



Water And Waste Regulatory Office
Zyra Rregullatore Për Ujë Dhe Mbeturina
Regulatorni Ured Za Vodu i Otpad

UNMIK



WWRO – R 01 / SWD

WATER AND WASTE REGULATORY OFFICE (“WWRO”)

RULE
FOR THE LICENSING
OF
WASTE DISPOSAL FACILITIES OPERATORS IN KOSOVO

26 January 2005

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PART 1: GENERAL PROVISIONS

Chapter 1: Authority, Scope, Purpose and Definitions

Section 1: Authority for this Rule

The Regulator issues this Rule under the authority of UNMIK Regulation No. 2004/49, On The Activities of Water and Waste Services Providers in Kosovo, dated 26 November 2004.

Section 2: Scope

All currently operating Publicly Owned Enterprises operating a Waste Disposal Facility shall apply for a Waste Disposal Services Licence as per the provisions of this Rule.

Section 3: Purpose

The purpose of this Rule is to establish the procedures under which a Waste Disposal Services License for the specific purpose of operating and managing a Waste Disposal Facility shall be applied for, issued, maintained, renewed and revoked as the case may be.

Section 4: Definitions

The terms and conditions expressed in this Rule shall bear the following meaning:

“Annual License Fee” means the fee to be paid by all Waste Disposal Facilities Operators to the Regulator in order for the Waste Disposal Facilities Operator to be able to continue the enjoyment of the rights granted by the Regulator with regards to the provision of Waste Disposal Services;

“Applicant” means any Publicly Owned Enterprise or Privately Owned Enterprise applying to the Regulator for a Waste Disposal Services License or for the renewal of a Waste Disposal Services License;

“Application” means the same as Waste Disposal Services License Application;

“Business Days” means any day, other than Saturday, Sunday, statutory holiday or public holiday in Kosovo;

“Hazardous Waste” means the by-products of society that can pose a substantial or potential hazard to human health or the environment when improperly managed. Substances classified as Hazardous Waste possess at least one of the four following characteristics: ignitability, corrosivity, reactivity, or toxicity or as been classified as Hazardous Waste by the European Union;

“Inhabitants” means a Person living or residing or located in a Service Area;

“Medical Waste” means any waste originating from a healthcare providing facility or activity and includes infectious, anatomical, sharp, chemical and pharmaceutical waste products. Any waste originating from such healthcare facilities or activities and which does not contain risk waste as listed in this definition, shall be recognized as Municipal Solid Waste originating from a commercial establishment;

“Municipal Solid Waste” means non-hazardous solid waste that is non-liquid and non-soluble, and that is not hazardous waste or Toxic Waste or Medical Waste and

which is generated in households, commercial and business establishments, institutions and in non-hazardous industrial process waste;

“Municipality” means a local Municipality as set out in UNMIK Regulation No. 2000/43 of 27 July 2000 On the Number, Names and Boundaries of Municipalities.

“Performance Guarantee” means a financial instrument that guarantees the faithful performance of a Waste Disposal Facilities Operator to render Waste Disposal Services. It guarantees compensation to the grantor in the event that it must assume the extra costs incurred for having the Municipal Solid Waste transported to an alternate Waste Disposal Facility;

“Person” means any individual, legal or public entity including a corporation, a partnership, a trust, an incorporated organization, a government or any agency or subdivisions thereof;

“Publicly Owned Enterprises” means an enterprise that was created as publicly-owned by the Province of Kosovo, a municipality or other public-political organization and as defined in UNMIK Regulation 2002/12 of June 13, 2002 On The Establishment of the Kosovo Trust Agency;

“Region” means an area defined in the Consolidation Plan that includes one Municipality and in whole or in part any other Municipality;

“Regulator” means the authority responsible for the economic regulation of the Water and Waste sectors in Kosovo under applicable law and regulations;

“Review Committee” means the committee that reviews the decisions of the Regulator pursuant to Section 34 of the UNMIK Regulation No. 2004/49 On The Activities Of Water and Waste Services Providers in Kosovo;

“Service Area” means in relation to a Waste Disposal Facilities, the geographic area, Region or Municipality within which the relevant Waste Disposal Facilities Operator shall be authorized to render Waste Disposal Services;

“Service Tariffs” means any rate, charge or fees of a Waste Disposal Facilities Operator in relation to the provision of Waste Disposal Services;

“Services Standards” means the minimum operating and management service levels establishes by the Regulator in the Waste Disposal Services License Conditions;

“Toxic Waste” means a waste product that can produce injury if inhaled, swallowed or absorbed through the skin;

“Waste Collection Services Provider” means a Service Provider as defined in the UNMIK Regulation No 2004/49 that is specifically engaged in the collection and transport of Municipal Solid Waste and lawfully licensed by the Regulator to provide such services;

“Waste Disposal Facilities Operations Manager” means the most senior employee of the Waste Disposal Facilities Operator and have direct authority and responsibility for the operation and management of the Waste Disposal Facility;

“Waste Disposal Facilities Operator” means the Person licensed by the Regulator to operate and manage a Waste Disposal Facility in Kosovo;

