

**MEASURES TO ENSURE ENVIRONMENTAL SAFETY IN UZBEKISTAN****Nazarov Kholmuro**Associate Professor, Department of Legal Sciences, Faculty of Ecology and Law, Tashkent  
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**Abstract.** This article describes the requirements for environmental safety in Uzbekistan, its types, and the issues related to environmental safety requirements for atmospheric air, land resources, flora and fauna, water resources, and waste, as well as their legal content and essence. Measures for ensuring environmental safety in enterprises, organizations, and institutions, as well as a special resolution of the Cabinet of Ministers on environmental safety and general technical regulations, are characterized.

**Keywords.** Environmental safety requirements, general technical regulations, economic entities, environmental safety, economy, land protection, water resources, protection of plants, wildlife.

Important measures are being taken in Uzbekistan to ensure and stabilize environmental safety in all sectors. One of the trends in this area is that the measures taken to ensure environmental safety in enforcing laws and normative legal acts adopted on their basis in the field of ecology and environmental protection are of great importance.

In accordance with the Law of the Republic of Uzbekistan “On Technical Regulation,” the Cabinet of Ministers adopted a special resolution No. 95 dated February 18, 2020, “On the General Technical Regulation on Environmental Safety” in order to establish uniform requirements for environmental safety and environmental protection.

This General Technical Regulation on Environmental Safety consists of five chapters and 66 clauses, which set mandatory environmental safety requirements for ensuring environmental safety in the processes of production, storage, transportation, and disposal of products, and became one of the extremely important measures for ensuring environmental safety.

To further strengthen the guarantees for the life and health of our people and to develop the economy of our country, this document establishes mandatory environmental safety requirements that ensure protection from hazards related to atmospheric air, water bodies, flora and fauna, land resources, and waste for ensuring the environmental safety of the processes of production, storage, transportation, and disposal of products (waste).

The stability and improvement of the state of the natural environment should be ensured by achieving permissible levels of gradual reduction of the negative impact of existing economic and other operational facilities on the natural environment, using the best available technologies.

The importance of this document lies in the fact that it forms the basis for each enterprise, organization, and institution to develop the ecological norms necessary for ensuring the environmental safety of the production, storage, transportation, and disposal of waste for any

economic and service activity's existing stationary facilities, including permissible maximum emissions of polluting substances into the atmosphere, permissible maximum discharges of polluting substances into surface water bodies and land relief.

Clause 8 of this document on environmental safety requirements stipulates that legal entities producing products, storing them, and disposing of their waste must develop ecological standards applicable within their territory, based on the following indicators:

The mass of polluting substances per unit of time (grams per second) that forms ground-level concentrations (in proportions of permissible maximum concentrations) not exceeding the established permissible maximum quotas for atmospheric air for emissions.

The maximum permissible mass of substances per unit of time to be discharged in the regime established at the control point to ensure water quality standards at that control point in wastewater.

The quantity for each hazard class of industrial waste generated and placed in equipped production areas and/or waste disposal facilities, with a specified storage period.

Norms for the above indicators are established in special technical regulations for a specific type of product.

#### **1. Environmental safety requirements ensuring the protection of atmospheric air for the purpose of protecting atmospheric air:**

- Designing stationary economic and other operational facilities without equipping them with devices for cleaning pollutants discharged into the atmospheric air and their control instruments (including analytical ones);
- Using motor vehicles that do not meet the requirements of special technical regulations regarding the composition and volume of emissions of polluting substances into the atmospheric air and noise levels;
- Landfilling, neutralization, and incineration of production and consumption waste in the territories of economic and other entities and settlements;
- The use and repair of equipment containing ozone-depleting substances without taking measures to prevent their negative impact on the atmospheric ozone layer is prohibited.

Enterprises, institutions, and organizations whose activities involve emissions of polluting substances and ozone-depleting substances into the atmospheric air must:

- ❖ Introduce energy-saving technologies, conserve fuel and energy resources, and utilize environmentally friendly energy sources;
- ❖ Implement measures agreed upon with the Ministry of Ecology, Environmental Protection, and Climate Change of the Republic of Uzbekistan to reduce emissions of polluting substances and biological organisms into the atmosphere in relation to anticipated adverse weather conditions;
- ❖ Comply with the conditions for storage and use of highly toxic substances and volatile compounds, and for the neutralization of their packaging;

- ❖ Take measures to prevent large and emergency emissions into the atmosphere, as well as potential hazardous situations, and reduce transboundary air pollution;
- ❖ Ensure the disposal of waste and take measures to prevent atmospheric air pollution during their collection and processing;
- ❖ Are obliged to use and repair equipment containing ozone-depleting substances, maintain records of them, and ensure their replacement with ozone-safe substances.

