report about the quantity of the collected waste and the waste storage, to the Ministry of Environment.
- Article 5: Declares that the company shall be licensed to legally carry out this waste collection business for a period of 10 years, effective from the date of signing on this Prakas.
- Article 6: Upon receiving the license, the company shall commence the construction process and business operation process immediately. In case the company fails to commence construction within 1 year upon reception of the license, this license shall be automatically confiscated.
- Article 7: In case the company breaks the law or seriously breaks any article stipulated above, this license shall be confiscated.

Article 8: Director of General of the Technical Department, Director of the Environmental pollution Control of the Ministry of Environment, Phnom Penh Municipal Environmental Office, Kandal Environmental Office, and Director of Sarom Trading Company shall implement this Prakas.

Article 9: This Prakas Shall come into force from the date on which it is signed.

Minister of Environment

Signed and Sealed

Mok Mareth
PhD (Biology)

CC:

- Council of Ministers
- King's Affairs Bulletin
- MOC
- Ministry of Industry, Mine and Energy
- Ministry of Public Work and Transport
- Ministry of Land Management, Urbanisation and Construction
- Phnom Penh Municipality
- Kandal Province Hall "for information"
- Phnom Penh Environmental office
- Kandal Environmental Office "co-implementation"
- File-chronicle

Kingdom of Cambodia
Nation Religion King

Ministry of Environment

No: 148

Phnom Penh, 20 August 2002

Prakas

on

Collecting and Transporting Industrial Solid Waste in Phnom Penh

Minister of Environment

- Having seen....
- Having seen....
- Having seen....
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Hereby Decides

- Article 1: License Sarom Trading Co Ltd, at#122AEo, Street 430, Sangkat Toul Tum Puong, Khan Chamkarmon, to operate its solid waste dumping site, which is located in Phum Kob Ambel, Khum Komboul, Srok Angnuol, Kandal Province.
- Article 2: License Sarom Trading Co Ltd, at#122AEo, Street 430, Sangkat Toul Tum Puong, Khan Chamkarmon, and Municipal Waste Control Excise, located at Municipal Office for Public Work and Transport, to collect and transport industrial solid waste of enterprises/factories in Phnom Penh to dump at Sarom Trading's dumping site.
- Article 3: The types of industrial solid waste inquired to be dump at Sarom Trading's dumping site are specified in Annex 1 of this Prakas.
- Article 4: The companies specified in article 1 and 2 and the owners of enterprises/factories that use the service of the two company shall implement the fee principle agreed upon at the 11 July 2002 meeting, of which the details are giving in Annex 2 of this Prakas.
- The principle of service fees is subject to review every six months providing the service provider of service consumer lodges a request to the Ministry of Environment.
- Article 5: The companies providing collecting and transporting service shall ensure that the means to collect and transport the solid waste from factories to Sarom Trading's dumping site do not cause harm to the public safety and environment. In addition, the collection and transportation methods shall fulfil the technical requirement determined by the institution in charge.
- Article 6: In case the service provided by two companies does not meet demands of the enterprises/factories, or fails to provide service for a certain reason, owners of factories can lodge a request to the Ministry of Environment to collect and transport the solid waste specified in Annex 1 to dump at Sarom Trading's dumping site on a temporary or permanent basis, as proved by the Ministry of Environment.
- Article 7: The collection and transportation of the solid waste specified in Article 3 to be dumped at Sarom Trading's dumping shall require the factory owner's seeking approval from the Ministry of Environment.

The collecting and transporting companies and the Sarom Trading's dumping site shall forward a monthly report to the Ministry of Environment stating:

- a. the types and volume of solid waste collected or dumped
- b. the original source of solid waste
- c. the methods of wrapping and transporting or storing

- Article 8: Sarom Trading Company shall be responsible for properly managing its own dumping site so as to protect the public safety and the surrounding environment, and shall implement the instructions from the officials in charge.
- Article 9: The Ministry of Environment shall confiscate the licence from the two companies should they break the law or seriously breach any article in the Prakas.
- Article 10: Any decision contradictory to this Prakas shall be considered invalid.
- Article 11: Director General of the Technical Department, Director of the Environmental Pollution Control of the Ministry of Environment, Phnom Penh Municipal Environmental Office, Kandal Environment Office, and Director of Sarom Trading Company, and Director of Municipal Waste Control Excise shall implement this Prakas.
- Article 12: This Prakas shall come into force from the date on which it is signed.

Minister of Environment

Signed and Sealed

Mok Mareth
PhD (Biology)

CC:

- Council of Ministers
- Ministry of Interior
- Ministry of Industry, Mine and Energy
- Phnom Penh Municipality
- Kandal Province Hall
- Royal Gazette
- Kandal Environmental Office "co-implementation"
- File-chornicle

ANNEX 1
TYPES OF INDUSTRIAL SOLID WASTE REQUIRED TO BE DUMPED AT
SAROM
TRADING'S DUMPING SITE

1. Semi-dry muddy waste removed from effluent treatment pool
2. Coloured fibres and pieces of fabrics
3. Plastic waste containing Polyvinyl Chloride
4. Rubber waste and vulcanized rubber containing Polymer-Butilin
5. Batteries and battery waste
6. Ashes left over after the burning of medical waste
7. Lighting waste and electrical devices
8. Paint waste. lacquer and packaged materials
9. Insecticide waste used in agriculture and in packaged materials (must be placed in a rubber tub before being dumped)
10. Waste resulted from production and utilization of printing ink
11. Expired goods or goods that do not meet required standard
12. Negatives
13. Expired medicine and waste resulted from production of medicine
14. Waste containing Asbestos substance

ANNEX 2

TRANSPORTATION FEES AND DUMPING FEES AT SAROM TRADING' DEMPING SITE

1. The fee for transporting ONE cubic meter of semi-dry muddy waste from the factory to the dumping site is 10 USD (10 USD/m³). This fee also INCLUDES the labor employed to load the waste onto and unload the waste from the vehicle. The fee shall be settled once a month.
2. The fee for dumping ONE cubic meter of mud waste at Sarom Trading's dumping site is 3 USD (3 USD/m³). The fee will be charged EACH TIME the waste is dumped.
3. Monthly fees for transporting the solid waste by a vehicle of 5m³ capacity are as follows:
 - 60 USD for 4 to 6 time of transporting/month
 - 72 USD for 8 to 10 time of transporting/month
 - 90 USD for 12 times for transporting/month
 - 150 USD per month if the transportation takes place ONCE a day
 - 270 USD per month if the transportation takes place TWICE a day
 - 240 USD per month if the transportation takes place THRICE a day

4. The fee for dumping ONE cubic meter of solid waste specified in points 2, 3,4 and 7 of ANNEX 1 is 1 USD (USD/m³). The fee will be charged EACH TIME the waste is dumped.
5. The fee for dumping solid waste, which are not specified in points 1 & 4 of ANNEX 2, shall be determined by the agreement the waste owner and the dumping site owner.