“Waste Disposal Facility” means a facility specifically designed, constructed, operated and managed for the specific purpose of permanently disposing of Municipal Solid Waste;

“Waste Disposal Services License Application Fee” means the official non-refundable fee due to the Regulator by the Applicant upon filing the Waste Disposal Services License Application pursuant to this Rule;

“Waste Disposal Services License Application Form” means the forms provided by the Regulator for the specific purpose of applying for a Waste Disposal Services Application;

“Waste Disposal Services License Application” means the information and documents submitted by an Applicant for the purpose of obtaining a Waste Disposal Services License;

“Waste Disposal Services License Conditions” means the specific conditions under which the Regulator issues a Waste Disposal Services License to a Waste Disposal Facilities Operator;

“Waste Disposal Services License Fees” means the fee to be paid year in monthly instalments by all Waste Disposal Facilities Operators to the Regulator;

“Waste Disposal Services License” means the license issued by the Regulator pursuant to this Rule authorizing a Person to provide operate and manage a Waste Disposal Facility in Kosovo;

“Waste Disposal Services” means the disposal of Municipal Solid Waste in a Waste Disposal Facility;

“Waste Disposal Services License Conditions Agreement” means the agreement that can be entered into and between the Regulator and the Waste Disposal Facilities Operator to amend, modify, alter and/or supplement any Waste Disposal Services License Conditions in accordance with the provisions of this Rule;

Section 5: Rules of Interpretation

In this Rule:

- (a) Any terms and expressions used in this Rule, not specifically defined herein and that might be in question, shall bear the meanings as defined in the legal acts referred to in the Administrative Direction authorizing this Rule or in any other law applicable in Kosovo; and
- (b) References to a Rule shall be construed as meaning any Rule issued modified, amended, supplemented, and/or replaced by the Regulator from time to time in accordance with the powers that have been granted to the Regulator; and
- (c) The singular includes the plural and vice versa; and
- (d) Words of any gender used in the present Regulation shall include any other gender; and
- (e) References to Parts, Chapters, and Sections are, unless otherwise expressly stated, references to Parts, Chapters and Sections of this Rule.

Chapter 2: General Operating Services License Provisions

Section 6: Applicability

All currently operating Publicly Owned Enterprises operating a Waste Disposal Facility and any Privately Owned Enterprises desiring to operate and manage such a Waste Disposal Facility are required to apply for a Waste Disposal Services Licence as per the provisions of this Rule.

Section 7: Term of the Waste Disposal Services License

- 7.1 Each Waste Disposal Services License shall be issued for a given specified time duration of not less than ten (10) calendar years and shall not exceed twenty (20) calendar years.
- 7.2 Notwithstanding the limitation established in sub-Section 7.1 above, the duration of a Waste Disposal Services License shall never exceed the design life of the Waste Disposal Facility.

Section 8: Number of Waste Disposal Services Licenses

The number of Waste Disposal Services License issued by the Regulator shall be limited to the following:

- (a) No more than one (1) Waste Disposal Services License shall be issued for the operation and/or management of any single Waste Disposal Facility;
- (b) A Publicly Owned Enterprise desiring to operate and manage more than one (1) Waste Disposal Facility shall submit, pursuant to the requirements of this Rule, an Application for a Waste Disposal Services License for each separate Waste Disposal Facility;
- (c) All currently operating Publicly Owned Enterprises operating a Waste Disposal Facility desiring to operate and manage such a facility shall apply for a Waste Disposal Services License as per the provisions of this Rule

Section 9: Expenses for Obtaining a Waste Disposal Services License

- 9.1 All expenses incurred by the Applicant relative to applying for a Waste Disposal Services License, including the Waste Disposal Services License Application Fee referred to in Section 13 shall be the sole responsibility of the Applicant.
- 9.2 The Waste Disposal Facility Operator shall include in its Service Tariffs the expenses referenced in sub-Section 9.1 above.

Section 10: Limitations

- 10.1 The Waste Disposal Services License issued by the Regulator will specifically be for operating and managing a Waste Disposal Facility for non-hazardous waste Municipal Solid Waste as per the terms of the said license.
- 10.2 It is expressly prohibited for any Person to operate and manage any type of Waste Disposal Facility without having been issued a Waste Disposal Services License by the Regulator.

PART 2: WASTE DISPOSAL SERVICES LICENSE APPLICATION

Chapter 1: Waste Disposal Services License Application General Procedures

Section 11: Waste Disposal Services License Application

All eligible unlicensed existing and operating Waste Disposal Facilities Operators shall submit a complete Waste Disposal Services License Application as per the provisions of this Rule within thirty (30) Business Days following the date of entry into force of this Rule.

Section 12: Waste Disposal Services License Application Forms

All Applications shall be submitted in triplicate to the Regulator (one original and two copies) on and as per the instructions provided in the Waste Disposal Services Application Form as found in an appendix to this Rule.