## **2. Environmental safety requirements ensuring the protection of water bodies:**

- ❖ Placing hazardous facilities in water protection and sanitary protection zones of water bodies;
- ❖ Discharging untreated and unneutralized wastewater into water bodies intended for drinking, household, and fishery purposes, as well as into land relief, groundwater horizons, and irrigated areas;
- ❖ Discharging industrial wastewater into urban and settlement sewerage systems that does not meet the requirements for admission into the sewerage system without prior treatment in local treatment facilities;
- ❖ Discharging industrial wastewater containing substances whose methods of determination have not yet been established into sewerage systems;
- ❖ Commissioning and operating stationary economic and other operational facilities that are not equipped with the required wastewater treatment equipment and facilities and their control instruments;
- ❖ Using self-propelled and non-self-propelled vessels, as well as other objects, on the surface of water bodies without devices for collecting wastewater and waste generated from them;
- ❖ Discharging production, household, and other waste into water bodies, polluting water bodies and their banks with waste, storing or placing wastewater sludge in unauthorized places, and large discharges of wastewater into water bodies and land relief;
- ❖ Dumping waste that is a source of chemical, bacteriological, or radiological pollution in areas for replenishing and extracting groundwater used for drinking, domestic, and therapeutic purposes, or that are promising for use, as well as placing landfills, cemeteries, livestock cemeteries, and other facilities;
- ❖ Unreasonable use of groundwater with drinking water quality for other needs.
- ❖ Using various unprotected reservoirs, collection ponds made of clay, as well as karst funnels and other depressions for discharging wastewater and sludges formed during the drilling process;
- ❖ Polluting groundwater during the extraction of minerals, water level reduction works, and the construction and use of drainage systems in reclaimed lands;
- ❖ Discharging drainage water from fields and storm runoff water from populated areas into ravines and gullies;
- ❖ Using and storing toxic chemical agents and fertilizers at locations where groundwater used for centralized water supply is collected;

❖ Irrigating agricultural lands with wastewater that affects or may negatively affect the condition of these lands and groundwater.

Economic and other entities whose activities result in the formation of wastewater must:

- Ensure compliance with the norms for discharging pollutants into water bodies and land relief, and the implementation of measures to reduce them;
- Keep records of the quantity and quality of water taken from surface and groundwater sources, the volume of water taken from the municipal water supply system or another enterprise's water supply system, and discharges of wastewater (into surface water bodies, land relief, sewerage systems, separately dug pits, evaporation fields, filtration fields, irrigated agricultural fields, etc.);
- Adhere to the rules and regimes for the use of equipment and facilities intended for wastewater treatment;
- Ensure the impermeability of containers for raw materials, manufactured products, industrial and agricultural production waste, and solid and liquid domestic waste;
- Ensure the prevention of contaminated surface water from seeping into groundwater horizons;
- Ensure the airtightness of systems for collecting oil and oil products;
- Ensure the reclamation of exhausted quarries.

In Uzbekistan, for municipal sewerage systems of cities and other settlements, without prior initial treatment by subscribers at their local treatment facilities:

- Industrial wastewater containing substances that can clog pipes, manholes, grates, or settle on pipe walls, manholes, and grates (such as metal slag, silt, lime, sand, gypsum, metal filings, animal remains, and organic waste), as well as construction and household waste, and production and household waste;
- Conditional clean wastewater not specified in communal-ecological standards, wastewater containing dyes, surface wastewater generated in the areas of industrial enterprises (rainwater, snowmelt, irrigation and washing water), and drainage water formed due to the lowering of the groundwater table in production areas and territories (discharged into the sewerage system generally or separately);
- Substances that have a corrosive effect on the pipes and technological communications of sewerage treatment facilities, harmful substances in concentrations that hinder the biological treatment of industrial wastewater, hazardous bacteriological pollutants, insoluble petroleum products, biologically difficult-to-oxidize organic substances, surface-active substances, as well as mineral substances.
- Here's the translation of your text without changing its meaning:
- Discharge of industrial wastewater into water bodies that may lead to exceeding the permissible established norms for the volume and quantity of polluting substances, with a temperature above 40°C, a pH level below 6.5 or above 9, a chemical oxygen demand (COD) more than 2.5 times the biochemical oxygen demand (BOD5) or exceeding 1.5 times BOD full - 500 mg/l, suspended and floating substances exceeding concentrations of 500 mg/l, and

