

# Waste management: important changes from September 1

*FAO heads of organisations, environmentalists, and technicians involved in generating waste as well as handling production and consumption waste*

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**Pepeliaev Group advises about key changes to legislation in the field of waste management and solid municipal waste, which must be considered when activities are conducted.**

These amendments come into force on 1 September 2025.

## **1. New rules for confirming that waste disposal facilities have been ruled out as having a negative environmental impact**

**The Russian Government's Resolution No. 573 dated 29 April 2025** has established new rules for confirming that disposal facilities for production and consumption waste have been ruled out as having a negative environmental impact<sup>1</sup>.

Environmental quality standards are determined at the following sampling points:

- for atmospheric air and for soil: at the boundary of the land plot where the Waste Disposal Facility is located;
- for surface water bodies: at the place where effluents from the Waste Disposal Facility are discharged into the water body;
- for underground water bodies: at the boundary of the land plot where the Waste Disposal Facility is located, in the direction in which underground water flows.

If no environmental quality standards have been established for assessing the state of the environment, the background values are applied of relevant physical, chemical, or biological figures characterising the components of the natural environment adjacent to the waste disposal facility.

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<sup>1</sup> The Russian Government's Resolution No. 467 dated 26 May 2016 will be repealed, along with similar regulations.

### **Pepeliaev Group's comment**

Disputes continue unabated between economic entities and the regulator Rosprirodnadzor regarding the use of background values (as well as sampling locations for background samples) and soil quality standards.

Regulatory authorities, when determining background values (for example, in soil testing), employ the results of sample analysis taken at a significant distance from the boundary of the land plot where the waste disposal facility is located. Comparisons with the background are made not only with respect to substances for which there are no hygiene standards but also for all controlled substances. The outcome is often a refusal to confirm negative environmental impacts of waste disposal facilities, even when hygiene standards have not been exceeded.

However, such practices conflict with provisions of other regulatory instruments, as the courts agree (for instance, the Resolution of the Commercial Court for the North Caucasus Circuit on 21 November 2024 in case No. A63-1713/2024).

Since Resolution No. 573 has not amended these provisions, it is evident that these disputes will persist.

## **2. Changes to regulation in the field of waste management**

**Federal Law No. 497-FZ** dated 26 December 2024 has established special rules for handling solid municipal waste in certain constituent entities of the Russian Federation owing to particular geographical and climatic conditions.

### **Pepeliaev Group's comment**

The Law enters into force on 1 September 2025, but there are exceptions. The provisions of the Law:

- regarding waste management in remote areas, including an exemption from the ban on burying waste containing useful components, took effect as of 1 January 2025;
- regarding the federal scheme for handling dangerous waste of hazard classes I and II, as well as deadlines for accumulating such waste, will come into force on 1 September 2026;
- this translation maintains the formal tone required for legal documents while ensuring clarity and accuracy in the English language.

In particular, the Law has amended the deadlines for accumulating waste:

- for remote areas: no more than 12 months;
- for specific types of waste (of hazard classes I and II) in certain municipalities: no more than 24 months, provided that a contract for services has been signed with the federal operator for handling such waste.

The lists of municipalities and types of waste of classes I and II are agreed upon by consumer watchdog Rospotrebnadzor, the environmental regulator Rosprirodnadzor and executive authorities of Russia's constituent entities, and are approved as part of the federal scheme for managing waste of hazard classes I and II.

The list of municipalities may include those located in Russia's Arctic zone and the Far Eastern Federal District and/or classified as regions of the Far North and equivalent localities in which there is no possibility of waste of hazard classes I and II being regularly (at least once a month) transported by road to such waste management facilities.

The list of remote areas is determined by Russia's constituent entities as part of area waste management schemes, subject to this being coordinated with the Russian Environmental Operator and Rosprirodnadzor.

Starting from 1 September, requirements are being introduced for artificial soils to be produced from the organic part of solid municipal waste, as well as grounds for such soil to be recognised as waste.

### **Pepeliaev Group's comment**

**1.** Conditions for artificial soils to be produced from the organic part of municipal solid waste:

- the production process must be based on documents relating to standardisation;
- these artificial soils must be capable of being used without causing environmental pollution or contamination.

According to the Law on standardisation, documents relating to standardisation include documents of both the national standardisation system and organisational standards, including technical specifications developed by manufacturers.

Since artificial soils are considered products, their handling must comply with the requirements from the Laws on technical regulation and accounting.

**2.** If artificial soils are recognised as waste, the payers of the fee for a negative environmental impact are both the persons who produced them and the persons to whom they were transferred. In practice, this can lead to the double payment of such fees according to the requirements of the supervisory authorities.

**3.** The grounds for soil to be recognised as waste are similar to the requirements for by-products of manufacturing are:

- if soil is placed at a waste disposal facility (an exception being its use when such facilities are operated);
- if it is not used by the end of three years following its production date.

In addition, a requirement has been stipulated regarding the handling of secondary resources and recycled materials generated by regional operators and owners of sorting facilities: their sale on exchanges or electronic platforms integrated with the Federal State Information System for Accounting for Solid Municipal Waste.

To ensure the implementation of the requirements under Law No. 497-FZ, amendments have been made to several regulatory legal instruments. Let us consider some of them.

**The Russian Government's Resolution No. 1022 dated 5 July 2025**

has clarified the regulation of the Federal State Information System for Accounting for Solid Municipal Waste. The following information will be included in the system:

- about remote areas;
- about transfer stations;
- about the quantity and type of waste materials obtained as a result of the separate collection/sorting or processing of solid municipal waste, their share in the total mass of solid municipal waste, as well as where such waste materials are sent for disposal;
- about the volume of artificial soils produced from the organic part of solid municipal waste, including the dates of their production, and about their use as raw materials or products when goods are manufactured or works are performed;
- about contracts with regional operators or operators handling solid municipal waste that ensure that solid municipal waste is processed in terms of waste materials obtained through the separate collection of it or resulting from the processing of it, as well as secondary raw materials derived from such waste materials;
- about the list of electronic platforms interacting with the Federal State Information System.