Section 13: Waste Disposal Services License Application Fee

- 13.1 The Applicant shall pay in full a non-refundable Waste Disposal Services License Application Fee, which shall be remitted in cash to the Regulator at the same time that the Application is submitted.
- 13.2 The Regulator shall remit a receipt to the Applicant for an amount equivalent to the fee received pursuant to the provision of sub-Section 13.1 above.

Section 14: Approval of the Supervisory Board or Board of Directors

- 14.1 The Application shall be approved by the Supervisory Board prior to submittal of the said Application.
- 14.2 The approval of the Supervisory Board as determined in sub-Section 14.1 above, shall be provided in the form of a letter as per the content and format provided in an appendix to this Rule and shall be attached to the Application.

Section 15: Approval of Financial Statement

- 15.1 Applicant shall submit with its Application a set of financial statement, which have been approved by the senior financial officer of the Kosovo Trust Agency, or by another person authorized to do so by the Supervisory Board of the Kosovo Trust Agency or its successor.
- 15.2 The approval of the financial statements required pursuant to sub-Section 15.1 above, shall be evidenced in the form of a letter signed and sealed by the senior financial officer or authorized Person and shall be as per the content and format provided in a appendix to this Rule and shall be attached to the Application.
- 15.3 If the Applicant is a Privately Owned Enterprise, its shall submit with its Application a set of financial statements, which have been approved by the senior financial officer and the managing director of the Applicant and shall be evidenced as established in sub-Section 15.2 above.

Section 16: Authorization to Operate

All Applicants shall submit with the Application, a letter from the Kosovo Trust Agency and signed by its Divisional Manager, Water, Waste and Irrigation confirming that the Applicant is authorized to operate and manage a Waste Disposal Facility under the custodianship of the Kosovo Trust Agency and shall be as per the content and format provided in an appendix to this Rule.

Section 17: Acknowledgment by the Regulator

- 17.1 The Regulator shall remit to the Applicant, no later than five (5) Business Days following receipt of the Application submitted by the Applicant, an acknowledgment letter to the effect that the Application and accompanying documents have been submitted and confirming the date and time of submittal.

- 17.2 The letter of acknowledgement issued pursuant to sub-Section 17.1 above shall not bind the Regulator as to his acceptance nor the administrative completeness and/or approval of the Application.

Chapter 2: Identification of the Applicant

Section 18: Applicant Identification

The Applicant shall provide in the appropriate part of the Waste Disposal Services License Application Form, as provided in an appendix to this Rule the following general identification information as well as other information may be indicated and required on the said form:

- (a) The name and address of the Applicant: This shall be the complete name and main business address, main telephone number, main mobile telephone number, fax number and email address; and
- (b) The Applicant's contact person which shall be the name and contact details of the person that has been assigned to prepare and compile the Application and whom the Regulator would subsequently contact for any question relative to the Application; and
- (c) The Applicant's senior managers shall be the names and addresses of the Chairman of the Supervisory Board or of the Chairman of Board of Directors as may be applicable, and same for the Managing Director or the General Manager as may be applicable, the Senior Financial Officer, the Senior Operations Manager; and
- (d) The Applicant shall provide a description its experience operating and managing a Waste Disposal Facility.

Section 19: Municipalities and Waste Collection Services Providers Served

The Applicant shall provide the following Municipalities and Waste Collection Services Provider related information:

- (a) The names of the Municipalities and villages which are to be served by the Waste Disposal Facility;
- (b) The names of the Waste Collection Services Providers which will be authorized to use the Waste Disposal Facility;
- (c) An estimate of the total number of Inhabitants in the Service Area;

Chapter 3: Property Description and Registered Land Use

Section 20: Property Legal Description

The Applicant shall provide the legal description of the registered use of the property including grid reference, map sheet number, as shown on the cadastral and possession list residing with the appropriate municipal cadastral zone office.

Section 21: Registered Land Use

The Applicant shall provide a description of and use of the property, which will be the same as that shown on the cadastral and possession list residing with the appropriate municipal cadastral office.

Section 22: Mineral Rights

The Applicant shall indicate whether or not the operation of a Waste Disposal Facility on the site will enter into a conflict with regards to any mineral exploration rights of the property. A letter from the Directorate for Mines and Minerals, confirming the Applicant's indication must be included with the Application.

Chapter 4: The Waste Disposal Facility

Section 23: Owner and Name of the Waste Disposal Facility

The Applicant shall provide the following Waste Disposal Facility related information:

- (a) The name under which the Waste Disposal Facility is known or registered. This shall be recorded by the Regulator on the Waste Disposal Services License; and
- (b) The legal name of the entity that is the legal owner of the Waste Disposal Facility. This shall be recorded by the Regulator on the Waste Disposal Services License; and
- (c) The address of the Waste Disposal Facility; and
- (d) The main telephone and fax number of the of the Waste Disposal Facility

Section 24: Other Licenses and Permits

- 24.1 The Applicant shall provide a copy of the construction permit, issued by the Municipality within which the Waste Disposal Facility is located authorizing construction of the Waste Disposal Facility.
- 24.2 The Applicant shall provide documentary proof that relevant license and permits required by the Ministry of the Environment and Spatial Planning and specific to the Waste Disposal Facility for which a Waste Disposal Services License is applied for, have been issued. But this could take a long time.
- 24.3 The Applicant shall provide documentary proof that relevant license and permits required by the Institute of Public Health and specific to the Waste Disposal Facility for which a Waste Disposal Services License is applied for, have been issued.