industrial wastewater containing substances for which permissible discharge limits into sewerage networks have not been established;

▪ Discharge into sewerage networks and treatment facilities of poisonous gases (hydrogen sulfide, carbon disulfide, hydrocyanic acid, vapors of easily volatile aromatic hydrocarbons, etc.), explosive and fire hazardous substances, toxic mixtures, acids capable of forming concentrated lead and copper solutions, boiling mixtures, toxic and gaseous substances, particularly solvents (gasoline, diethyl ether, dichloromethane, benzene, etc.), dyes, as well as wastewater containing radioactive substances, is prohibited.

It should be noted that if a special sewerage system for receiving industrial wastewater containing radioactive substances does not exist, it is accepted into the communal sewerage system of the city or other settlement in accordance with the radiation safety standards and sanitary rules for working with radioactive substances and sources of ionizing radiation. The mixing of industrial wastewater into the communal sewerage systems of cities and all settlements that may lead to the formation of interfering emulsions, poisonous or explosion-hazardous gases, large amounts of undissolved substances (including industrial wastewater with an excess of calcium or magnesium salts and alkaline solutions, soda and acidic water, sodium sulfide, and excessive amounts of alkali, chlorine, and phenols) is not permitted.

### **3. Environmental safety requirements ensuring the protection of flora and fauna objects:**

- Burning vegetation, storing and using materials, raw materials, chemical substances, plant protection products, mineral fertilizers, and other preparations dangerous to wild animals, and disposing of, transporting, and burying household and production waste without considering the requirements for the protection and use of wildlife;
- Any activity on land plots and water areas of specially protected natural areas that contradicts their designated purpose;
- Installing barriers and structures in the migration routes of animals without special crossing places;
- Clearing shrubs and trees during the breeding season of animals when constructing economic and other operational facilities, as well as clearing footpaths;
- Discharging wastewater and waste that exceeds the permissible maximum concentrations of polluting substances in the breeding, overwintering, and mass gathering places of aquatic and water-dwelling animals and birds.
- Extraction of flora and fauna objects without the permission of the specially authorized body in the field of environmental protection;
- Extraction of flora and fauna objects included in the Red Book of the Republic of Uzbekistan, except for extraction for purposes provided for by legislative acts;
- Unauthorized relocation, acclimatization, and crossbreeding of wild animals are prohibited.

It should not be forgotten that when designing and constructing economic and other operational facilities, measures to protect wildlife objects must be ensured, including restrictions on activities during their mass migration, reproduction, and molting periods, the feeding of young animals, spawning of fish, and the feeding, raising, and keeping of young fish.

To prevent the destruction of wildlife objects due to the influence of hazardous substances and raw materials at production sites, economic entities and other entities must:

- Store materials, raw materials, and waste in enclosed areas with fences, concrete floors, and dikes, and with an available sewerage system;
- Place domestic and industrial wastewater in containers for on-site treatment or transportation to special landfills for subsequent disposal;
- Equip containers and reservoirs with protective systems to prevent animals from falling into them.
- Owners of vehicles and organizations using the country's transport arteries are obliged to take measures to prevent harm to wildlife objects. Special warning signs or speed limit signs must be installed on transport arteries.
- Where transport arteries intersect with small rivers and streams (surface water bodies), the free movement of fish and terrestrial animals must be ensured.
- Sanitary protection strips are designated along power transmission lines to prevent the death of wildlife objects from the influence of their electromagnetic field.
- Transformer substations in power transmission lines, their networks, and operating mechanisms must be equipped with devices (fences, protective covers, etc.) that prevent animals from entering the substation area and falling into these networks and mechanisms.
- It is recommended to replace overhead communication wire systems with underground cable or radio relay to prevent the death of birds due to collisions with communication lines in areas of mass bird migration.
- When taking water from water bodies and open watercourses, measures must be taken to prevent the death of aquatic and water-dwelling animals.
- The use of flora and fauna objects in the territory of Uzbekistan, as well as international trade in wild flora and fauna species at risk of extinction (CITES), is carried out in the prescribed manner.
- Habitats of plant, animal, and other organism species listed in the Red Book of the Republic of Uzbekistan must be preserved.
- Nature users must comply with the permitted rules, timeframes, and list of hunting tools and methods for hunting species of wildlife objects and collecting medicinal plants.

