

**MINISTER OF JUSTICE AND
INTERNAL AFFAIRS OF MONGOLIA**

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Date: March 10, 2020
Ref: 1-1/1085
To: Kh. Badelkhan, Minister of Construction and Urban Development

We have reviewed the order No.48 by the Minister of Construction and Urban Development of 2020 of adoption of the regulation of cleaning up, collection, sorting, transportation, recycling, reusing, disposal and burying of the construction and demolition waste in accordance with the General Administrative Law. Accordingly, we hereby inform that the aforementioned order is registered in ref No.4731 of the state integrated registry of the administrative acts

[signature and seal] TS. NAYMDORJ

**ORDER BY THE MINISTER OF CONSTRUCTION
AND URBAN DEVELOPMENT**

February 27, 2020

Ref No: 48

Ulaanbaatar

Adoption of regulation

On the basis of Article 24.2 of the Law on Government and Article 8.2.1 of the Waste Law, respectively, IT IS ORDERED:

1. To adopt a regulation of cleaning up, collection, sorting, transportation, recycling, reusing, disposal and burying of the construction and demolition waste by annex;
2. To advise the Policy Implementation Department of Construction and Building Materials Production (B. Gantulga) to organize and oversee the implementation of this regulation;
3. To advise the Construction Development Center state owned enterprise (Ts. Amarsanaa) to receive construction and demolition waste report prepared under the regulation of state integrated data system, documents and collecting information on waste adopted by the annex to the order No. A/428 of the Minister of Environment and Tourism dated November 12, 2018 and post the reports on the integrated database of construction sector.

[signature and seal] KH. BADELKHAN

**REGULATION OF CLEANING UP, COLLECTION, SORTING,
TRANSPORTATION, RECYCLING, REUSING, DISPOSAL AND BURYING
OF THE CONSTRUCTION AND DEMOLITION WASTE**

ONE. GENERAL PROVISIONS

1.1. This regulation (hereinafter referred to as the "Regulation") shall govern relations related to the collection, sorting, cleaning up, transportation, recycling, reusing, disposal and burying of waste generated from the construction, extension, repair, and demolition of buildings, facilities, engineering pipes, sidewalks and green facilities as well as waste generated from trade and production of building materials.

1.2. The purpose of the regulation is to improve the management and structure of construction and demolition waste, minimize its negative impacts on environment and human health, prevent potential hazards and risks, save natural resources and maintain its economic circulation.

1.3. The regulation consists of the Waste Law, Construction Law, applicable laws and documents enacted in conformity with the former.

1.4. This regulation shall apply to the activities of an individual or legal entity generating the construction and demolition waste and business entity authorized to collect, sort, clean up, store, transport, recycle, reuse, dispose and bury the waste (hereinafter referred to as the "authorized entity")

1.5. Activities related to waste included in "hazardous" ranking of the coded list of waste generated from resources adopted by the order No. A/349 by the Minister of Environment and Tourism of 2017 shall be regulated by the regulation adopted by Annex 1 to the resolution No.116 of the Government of 2018 of temporary storage, collection, transportation, recycling, disposal, registration and reporting of hazardous waste.

1.6. An individual or legal entity generating the construction and demolition waste shall undertake the following obligations in respect to the collection, sorting, cleaning up, storage, transportation, recycling, reusing, disposal and burying:

1.6.1. to ensure a reduction of the construction and demolition waste at their resources;

1.6.2. to ensure minimize the volume of the waste, and increase opportunity to reuse waste by introducing a new idea, new approach and international advanced technology based on local distinct and condition;

1.6.3. to sort the construction and demolition waste as specified in Article 2.3 of the regulation ensuring no negative impact on the environment;

1.6.4. to employ of specialist specialized in waste;

1.6.5. to regulate hazardous construction and demolition waste under Article 1.10 of the regulation;

1.6.6. to have regular construction and demolition waste transported by authorized business entity to collect and transport regular waste and pay its transportation charge in full.

1.7. business entities obtained a license specified in Article 19.1.2 of the Construction Law shall demolish a building with construction permits set out in Article 26.1.3 of the same.

1.8. The normative volume of waste generated from building demolition shall be calculated in accordance with Building budget estimation rule BNbD 81-95-12*2020.