Section 25: Waste Disposal Facility Development Details

- 25.1 The Applicant shall provide with the Application the following site development details:
 - (a) A suitably scaled and sized drawing clearly identifying the property boundaries including the area specifically reserved for solid waste disposal cells; and
 - (b) A suitably scaled and sized drawing clearly showing the surface drainage channels trenches: and
 - (c) A description and an appropriately scaled and sized drawing of the proposed or existing buildings, structures, security fencing, property access roads, on-property internal roads, and vehicle parking areas; and
 - (d) The design life expectancy and disposal capacity in terms of:
 - (i) the total volumetric and weight design capacity of Municipal Solid Waste that will be disposed of the facility and expressed respectively in metres and in tonnes; and

- (ii) the yearly design operating capacity of Municipal Solid Waste that will be disposed of at the facility and expressed respectively in metres and in tonnes; and
- (iii) the daily design operating capacity of Municipal Solid Waste that will be disposed of at the facility and expressed respectively in metres and in tonnes; and
- (e) A detailed description of any other proposed physical alteration to the property; and
- (f) For any completely constructed Waste Disposal Facility, the Applicant shall provide with the Application, a complete set of “as constructed” drawings; and
- (g) For any Waste Disposal Facility either in the planning stage or in the process of being constructed, the Applicant shall provide as complete set of “as planned” drawings.

Section 26: Waste Disposal Facility Location and Description

- 26.1 The Applicant shall provide a description of the property and facility in terms of its relationship with the surrounding land, water bodies, and if any, housing located at a distance of less than five hundred (500) metres from the fenced or external boundary of the property. A suitably sized and scaled drawing shall be provided with the said description.
- 26.2 The Applicant shall provide a suitably sized and scaled drawing showing the topography, geology and vegetation found on the property and the adjacent lands.
- 26.3 The Applicant shall provide the following information including suitably sized and scaled drawings relative to the presence of water bodies and aquifers located on the property and the adjacent lands:
 - (a) Location of any waterways or wetlands on or near the property or and catchments into which the property may drain to including the drainage lines, of the site, gullies, storm drainage and any streams; and
 - (b) Location of any known groundwater aquifers on or near the property; and
 - (c) Location of all boreholes and water wells located on or within one (1) kilometre of the site property limit, including a description of the current use of such boreholes; and
 - (d) A description of the land use prior to being designated or used as a Waste Disposal Facility.

Section 27: Waste Disposal Site Equipment

The Applicant shall provide, a list of all the major equipment that will be used at the Waste Disposal Facility as detailed in the Waste Disposal Services License Application Form.

Section 28: Service Tariffs

The Applicant shall provide a list of the Service Tariffs either in force as of the date at which the Application was submitted or proposed for the twelve (12) month period following commencement of the operation or if a new site the Services Tariffs proposed for at least the twelve (12) months period following the date at which operation commenced.

Section 29: Operational Structure

- 29.1 The Applicant shall provide a detailed organizational chart of the Waste Disposal Facility clearly identifying the various full-time positions as well as their respective managerial and supervisory relationships. The said chart must also clearly show the number of employees assigned to each position, which shall include:
- (a) Waste Disposal Facility Operations Manager
 - (b) Waste Disposal Facility Superintendent
 - (c) Waste Disposal Facility Senior Foreman
 - (d) Waste Disposal Facility Shift Foreman
 - (e) Senior Weighbridge Attendant
 - (f) Signalmen
 - (g) Labourer
 - (h) Gatekeeper
 - (i) Senior Security Officer
 - (j) Security Guard
 - (k) Fuel and Lubricant Dispensing Attendant
 - (l) Heavy Equipment Operator (by type of equipment)
 - (m) Maintenance Mechanic and welders
 - (n) Secretary – receptionist
 - (o) Customer Service Attendant
 - (p) Procurement Officer
- 29.2 The Applicant shall provide a detailed description of the procedures that will be used to receive, accept and monitor the Municipal Solid Waste received and which shall include at a minimum:
- (a) Procedure for receiving the waste carrying vehicles at the facility access gate; and
 - (b) Procedure for the visual verification in terms of acceptability; and
 - (c) Procedure for weighing the inbound and outbound waste carrying vehicles, including the preparation and remittance of a weighbridge ticket; and
 - (d) Procedure for record keeping.
- 29.3 The Applicant shall provide the procedure that will be used for separating and recycling waste products at the site and a description of any possible measures or operational procedures that would facilitate the segregation of the type of waste received at the site.
- 29.4 The Applicant shall provide the procedure and operational plan for waste placement operations and daily coverage in each active cell, as well as the level of compaction.
- 29.5 The Applicant shall provide the procedures that will be put in place to control animals, rodents, insects, and other potential disease carriers as well as the procedures that will be utilized for controlling litter on the site, on the access roads and on the land adjacent to the site.
- 29.6 The Applicant shall provide a description of the fire protection plan that will be used to prevent, control and extinguish fires and shall include a description of the fire fighting training that will be provided to employees, as well as a list of the fire fighting equipment that will be permanently located at site.