Nature users must comply with the conditions and rules for hunting and keeping wildlife objects in captivity. When carrying out activities related to forest use, nature users are prohibited from:

- Implementing operations using methods that lead to the development of soil erosion and excessive negative impacts on the condition and regeneration of forests, as well as the condition of water and other natural objects;
- Carrying out operations that worsen the protective, fire-fighting, ecological, and sanitary condition of forests, as well as their regeneration conditions;
- Commissioning new and reconstructed facilities that are not equipped with devices to prevent harmful impacts on ecosystems and forest regeneration;
- Losing wood, using saw timber for firewood, and its purpose-less use;
- Cutting down trees and shrubs for the construction of buildings, structures, and communications, if not technically necessary;
- Harvesting secondary forest products, grazing livestock, and industrial harvesting of non-timber forest products in national parks, reserves, natural monuments, forests of scientific and

historical significance, forest parks, parts of forest park areas of urban forests, green zones, around settlements and industrial centers, state forest strips, anti-erosion forests, and protected strips along the banks of rivers, lakes, and other water bodies;

- Leaving residues of partially cut and harvested timber in felling sites after the expiry of harvesting and removal deadlines is prohibited.

In cases of violation of forest legislation, as well as for the purposes of protection, conservation, and restoration of forests and other natural objects, the right to use forests may be restricted, temporarily suspended, or prohibited in the manner prescribed by legislation.

#### **Obligations of permanent forest users:**

- Ensuring the protection, rational use, and regeneration of forests, and maintaining state records of forests;
- Carrying out operations using methods that do not allow negative impacts on the condition and regeneration of forests, soils, wildlife, as well as water and other natural objects;
- Making timely payments for forest use in the prescribed manner;
- Ensuring the regime of specially protected natural areas and not violating the rights of forest users.

#### **Rights of temporary forest users:**

- Rational use of the pastures, hayfields, and other forest lands granted to them;
- Carrying out operations in methods that do not negatively affect the condition and reproduction of forests, the condition of soil and wildlife, as well as water and other natural objects;
- Making timely payments for forest use in the prescribed manner;
- Obligated not to violate the rights of forest users.

**4. Environmental safety requirements ensuring the protection of land resources:** When carrying out operations related to the disturbance of the soil cover, the fertile layer of soil must be removed and preserved for biological recultivation or use in low-productivity lands. Transport and special machinery must move only on specially constructed roads that ensure safe movement without causing damage to the vegetation and soil cover. When carrying out activities related to the use of subsoil resources, nature users are prohibited from:

- Placing dumps of rocks and waste storage facilities in settlements that are sources of atmospheric air pollution with dust, harmful gases, and odorous substances;
- Unauthorized use of subsoil resources;
- Carrying out operations related to disturbing the integrity of surface and subsoil resources before obtaining a positive conclusion from the state environmental expert review, and performing operations related to disturbing the integrity of the earth's surface and its subsoil;
- Unauthorized construction in areas where useful minerals are located and using land plots for other purposes;
- Carrying out operations related to the use of subsoil resources if their condition poses a threat to human life and health;

- Extraction of useful minerals for purposes not related to mining waste outside the mining area, and use of the subsoil;
- Any activity that disrupts the integrity of unique geological outcrops, mineral formations, paleontological objects, and other subsoil areas of special scientific and cultural value;
- It is prohibited to carry out geological exploration work of the subsoil without its state registration in the prescribed manner.