1.9. Waste generated from repair of households' public and private residential shall be regulated under the general requirements for sorting, collection, transportation, recycling, reusing, disposal and burying of regular waste adopted by an annex to the order No. A/443 of the Minister of Environment and Tourism dated November 17, 2018 and Waste management inside buildings-Operation rule MNS BS 5906:2018 standard shall be complied with.

1.10. Database of the construction and demolition waste shall be set up in accordance with the regulation of state integrated data system of waste, documents and information collection adopted by an annex to the order No. A/428 of the Minister of Environment and Tourism dated November 12, 2018.

1.11. When commissioning a building, it shall be stated in a report of building acceptance commission, taking into account the delivery of construction and demolition waste to a professional agency under this regulation.

TWO. SORTING AND STORAGE OF CONSTRUCTION AND DEMOLITION MATERIALS

2.1. Generators of the construction and demolition waste shall clearly state waste sorting, storage and collection location in the layout plan of the construction area.

2.2. Individuals or business entities shall determine the construction and demolition waste generated by their impact on human health and environment and sort it into "hazardous", "controlled" and "regular" rankings of the coded list of waste generated from resources, which adopted by the order No. A/349 of the Minister of Environment and Tourism of 2017

2.3. The waste management plan shall be prepared and plan implementation report shall be sent to the State Administrative Authority of the construction sector of aimag and the capital within a month after the completion of work.

2.4. Construction and demolition waste included in "controlled" and "regular" ranking of the coded list of waste generated from resources shall be sorted in conformity with the need for recycling and reusing and local requirements, by their resource and type.

2.4.1. Recyclable construction and demolition waste shall be as follows:

- 2.4.1.1. papers, wallpapers, various wrappers, cartons, waste papers;
- 2.4.1.2. plastics (various plastic bags, containers, all kinds of liquid containers, plumbing pipes, electrical accessories, cables, doors, window frames PVC);
- 2.4.1.3. aluminum, metal, copper, brass and all kinds of items made of them;
- 2.4.1.4. glass (all kinds of glass containers, makings, items, products);
- 2.4.1.5. wood and waste of wooden items;
- 2.4.1.6. various sacks, waste of cotton materials;
- 2.4.1.7. noise and heat insulation materials, foam waste;
- 2.4.1.8. resin and all types of folded materials to protect from steam, water and moisture;

- 2.4.1.9. grass, trees, rocks
- 2.4.1.10. all types of concrete and concrete items;
- 2.4.1.11. bricks, rocks, veneer, ceramic waste;
- 2.4.1.12. road asphalt concrete, bitumen mix, gravel and earth;
- 2.4.1.13. construction fittings, all types of metal items;
- 2.4.1.14. all kinds of electrical and communication cable wires;
- 2.4.1.15. all kinds of packaging and containers;
- 2.4.1.16. soil and earth resulted in building foundation and area leveling and cleaning.

2.4.2. Reusable construction and demolition waste shall be as follows:

- 2.4.2.1. foundation blocks;
- 2.4.2.2. all types of slats;
- 2.4.2.3. pavement slab, truss and concrete beam;
- 2.4.2.4. bricks, wall blocks and wall mats of the prefabricated building;
- 2.4.2.5. wooden items and furniture;
- 2.4.2.6. all kinds of packaging and containers;
- 2.4.2.7. soil and earth resulted in building foundation and area leveling and cleaning.

2.4.3. Waste subject to disposal and bury shall be as follows:

- 2.4.3.1. non-reusable and recyclable construction and demolition waste and waste containing asbestos, mercury and hazardous substance or polluted by hazardous substance;
- 2.4.3.2. a polluted or hazardous substance containing soil, earth, rocks, concrete, bricks, veneers, ceramic waste, woods, glasses and plastics.

THREE. CLEANING UP OF WASTE

3.1. Waste generating individual and legal entity shall clean up completely the waste generated from the construction, restoration, extension, repair, furnishing and demolishing of building, sidewalk and green facility as well as waste from the trade, production and service of the building materials and clear out the area.

3.2. During the complete demolition, an individual and legal entity generating waste shall prepare a waste management plan and send a report to the State Administrative Authority of aimag or the capital construction sector within a month after completion of the project.

3.3. Aimag, the capital, soum or district Governor shall request to clean up the construction and demolition waste emptied in its territory without consent and oversee the implementation within the scope of its authority set out in the Waste Law.