Chapter 5: Environmental Considerations

Section 30: Environmental Impacts

- 30.1 The Applicant shall provide a description of the measures and means, which will be established, and implemented at the Waste Disposal Facility to minimize any negative impacts on the environment, which shall include at a minimum:
- (a) The plan and measures that will be use to manage surface water from precipitation from entering the Waste Disposal Facility including a list and location of the equipment and infrastructure that will be used for pollution prevention and effluent monitoring instruments; and
 - (b) The plan for the collection and treatment of contaminated water and leachate emanating from the Waste Disposal Facility.
- 30.2 The Applicant shall provide a copy of the environmental impact study conducted for the Waste Disposal Facility and approval evidence from the Ministry of the Environment and Spatial Planning.

Section 31: Waste Disposal Facility Closure Plan

- 31.1 The Applicant shall submit a copy of the closure plan for the Waste Disposal Facility as related to:
- (a) Closure of any active cells as part of normal operational activities; and
 - (b) Closure of the Waste Disposal Facility once it reaches its full capacity or is permanently closed for whatever reason.
- 31.2 The closure plan for the Waste Disposal Facility shall include details of the aftercare and monitoring activities of the Waste Disposal Facility once it is permanently closed.

Chapter 6: Insurance and Financial Guarantees

Section 32: General Liability Insurance

- 32.1 The Waste Disposal Facilities Operator shall maintain in force and effect at all times general comprehensive public liability insurance issued by an insurance institution authorized to do so in Kosovo and which at a minimum shall include coverage for:
- (a) Premises and operation liability;
 - (b) Contractual liability;
 - (c) Fire and explosion hazards;
 - (d) Personal injury and death;
 - (e) Motor vehicle liability insurance; and
 - (f) Illness, incapacity for work and/or death of one of its employees due to professional hazards; and
 - (g) Public Liability Insurance
- 32.2 The insurance coverage shall include all personnel and all owned, leased or hired vehicles used by the Waste Disposal Facilities Operator in the performance of its obligations related to rendering Waste Disposal Services.
- 32.3 The Applicant shall provide with the Application documentary proof of the insurance coverage for each of the elements listed in sub-Section 32.1 above, in the form of an

insurance certificate, including the policy declaration pages clearly identifying the insuring company, effective policy dates, liability limits and name of the ensured entity.

- 32.4 The Waste Disposal Facilities Operator shall immediately suspend the rendering of Waste Disposal Services following cancellation or termination of the insurance required pursuant to sub-Section 32.1 above. The Municipalities affected by this event shall be immediately informed of such an occurrence.

Section 33: Performance Guarantee

- 33.1 The Waste Disposal Facilities Operator shall maintain in full force at all times a Performance Guarantee issued by a financial institution licensed to do so in Kosovo and which will be collectively in favour of the Waste Collection Services Providers authorized to use the Waste Disposal Facility.
- 33.2 The value of the Performance Guarantee shall be equivalent to thirty-three percent (33%) of the forecasted gross annual revenue of the Waste Disposal Facilities Operator.
- 33.3 In the event that the Waste Disposal Facilities Operator is unable to or fails to provide Waste Disposal Services, the Waste Collection Services Providers authorized to use the property shall collectively have the option of cost recovery and remedy from the Performance Guarantee for any extra costs that may be incurred for transporting Municipal Solid Waste to an alternate Waste Disposal Facility.

Chapter 7: Required Supplementary Documents

In addition to any documents to be submitted with the Application pursuant to this Rule, the Applicant shall also provide the documents and information listed in this Chapter

Section 34: Curriculum Vitae of each Senior Manager

The Applicant shall submit with the Application the curriculum vitae of each of the following senior managers:

- (a) The Chairman of the of the Supervisory Board; and
- (b) The Managing Director or General Manager as applicable; and
- (c) The Senior Financial Officer; and
- (d) The Waste Disposal Facilities Manager.

Section 35: Business Documents required with the Application

The Applicant shall submit together with the Application the following business documents:

- (a) A copy of the statutes or the founding documents legally establishing or incorporating the Applicant; and
- (b) The organization chart clearly showing and identifying all functions levels starting at the Supervisory Board; and
- (c) A copy of the in force and valid Business Registration Certificate issued to the Applicant; and
- (d) A copy of the VAT Tax Registration Certificate issued to the Applicant; and
- (e) Written confirmation by the Senior Financial Officer of the Applicant that all employee wages and salaries have been paid and are current as per agreement with the employees and that the income taxes and pensions funds related amounts held

in trust by the Applicant on behalf of employees have been remitted to the appropriate fiscal authorities as per the applicable laws in Kosovo; and

- (f) A copy of the most recent financial statements, audited if available. The financial statements must cover the complete fiscal period immediately preceding the date at which the Application is submitted plus financial statements for each of the months covering the period starting on the first day of the month following that of the end of the said fiscal period to the last day of the month preceding the one during which the Application is submitted to the Regulator; and
- (g) A copy of bank statements for all bank accounts held by the Applicant for the period covering six (6) months preceding the date at which the Application is submitted; and
- (h) A copy of the financial statements for the ongoing year and those forecasted for the following two fiscal years; and
- (i) Detailed documentary proof of the total investment made or to be made for fully developing the Waste Disposal Facility and bringing to the operational stage; and
- (j) Details of any forecasted future investments to be made at the Waste Disposal Facility during the three years period following the date at which the Application is submitted.