**The Russian Government's Resolution No. 1089 dated 24 July 2025**

has adjusted the procedure for area waste management schemes to be drawn up and approved by authorised agencies, as well as the procedure for a draft

area scheme to be developed, to undergo a review process, and to undergo public discussions. This Resolution has also adjusted the requirements for the composition of such schemes.

The changes affect certain information in such a scheme, for example information relating to remote areas and facilities where solid municipal waste is used by way of artificial soils being produced from the organic part of waste.

The conditions for including transfer stations in an area scheme are being amended.

**The Russian Government's Resolution No. 748 dated 28 May 2025** has updated the Unified Requirements for facilities involved in processing, recycling, neutralising, and disposing of solid municipal waste (the Russian Government's Resolution No. 1657 dated 12 October 2020).

Clauses 5 and 6 of the new version of the Unified Requirements now provide that:

- the location of facilities for processing, neutralising, recycling, and disposing of solid municipal waste, as well as transfer stations, will be selected taking into account waste flow schemes in accordance with area waste management plans;
- the above facilities will be commissioned on condition that all environmental protection measures have been undergone according to the project documentation for major construction facilities and the technical documentation for non-major construction facilities;
- major construction facilities are operated in accordance with project documentation and based on the conclusion from a state environmental expert review (if the law provides for a conclusion to be obtained);
- non-major construction facilities are operated in accordance with technical documentation.

Furthermore, new provisions have been introduced:

- technological solutions at transfer stations must stipulate that solid municipal waste is loaded directly from garbage trucks/other vehicles to heavy-duty vehicles either directly or through solid municipal waste storage sites being organised;
- the open dumping of waste in piles, heaps, or in bulk is prohibited, as is the extraction of secondary resources from solid municipal waste;
- direct loading methods and structures preventing waste scattering are to be used at transfer stations;
- time limits have been established for storing waste at transfer stations.

The new version of clause 12 of the Uniform Requirements establishes a rule for the extraction of recyclable materials at facilities processing solid municipal waste, which is at least 13% of solid municipal waste received at facilities with a capacity of less than 100,000 thousand tons per annum and at least 15% at those facilities where the capacity is 100,000 tons per year or more.

Further, the figure is at least 30% if the area scheme for the management of production and consumption waste provides that the organic part of solid municipal waste is to be allocated to the production of artificial soils.

### **Pepeliaev Group's comment**

Resolution No. 748 provides for transitional provisions.

Transfer stations whose design, construction, or reconstruction was completed before 1 September 2025 must be brought into compliance with the new requirements by 1 September 2026.

Clause 12 of the Unified Requirements does not apply to waste processing facilities whose design, construction, or reconstruction was completed before 1 September 2025. Clause 12 of the Uniform Requirements does not apply to facilities for the processing of solid municipal waste when their design/construction/reconstruction was completed before 1 September 2025. The amount of recycled materials should be extracted at such facilities according to the project documentation, and from 1 September 2026 will be at least 9% of the solid municipal waste received.

**Order No. 262 of the Russian Ministry of Natural Resources dated 5 December 2025** has amended the requirements for the content of an industrial environmental control programme.

In particular, the programme is supplemented with information about the artificial soils that are produced. The subsection "Production control in the field of artificial soil management" is being introduced.

### **3. A New Procedure for Handling Waste**

**The Russian Government's Resolution No. 293 dated 7 March 2025** has approved new rules for waste management, as well as the form of a standard contract for providing services relating to waste management.

The main changes include improvements to the procedure for entering into contracts with regional operators and adjustments to the provisions regarding a regional operator being deprived of its status.

Among other things, the following are regulated: the procedure for entering into a contract for providing services relating to waste management, requirements for the accumulation/transportation of waste, the procedure for

collecting and processing waste, and for waste-to-energy recycling (including through producing artificial soil from the organic part of it), as well as decontaminating and burying waste.

Definitions are provided for terms such as a container, container area, waste accumulation site, collection point for secondary resources, and more. Requirements are specified for accumulating waste, as are restrictions on waste storage methods in container areas.

The new rules introduce requirements for containers to be colour-coded for waste to be accumulated separately.

### **Pepeliaev Group's comment**

Until 1 January 2030, when carrying out separate waste accumulation by types/groups of waste as determined in an order approved by the executive body of constituent entity of Russia, it is allowed to use containers/bunkers/receivers of colours other than those specified in accordance with Resolution No. 293 for such types of waste. The condition is to ensure the colour and symbolic marking of containers/bunkers/storage devices through stencils, signs, and labels.

### **What to think about and what to do**

The regulatory instruments referred to above make significant changes to the requirements for handling production and consumption waste.

Companies active within this field should carefully study these provisions, analyse their current operational procedures, and ensure that they comply with the new regulations, in order to minimise the risks of potential claims from regulatory authorities.

We recommend paying special attention to the methodology for waste accounting and products derived from processing waste, the forms of contracts relating to the acceptance/transmission of waste, as well as the content of the Industrial Environmental Control Programme and the report on how it is being implemented.

### **Help from your adviser**

The lawyers of Pepeliaev Group stand ready to advise on issues connected with the implementation of the new requirements imposed on companies engaged in waste management activities concerning production and consumption waste. Additionally, they will offer assistance in dealing with regulatory authorities in cases where disputes arise.

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