CURRENT PROBLEMS OF REGIONAL LEGISLATION IN TERMS OF THE IMPLEMENTATION OF STRATEGIC DOCUMENTS OF SOCIO-ECONOMIC DEVELOPMENT OF THE RUSSIAN FEDERATION ON THE EXAMPLE OF WASTE MANAGEMENT OF PRODUCTION AND CONSUMPTION

АКТУАЛЬНЫЕ ПРОБЛЕМЫ РЕГИОНАЛЬНОГО ЗАКОНОДАТЕЛЬСТВА В УСЛОВИЯХ РЕАЛИЗАЦИИ СТРАТЕГИЧЕСКИХ ДОКУМЕНТОВ СОЦИАЛЬНО-ЭКОНОМИЧЕСКОГО РАЗВИТИЯ РОССИЙСКОЙ ФЕДЕРАЦИИ НА ПРИМЕРЕ ОБРАЩЕНИЯ С ОТХОДАМИ ПРОИЗВОДСТВА И ПОТРЕБЛЕНИЯ

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Аннотация

Правовое регулирование в сфере обращения с отходами осуществляется Федеральным законом "Об отходах производства и потребления", иными федеральными, региональными и местными законами. Соответствующее законодательство Российской Федерации регулирует отношения в области обращения с отходами лечебно-профилактических организаций, с биологическими отходами, с радиоактивными отходами, со сбросом вредных веществ в воду и с выбросом вредных веществ в атмосферный воздух.

Abstract

Legal regulation in the field of waste management is carried out by the Federal Law "On Production and Consumption Waste", other federal, regional and local laws. The relevant legislation of the Russian Federation regulates relations in the field of waste management of medical and preventive organizations, with biological waste, with radioactive waste, with the discharge of harmful substances into water and with the release of harmful substances into the atmospheric air.

Ключевые слова: Проблемы регионального законодательства, закон, отходы производства.

Keywords: Problems of regional legislation, law, production waste.

Article 1 of the Federal Law "On Production and Consumption Waste" provides for the basic concepts in the field of waste management. According to this article, industrial waste and consumer waste are the remnants of materials, raw materials, semi-finished products, other products or products formed during production or consumption, as well as products (goods) that have lost their consumer properties.

It should be noted that waste management is an activity related to the collection, accumulation, use, neutralization, transportation, and disposal of waste. Waste disposal refers to the storage of waste and its disposal.

Production and consumption waste, in particular radioactive waste, must be collected, neutralized, used, stored, transported and disposed of. It is necessary that the conditions and methods of collection, neutralization, use, storage, transportation and disposal of industrial and consumer waste are safe for the natural environment and are regulated by the legislation of the Russian Federation.

Why the topic of waste has become relevant today, we would like to demonstrate with four facts::

1. 8,323 landfills, including 916 landfills on the territory of urban districts.

2. At the current growth rate of MSW volumes (1-2 % per year), in 32 regions their capacity will be exhausted by 2024, and in 17 of them – by 2022.

3. 3 million children under the age of 5 die every year due to environmental factors

4. 19% of oncological diseases in the world are caused by environmental causes.

Consider the elimination of production and consumption waste in the Trans-Baikal Territory.

The landscapes of Transbaikalia, with all their diversity, have some common features: low resistance to external influences, including anthropogenic ones, low productivity and slow self-healing.

Among the reasons for this is the elevation of the territory above sea level and the mid-mountain terrain, the location in the depths of the Asian continent, which causes a sharply continental climate.

In the bowels of the region there are a large number of radioactive deposits (uranium and thorium) and radon waters. There are geochemical anomalies that cause endemic diseases (Kashin-Bek's disease, Keshan's disease, Bazedov's disease, etc.).

The level of atmospheric air pollution in the territory of the region is characterized as very high, high and elevated. The greatest air pollution is observed in the winter months (November-February), especially in the city of Chita (due to its geographical location and the anticyclone that dominates the Trans-Baikal region in winter), which is included in the priority list of the dirtiest cities in Russia.

The largest amount of waste is generated during mining, which accounts for more than 90% of all waste in the region. Enterprises of the fuel and energy complex (ash and slag dumps) and municipal services contribute to the formation of waste.

Often, waste from housing and communal services is placed on objects that do not meet the requirements of environmental safety, and at best, these are authorized landfills (in cities, large settlements), and more often (in remote, small settlements) these are unauthorized, spontaneously formed mass accumulations around settlements of not only household, but also industrial waste, the amount of which is not reduced.