Regarding the subsoil and useful minerals:

- Ensuring comprehensive and economical use of subsoil resources and useful minerals, as well as relevant natural resources, and preventing the pollution of the environment and subsoil;
- Recultivating disturbed lands during the extraction of useful minerals, using renewable useful minerals only within the limits of natural renewal, complying with the established rules for the use of subsoil and widespread useful minerals, and having a positive conclusion from the state environmental expert review for projects for the development of useful mineral deposits, and for the construction, reconstruction, and expansion of enterprises for the extraction and processing of mineral raw materials.

The availability of a license granting the right to use subsoil plots or an agreement on product sharing that envisages the allocation of subsoil plots for use; The use of minerals in the open-pit mining process is permitted only with the condition of placing dumps of overburden, waste accumulation sites from mineral processing, and dumps of barren rock from mines, ensuring minimal impact on the environment.

#### **Obligations of subsoil users:**

- To use the subsoil for the intended purpose, carry out operations in accordance with the subsoil use project, ensure full geological study, rational, comprehensive use, and protection of the subsoil, and prevent selective mining of rich sections of deposits and above-norm losses during the extraction and processing of mineral raw materials;
- To account for the state and movement of useful mineral reserves, their losses and destruction, as well as their timely recalculation, re-approval, and write-off;
- To store and account for useful minerals that are extracted simultaneously but not used temporarily;
- To conduct observations on the regime of groundwater in areas of water intake sites and adjacent territories;
- To immediately inform the bodies monitoring the protection of groundwater about changes in the condition of groundwater;
- To ensure the safe execution of operations in the use of subsoil resources, and to develop plans for eliminating accidents;
- To protect the natural environment, buildings, and structures from the harmful effects of operations related to subsoil use;
- To maintain and preserve geological, surveying, and other documentation during the process of subsoil use.

Information about subsoil resources, the state and movement of useful mineral reserves, and information about their constituent components must be submitted to the State Geological Fund under the State Committee for Geology and Mineral Resources. They are obliged to ensure that land plots disturbed during subsoil use are returned to a condition suitable for use, and that payments for subsoil use are made on time.

##### **5. In order to comply with environmental safety requirements in the field of waste management:**

- ❖ Commissioning economic and other operational facilities that are not equipped with technical means for the neutralization and safe disposal of waste in accordance with established requirements;
- ❖ Production and related activities with waste for which the hazard category to the environment has not been determined;
- ❖ Importing any types of waste, including radioactive waste from abroad, into the territory of the Republic of Uzbekistan for storage and burial;
- ❖ Burying waste for which appropriate disposal technologies exist in Uzbekistan;
- ❖ Storing and neutralizing waste in areas of settlements, in lands designated for environmental protection, recreation, health improvement, and in the locations of cultural heritage sites, as well as in other places where there may be a risk of harm to human life and health, environmental protection objects, and specially protected natural areas.
- ❖ Unauthorized disposal of solid and liquid waste in the environment;
- ❖ Neutralization of industrial and household waste without special technical equipment; unauthorized removal of buried waste;
- ❖ Transportation of household waste in vehicles not intended for transportation, as well as transportation under the supervision of persons not related to the transportation of household waste, with the exception of bulky household waste and construction waste, as well as waste generated from cutting trees and shrubs and from agrotechnical processing (branches and tops of trees and shrubs, residues of cutting operations, etc.).

Burial of waste in the subsoil is permitted only in exceptional cases, based on the results of special studies, while adhering to the requirements for ensuring human life and health safety, environmental safety, and the preservation of natural resources. Waste recycling, as well as its burial and storage in landfills, is carried out only in the presence of a positive conclusion from the state environmental expert review. Economic entities and other entities must mandatorily ensure the inclusion of waste burial and disposal facilities in the Unified State Cadastre of Waste Burial and Disposal Facilities to collect, process, store, and analyze information on waste generated in the territory of Uzbekistan. The State Cadastre of Waste Burial and Disposal Facilities is maintained in the manner prescribed by legislation. Waste generated in the territory of Uzbekistan must be characterized (passportized). The waste passport is drawn up by legal entities for each type of waste. Amendments and additions are made to the waste passport when the specific characteristics of the waste change due to the production technology; the procedure for waste passportization is established by legislation.