3.4. Bag or khoroo Governor shall oversee illegal dumping of the construction and demolition waste at a non-designated area and aimag, the capital, soum or district Governor shall request to correct unlawful action of the respective business entity or individual at the defaulting entity's cost.

FOUR. COLLECTION AND TRANSPORTATION OF WASTE

4.1. When transporting the construction and demolition waste on aimag or the capital territory, Governor of bag or khoroo with location where the construction and demolition waste generated shall be informed and soum or district Governor's consent shall be obtained.

4.2. A person authorized to transport the construction and demolition waste shall enter into a transportation agreement with business entities or individuals generating the construction and demolition waste which complied with applicable law and transport the construction and demolition waste

4.3. A person who executed the agreement with generators of waste and authorized to clean up, collect and transport regular waste shall be obligated to collect, transport and deliver to bodies authorized to engage in reusing, recycling, disposal and burying of waste.

4.4. Requirements for transportation of the construction and demolition waste:

4.4.1. it should satisfy the requirements of General Standard for Vehicle Technical Specifications MNS 4598:2011, underwent technical inspection and obtained certificate;

4.4.2. vehicle to transport the construction and demolition waste should be registered in the GPS integrated control system of aimag or the capital;

4.4.3. waste should not be emptied at places except designated points;

4.4.4. the transporter should join in road traffic without causing any damage and should ensure no spill of waste on roads;

4.4.5. garbage truck or automatic dumper should have device, barrier and cover which designated to protect losing waste;

4.4.6. machinery, equipment and crane's parts should meet requirements.

4.5. The construction and demolition waste transporter shall send a report which states volume of waste transported, schedule and timing of transport made under the agreed route to division in charge of waste matters of soum or district Governor's Office by 25th of each month.

4.6. A healthy soil generated during construction and earthwork shall be delivered to the urban landscaping organization.

4.7. In order to use earth generated from building fundament for back filing of restoration, it shall be delivered to the storage area of the licensed entity.

FIVE. RECYCLING AND REUSING OF WASTE

5.1. An authorized individual or business entity registered with the State Central Administrative Authority in charge of environmental issues shall recycle and reuse the construction and demolition waste.

5.2. Upon decision by the respective aimag or the capital Governor, the recycling plant of the construction and demolition waste shall be built on land allocated in the industrial zone.

5.3. Statistics and reports of recycled products, items and waste generated from recycling shall be sent to the respective aimag or the capital Governor.

5.4. The construction materials, products and items recycled shall be sent to a laboratory for testing, quality analysis and sampling test and shall be in conformity with relevant standards of the respective materials and products.

5.5. Waste generated from recycling shall be delivered to the approved centralized waste point.

5.6. A business entity engaged in recycling and reusing of the construction and demolition waste shall comply with Article 4.1 of this regulation in case, engaged in the transportation of the construction and demolition waste.

5.7. Requirements for the acceptance of construction and demolition waste:

- 5.7.1. to have weight to accept waste;
- 5.7.2. to have dispatching site;
- 5.7.3. to set up the waste database;
- 5.7.4. to have designated auto garage;
- 5.7.5. to have a special purpose vehicle, machine and devices.

SIX. DISPOSAL AND BURYING OF construction and demolition waste

6.1. Non-recyclable construction and demolition waste (except hazardous waste) shall be buried and disposed at the centralized point of regular waste

6.2. A business entity contracted with aimag or the capital Governor shall dispose and bury the waste at the agreed location.

6.3. A funding required for the waste disposal and burying shall be included in aimag or the capital budget and approved.

6.4. A rate of disposal and burying of the construction and demolition waste shall be the unit tariff of the burying of regular waste as specified in Article 9.1.4 of the Waste Law.

SEVEN. RESPONSIBILITY

7.1. An individual or business entity in violation of the haulage and transportation activities of construction and demolition waste shall be subject to liability under applicable laws.

7.2. If an individual or business entity disposes of empties construction and demolition waste at the non-designated area, the said individual or business entity shall be responsible for expenses required for restoring to its original condition.

7.3. Violators of the Waste Law shall be subject to liability under Article 6.1 of the Infringement Law and Article 43 of the Waste Law.

7.4. In the event, a legal entity demolishing building lacks of waste management plan, fails to submit a report and generated illegal waste, then it shall be subject to liability under applicable law.