Section 36: Property Tax, Other Applicable Taxes, Utilities Invoices and Related Liabilities

36.1 The Applicant shall submit with the Waste Disposal Services License Application the following public utilities and tax related documents;

- (a) Documented proof clearly demonstrating that the Applicant is current on its property tax liabilities. The documented proof shall be in the form of a property tax bill clearly stamped “paid in full” by an authorized official of the Municipality within which the property subjected to such a tax is located;
- (b) Documented proof clearly demonstrating that the Applicant is current on its water, electricity and telephone bills must also be presented upon submitted the Application. The documented proof shall be in the form of a letter from the utility in question clearly indicating that the Applicant is current on all relevant utility bills or a copy of the most recent bill immediately preceding the date of submission of the Application clearly showing “zero” balance with regards to any previous bills;
- (c) Documented proof clearly demonstrating that the Applicant is current on other tax bills for which the Applicant is liable for including VAT, taxes on revenues and any other tax defined by law as due and payable to a competent authority must also be provided with the Application.

36.2 In the event that the Applicant is not current on its property tax obligations and/or any of its public utility bills or any other tax obligations as applicable in Kosovo, an explanation as to the reasons why, as well a confirmation of the amount owed and a description of the corrective measures to be taken must be provided for each instance in which the Applicant is not current.

PART 3: REVIEW OF THE APPLICATION AND ISSUE OF A WASTE DISPOSAL SERVICES LICENSE

Chapter 1: Review of the Application

Section 37: General Review of the Application and Accompanying Documents

The Regulator shall proceed to complete a general review of the submitted Application and of the respective accompanying documents as follows:

- (a) The Regulator shall ensure that the Application submitted by the Applicant has been properly completed and that the required information and accompanying documents have been included. The Regulator shall record the result of the general review of the Application on the Administrative Completeness Check List form found in an appendix to this Rule; and
- (b) The Regulator shall inform the Applicant in writing within thirty (30) Business Days of any missing or incomplete information and that the Application will be held in abeyance until such a time that the missing documents of information are provided, but for a period not exceeding thirty (30) Business Days, after which the Application and all other documents remitted by the Applicant shall be returned to the Applicant. In the occurrence of such an event, the full amount of the Waste Disposal Services License Application Fee shall be forfeited and shall be retained by the Regulator.

Section 38: Inability to Provide the Requested Information

The Applicant shall provide in writing to the Regulator, justification relative to its inability to provide any of the requested information or documents that must accompany the Application and provide a time-bound action plan complete with corrective measures for rectifying the situation.

Section 39: Detailed Review of the Application

Immediately following the instance at which the Application is deemed acceptable, the Regulator shall proceed to perform and complete within thirty (30) Business Days a more thorough and objective technical review with regards to;

- (a) The accuracy and completeness of the information provided in the Application and in the respective accompanying documents; and
- (b) The operational capability and the management capacity of the Applicant to manage and operate a Waste Disposal Facility at an acceptable level of quality, reliability and safety at a reasonable costs to the Waste Collection Services Providers and Customers under the economic conditions prevailing in Kosovo; and
- (c) The financial capacity of the Applicant with regards to maintaining and continuing the operation and management of the Waste Disposal Facility for the period to be covered by the Waste Disposal Services License; and
- (d) Evaluating the impacts on the granting of a Waste Disposal Services License relative to any missing any of the required information or documents as well as the corrective measures proposed in Section 38 above.

Section 40: Request for Supplementary Information

The Applicant shall fully cooperate with the Regulator to promptly provide any additional information or documents reasonable regulator to properly appraise the Application.

Chapter 2: Issue of a Waste Disposal Services License

Section 41: Issue of a Waste Disposal Services License

The Regulator shall issue a Waste Disposal Services License to a successful Applicant within thirty (30) Business Days from the date at which the detailed review was completed and the review results judged to justify issue of the Waste Disposal Services License to an Applicant that has demonstrated the fulfilment of the following conditions:

- (a) Remitted the Waste Disposal Services License Application Fee; and
- (b) Submitted a complete Application and required documents; and
- (c) Demonstrated through the Application that it has the financial probity, and the technical and economic capacity to maintain and continue operation and management of the Waste Disposal Facility at the level required to in the Waste Disposal Services License Conditions issued by the Regulator; and
- (d) Demonstrated through the Application that it has the managerial skills and expertise to operate and manage the Waste Disposal Facility to the Services Standards issued by the Regulator; and
- (e) Demonstrated through the Application that it has adequate equipment and sufficient resources for their maintenance and repair to a level capable of operating and managing the Waste Disposal Facility to the Services Standards issued by the Regulator;
- (f) Obtained all necessary permits, consents and other authorizations from the Ministry of the Environment and Spatial Planning and from all other appropriate authorities, and provide evidence that it has complied with the requirements of such permits consents and authorizations.