Of the resulting waste, only 0.05% is disposed of at the enterprises; a third is dissolved in the environment, and more than half remains on the territory of the enterprises to resolve the issue of disposal.

Over the past 20 years, the territory of the region has developed an extremely unfavorable situation with water disposal and wastewater treatment.

Of the 77 sewage treatment plants in operation in the municipalities of the Trans-Baikal Territory, 80% require urgent reconstruction. As a result, untreated or insufficiently treated wastewater is discharged into open reservoirs, which exacerbates the environmental situation.

Following the principles of the Environmental Doctrine of the Russian Federation, the National Strategy and Action Plan for the Conservation of Biodiversity of the Russian Federation, and in connection with the territory's belonging to three water basins (Amur, Baikal and Lena), as well as taking into account the environmental interests of neighboring regions of the Russian Federation and border countries, the Trans-Baikal Territory begins to implement a systematic program for the effective inclusion of the unique qualities of the natural environment in the programs of its sustainable socio-economic development.

In compliance with the requirements of federal and regional legislation, international agreements in the field of environmental protection and public health, the Trans-Baikal Territory makes and implements management decisions in the field of environmental management with mandatory consideration of the environmental aspects of the planned activities, and introduces the practice of public reports of

management bodies at the municipal and regional levels on the results of activities in the field of public health and environmental protection of the Trans-Baikal Territory.

On the territory of the Trans-Baikal Territory, there are targeted programs to protect settlements, national economy facilities and valuable lands from flooding, provide the population with drinking water, protect Lake Baikal and the Baikal Natural Territory within the administrative borders of the region, develop and strengthen the tourism and recreation infrastructure of the Alkhanai National Park, ensure the environmental safety of the environment and the population of the region when handling production and consumption waste, and annually finance priority environmental protection measures.

In the Trans-Baikal Territory, a pilot project is being implemented to implement a Strategic Environmental Assessment of the Strategy for Socio-Economic Development of the Trans-Baikal Territory for the period up to 2030.

Thus, today, the solution to the problem of waste disposal is possible through the integrated application of technological, economic, ideological and legal means of regulation. At the same time, it is necessary to search for new and implement existing technologies to reduce the formation of waste (low-waste and non-waste), as well as technologies for their processing in order to obtain secondary material and energy resources that can be used in various sectors of the national economy.

The problem of environmental pollution as a result of waste-related activities, in our opinion, can be solved not only by legal norms, but also through the interaction of state authorities and business, as well as as a result of: eliminating the duplication of powers of federal and regional authorities; stimulating the use of waste-free production, creating a "whole waste processing industry" in the country; eliminating unauthorized waste dumps and increasing the number of waste disposal sites (landfills) in accordance with the legislation; competent allocation of funding, including local governments, in whose immediate vicinity the solution of these problems is located; elimination of inaccuracies and gaps in waste legislation; development of such a method of economic regulation in the field of environmental protection as the payment of negative impact; strengthening of legal liability measures.

Thus, it is possible to achieve results only through the accumulation of individual experience of each house, each economic entity, each municipality, which should be reflected in the regional legislation of the subject of the Russian Federation.

A positive example in terms of the elimination of production and consumption waste is the village of Lisino, Volosovsky district, Leningrad Region, it is here that the positive interaction of regional bodies and the municipality is demonstrated, as well as the consciousness of citizens who do not live one day, but really care about the future of their descendants.

In the village of Lisino, separate waste collection has become more organized: in the village there are 120 houses and about 150 residents (in the summer season — more). Separate accumulation is organized into eight fractions: paper, glass (three colors), metal, bags, PET bottles and plastic "deuce", batteries, plastic five-liter bottle. After the installation of tanks for RSO, the volume of MSW exported to the landfill decreased by half. There are tanks near the headman's house on the village street, and the video camera has reduced to zero the placement of mixed waste or garbage in containers for RSO (before that there were two cases).

A private company with a license exports MSW and separately collected secondary raw materials. They only pay for the actual export. Within ten years, MSW is exported at 350 rubles per 240 liters. Separately accumulated waste, secondary raw materials, the company takes away for free — this compensates for its transport costs, and allows residents to pay less for the export of MSW.

We hope that this small point on the map of our boundless Homeland will become a starting point on the way to achieving the goal of saving and preserving the unique landscape picture of Russia.

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