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New registration obligations for companies related to disposal and recycling of waste products

The recent Ministerial Order 739/2017, entered into force on May 19, 2017, institutes the obligation of companies undertaking activities not subject to environmental permitting as per Law 211/2011 regarding waste products to request registration with the National Registry of Economic Operators kept by National Environment Protection Agency (“NEPA”) by June 16, 2017.

More precisely, the following types of companies should request registration by this deadline:

- (i) waste product traders that do not physically handle the waste;
- (ii) waste product brokers;
- (iii) waste product road transporters; and
- (iv) companies not subject to environmental permitting that eliminate own waste products in the production facility or that recycle waste.

The latter is a broad category that will encompass a large percentage of manufacturing, agricultural, food production and retail facilities.

In view of registration, company representatives should file with NEPA a set of forms and corporate documents, as provided by the order. Registration is subject to a tariff of RON 500 (approximately EUR 110) and is valid for five years. Renewal of registration is subject to a similar renewal tariff.

Changes in company activity or to the information provided by the company in the submitted forms must be notified in writing to the NEPA, along with justifying documents, within 30 days of occurrence.

Registered companies continue to be subject to waste management recording and reporting operations as detailed in Law 211/2011 regarding waste products.

Failure to request registration by the above-mentioned deadline is subject to a fine ranging from RON 20,000 to RON 40,000 (approximately EUR 4,385 – EUR 8,775). Said registration is most likely to be verified during inspections undertaken by the Environment Guard or by the local police force.

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For additional information, please contact:



Dana Rădulescu

Partner

dana.radulescu@maravela.ro



Mihai Buciuman

Managing Associate

mihai.buciuman@maravela.ro