Section 42: Non-Discrimination

The Regulator shall not discriminate against any Applicant in its procedures for issuing a Waste Disposal Services License to an Applicant without regards to any racial, ethnic, cultural or economic characteristics or origin of the Applicant or its board member or its employees or the geographic area within which the Applicant is located.

PART 4: THE WASTE DISPOSAL SERVICES LICENSE

Chapter 1: Contents of a Waste Disposal Services License

Section 43: Contents of the Waste Disposal Services License

The Operating Services License issued by the Regulator shall, at a minimum, include the following:

- (a) The Waste Disposal Services License Certificate; and
- (b) The term for which the Waste Disposal Services License is issued; and
- (c) The Waste Disposal Services License Fee to be paid by the Waste Disposal Facilities Operator;
- (d) The names of the Municipalities which will be serviced by the Waste Disposal Facilities Operator; and

- (e) The name of the Municipality within which the Waste Disposal Facility is located as well as provide a description of the territorial boundaries of the area occupied by the Waste Disposal Facility; and
- (f) A description of the Service Area including geographic area and territorial boundaries; and
- (g) The names of the Waste Collection Services Providers, which will be authorized to transport and tip Municipal Solid Waste and
- (h) A description of the type of Municipal Solid Waste that will be authorized for the Waste Disposal Facility to accept; and
- (i) A statement to the effect that the Waste Disposal Facilities Operator shall be required to receive authorized Municipal Solid Waste from all the Waste Collection Services Providers located and operating within the Service Area; and
- (j) A list of the reports to be prepared and made by the Waste Disposal Facilities Operator to the Regulator; and
- (k) A list of the financial records that the Waste Disposal Facilities Operator will be required to maintain as well as the conditions under which they are to be maintained; and
- (l) A reference to the Services Standards which the Waste Disposal Facilities Operator shall be obligated to maintain; and
- (m) A list of the Services Tariffs that the Waste Disposal Facilities Operator shall be required to use.

Chapter 2: Obligations of the Waste Disposal Facilities Operator

Section 44: Obligations for all Waste Disposal Facilities Operator

- 44.1 The Waste Disposal Facilities Operator is under obligation to conform to all Waste Disposal Services License Conditions and to any additional conditions that may be required and issued by the Regulator from time to time.
- 44.2 The Waste Disposal Services License issued by the Regulator shall clearly identify the following obligations of the Waste Disposal Facilities Operator:
 - (a) To provide and maintain the Waste Disposal Services to the level called for in the Waste Disposal Services License Conditions; and
 - (b) To provide on a regular basis and without exception, an Invoice to all Waste Collection Services Providers and Customers receiving Waste Disposal Services; and
 - (c) To provide reports to the Regulator as per the reporting and information disclosure requirements determined by the Regulator from time to time; and
 - (d) To accept only Municipal Solid Waste as allowed for in the Waste Disposal Services License; and
 - (e) To operate and manage the Waste Disposal Facility as per the requirements established in the Waste Disposal Services License.
- 44.3 The Waste Disposal Facilities Operator shall also be required to pay to the Regulator an Annual License Fee, which shall be determined as follows:
 - (a) The Deputy Special Representative of the Secretary General for Economic Development and Reconstruction shall, in accordance with the recommendation of

the Regulator, specify the amount of Annual License Fee payable pursuant to this Section; and

- (b) The Annual License Fee due and payable by the Waste Disposal Facilities Operator to the Regulator shall not exceed one and one-half percent (1.5%) of the gross business turnover reported by the Waste Disposal Facilities Operator in its audited profit and loss accounts; and
 - (c) The Annual License Disposal Fee shall be set by reference to the expenses that the Regulator anticipates it will incur in connection with issuing and monitoring Operating Services Licenses as set out in the annual action plan and budget forecast prepared by the Regulator for the calendar year in which such Annual License fee becomes due.
- 44.4 The Waste Disposal Facilities Operator shall remit the Annual License Fee in twelve (12) equal instalments to the Regulator, with the first instalment being due and payable on the first Business Day of the calendar month following the date upon which the due portion of the Annual License Fee becomes payable and on the first Business Day of each calendar month thereafter.

PART 5: REFUSAL OF A WASTE DISPOSAL SERVICES LICENSE

Section 45: Refusal to Issue or Renew a Waste Disposal Services License

- 45.1 The Regulator may refuse to approve an Application for or renew a Waste Disposal Services License based on:
- (a) the failure of an Applicant to provide the required information within the specified time limits;
 - (b) an evaluation by the Regulator that the Applicant will be unable to provide Waste Disposal Services to the required levels of Services Standards with the required reliability and safety;
 - (c) failure of the Applicant to obtain the necessary authorizations or licenses from other competent authorities as required by law; and
 - (d) for other justified reasons as may be justified in the Waste Disposal Services License Conditions.
- 45.2 In the event of refusing to issue or to renew a Waste Disposal Services License, the Regulator shall inform the Applicant in writing within ten (10) Business Days of having taken such a decision and provide the reason for having taken such a decision.

