

Solid waste management has become a subject of high interest in the Dominican Republic. Based on the fundamental right of a clean environment, the Dominican government, as well as international authorities, is advocating for the development of new mechanisms of waste management, considering the imperativeness of reducing the harmful waste.

Recent legislation has established a list of parameters by which waste generators must be ruled, taking into consideration the effects that solid waste represents to the environment, and the global mission of moving towards clean and renewable energy.

The main goal of this investigation is to present a list of responsibilities and obligations contained in the Law No. 225-20 of Integral Management and Co-processing of Solid Waste applied to generators, producers, importers and merchants, as well as the incentives provided by Dominican authorities listed on such legislative body, in order to serve as a warning and a proposal for the clients of ours who's operations relate to this area.

The starting point will be the Law No. 225-20, as well as the rule for its application, which contains detailed information on relevant aspects for the appropriate handling of solid waste.

Section I: Classification of Solid Waste According to the Law

According to the article 6 of the Law No. 225-20, waste is classified in the following ways:

- Urban solid waste
- Special handling waste
- Dangerous waste

We understand that most of the waste generated by our clients can be classified under the special handling waste category, according to articles 9 and 10 of this law, which defines them as "those that are derived from the products considered priority by virtue of this law, that are subject to the principle of extended responsibility, those generated in the production processes, that are not dangerous and that have characteristics of large volume."

It is in our understanding that batteries fit this description and engage in this classification.

Dangerous waste consists in elements that could significantly represent a threat to the environment, due to the effects that they could potentially produce on it. They require a very specific way of handling from their generation until their final disposal.

Section II: Responsibilities of Generators and Service Providers

Generators are responsible for the handling of their waste, from the moment they are produced, until their final disposal. The second chapter of the Law No. 225-20 contains a list of specific responsibilities and obligations, which might be useful for considering in your operations.

Article 17 establishes that the generators are responsible for the handling of their waste, since the moment they are generated, until the final disposition. They will have to:

1. Reduce the generation of waste they produce.
2. Separate waste at source.
3. Support the programs that the state promotes to manage sustainably the waste generated in the country.

They will also be responsible for the financing of operations destined to handle the waste they produce, as well as paying for recollection services, provided by either private enterprises or government entities.

If generators sign an agreement for the management of their waste with unauthorized companies, they will be civilly liable for the damages that they may cause. (Art. 17, paragraph IV).

Additionally, article No. 23 of the regulation for the application of Law No. 225-20 lists new responsibilities for generators, such as identification and classification of waste, its correct separation if being composed by non-compatible materials, their packaging, labeling, transport and storage.

Section III: Extended Liability Plan for the Producer, Importer and Merchant

This special regime aims to guarantee the correct handling of waste by the producers, importers and merchants, by creating a list of responsibilities regarding the post-industrial and post-consumption phase. (Art. 57).

The types of waste subjected to the extended liability regime are listed in article 62. These are:

- Oils and lubricants
- Batteries
- Pesticides
- Tires
- Electrics and electronics
- Containers

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