The import of waste into the territory of Uzbekistan is permitted only for recycling and disposal, in accordance with the procedure established by law, subject to the safety of human life and

health, and the environment. The import and export of waste from the territory of Uzbekistan is regulated by special legislation. Hazardous waste is transported in specially equipped vehicles, provided that an environmental certificate and a permit have been issued in the manner prescribed by law. Waste that is the object of sales, export-import operations, as well as hazardous waste that must be transported, must be subjected to environmental certification for compliance with sanitary norms and rules in the field of waste management, and environmental standards, and the owners of the waste are issued an environmental certificate based on its results; the procedure for environmental certification is established by legislation. The design, construction, operation, reconstruction, conservation, and liquidation of economic and other operational facilities must provide for equipped areas for waste storage in accordance with the requirements established by legislation. Hazardous waste must be transported to their collection, storage, disposal, burial, and/or destruction sites:

- ✓ In the presence of a hazardous waste passport;
- ✓ When special equipment and vehicles are available.

Waste is transported and handed over to its destination only if documents indicating the quantity of hazardous waste to be transported, the purpose of transportation, and the destination are available. Hazardous waste is neutralized using technological processes, taking into account the requirements of this Technical Regulation. When storing (burying) waste at waste disposal sites, their separate storage requirements must be ensured for subsequent processing, loading, transportation, unloading, recycling, and disposal operations.

Legal entities must:

- ✓ Comply with the established sanitary norms and rules, and environmental standards in the field of waste management;
- ✓ Keep records of waste and submit reports on them in the manner prescribed by law;
- ✓ Determine the hazard level of waste to human life and health, and the environment in the prescribed manner;
- ✓ Develop projects for waste generation standards and disposal limits;
- ✓ Prevent the dumping and accumulation of construction and household waste on common areas of settlements, roadsides, and carriageways;
- ✓ Ensure waste collection and install containers (boxes) for the collection and temporary storage of solid household waste in or adjacent to their premises;
- ✓ Ensure the proper storage of waste with resource value that needs to be recycled and prevent their destruction and degradation;
- ✓ Take measures to develop and implement technologies for the recycling of waste owned by them;
- ✓ Prevent the mixing of waste, unless otherwise provided for by the production technology;
- ✓ Prevent the storage, processing, recycling, neutralization, disposal, and dumping of waste in unassigned places or facilities.
- ✓ Not to incinerate waste without using special technical equipment; not to violate the requirements for the placement and use of infrastructure facilities for sanitary cleaning;

- ✓ To monitor the sanitary and environmental condition of their own waste disposal sites; to carry out reclamation work on disturbed land plots during waste management operations; to implement a set of measures to maximize waste recycling, sell or transfer it to other legal and natural entities engaged in waste collection, storage, and recycling, as well as to ensure the environmentally safe neutralization of non-recyclable waste;
- ✓ To provide information to local state authorities and specially authorized state bodies in the field of waste management on cases of unauthorized release of waste into the environment and on the measures taken, in the prescribed manner; to make compensation payments for waste disposal in the prescribed manner; to compensate for damage caused to human life, health, and property, the environment, and legal entities as a result of waste management operations.

It is necessary to emphasize that assessing the compliance of production, storage, transportation, and disposal processes of products and production and consumption waste with environmental safety requirements is established to determine the compliance of the regulated objects of this Technical Regulation with environmental safety requirements.

**Conclusion:** Environmental safety is the state of protection of the natural environment and vital human interests from the potential negative impact of economic and other activities, as well as natural and man-made emergencies and their consequences. Environmental safety requirements are established to prevent environmental damage and are mandatory to fulfill. These environmental safety requirements are considered consistent with the Technical Regulation until they are harmonized with it, provided they are not contradictory to the normative legal acts in the field of technical regulation currently in force in the territory of Uzbekistan and the requirements established for ensuring the environmental safety of technological processes for the production, storage, transportation, and disposal of products. The development and maintenance of a registry (list) of the best available environmentally friendly technologies for environmental protection in various sectors of the economy by the Ministry of Ecology of Uzbekistan, in cooperation with relevant ministries, agencies, scientific, and educational institutions, is part of the significant measures being taken to ensure environmental safety in our country. The creation of a registry of the best available environmentally friendly technologies for the population and various sectors of the economy of our country, utilizing advanced and tested equipment and technologies, and the full and complete implementation of these established measures in their territories, production processes, and service activities by all economic entities and service providers, in accordance with the procedure established by law, will ensure a new level in ensuring environmental safety in Uzbekistan.

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