PART 6: RENEWAL OR TRANSFER OF A WASTE DISPOSAL SERVICES LICENSE

Chapter 1: Renewal or Transfer of a Waste Disposal Services License

Section 46: Renewal of a Waste Disposal Services License

- 46.1 A Waste Disposal Facilities Operator licensed by the Regulator must apply for renewal of a Waste Disposal Services License at least three (3) calendar months prior to the date upon which the existing Waste Disposal Services License expires.

- 46.2 An application for renewal of a Waste Disposal Services License shall be made on the Waste Disposal Services License Application Form as provided in an appendix to this Rule and as per the procedures set in this Rule.
- 46.3 The Regulator shall renew a Waste Disposal Services License to a successful Applicant within thirty (30) Business Days of the date at which the detailed review was completed as per the procedures established in Section 41 and Section 42 above and the review results judged acceptable with regards to:
- (a) meeting the conditions set forth in this Rule relative to applying for a Waste Disposal Services License; and
 - (b) demonstrating through the Waste Disposal Services License renewal application that it has fulfilled the Waste Disposal Services License Conditions of its previous license; and
 - (c) demonstrating that all necessary licenses, permits, consents and other authorizations from all appropriate authorities shall be valid for the time duration equivalent or exceeding that of the time period for which the Waste Disposal Services License is being renewed for; and
 - (d) other requirements of this Rule as may be applicable

Section 47: Transfer of a Waste Disposal Services License

A Waste Disposal Services License issued by the Regulator pursuant to this Rule shall not be transferred or otherwise assigned to any third party without the express and written consent of the Regulator.

PART 7: CHANGES, TERMINATION AND REVOCATION OF A WASTE DISPOSAL SERVICES LICENSE

Section 48: Amendments, Supplements, or Replacement to the Waste Disposal Services License Conditions

The Regulator shall have the right to amend, supplement or replace any Waste Disposal Services License Conditions imposed in a Waste Disposal Services License following a review of such conditions upon at least thirty (30) Business Days written notice to the Waste Facilities Operator. Such notification shall clearly state the nature, extent, and time of entry into force of any such amendment, supplement or replacement of any Waste Disposal Services License Conditions.

Section 49: Amending a Waste Disposal Services License

The Regulator may amend a Waste Disposal Services License to:

- (a) correct typographical errors;
- (b) acknowledge approved changes in the management staff of the Waste Disposal Facilities Operator;
- (c) acknowledge approval of change to the Waste Disposal Services License made by the Waste Disposal Facilities Operator;
- (d) acknowledge approval or requests submitted by the Waste Disposal Facilities Operator to other agencies for authorization;
- (e) acknowledge approval of change made to the Service Area;
- (f) acknowledge other modifications as approved by the Regulator.

Section 50: Review of Qualification of the Managing Director and the Waste Disposal Facilities Operations Manager

- 50.1 Prior to the appointment of the Managing Director and the Waste Disposal Facilities Operations Manager other than the ones named in the Waste Disposal Services License Application and subsequently in the Waste Disposal Services License, the Chairman of the Supervisory Board, shall send to the Regulator a copy of the curriculum vitae for each of the proposed alternate candidates, in a format and content as provided in a appendix to this Rule.
- 50.2 The Regulator shall review the qualifications and experience of the proposed alternate candidates to assure technical, operational and managerial competency and shall provide in writing a response to the Supervisory Board of the entity that submitted the request within ten (10) Business Days from the date at which the Regulator received the request.

Section 51: Informing the Regulator of Significant Change

- 51.1 The Waste Disposal Facilities Operator shall inform the Regulator in writing five (5) Business Days of any significant change in details submitted in or attached to the Waste Disposal Facilities License.
- 51.2 The following event are deemed, without limitations, as constituting significant changes to the situation of the Waste Disposal Facilities Operator as provided in the Application:
- (a) significant alterations made or annulments, cancellations or refusal of grant or renewal of any permit, consents, or authorizations obtained from other agencies or competent authorities;
 - (b) significant expansion or reduction of capacity of facilities or limitations on the use of the facilities used for rendering Waste Disposal Services;
 - (c) significant alteration to the Service Area;
 - (d) significant alteration on the economic and financial good standing of the Waste Disposal Facilities Operator;
 - (e) significant reduction or increase in the assets and/or liabilities of the Waste Disposal Facilities Operator;
 - (f) alterations on the effective ownership and/or management control of the Waste Disposal Facilities Operator.

Chapter 2: Termination, Revocation or Surrender of a Waste Disposal Services License

Section 52: Termination of a Waste Disposal Services License

A Waste Disposal Services License shall terminate on the earlier of:

- (a) the last day of the period for which it was issued; or
- (b) the day on which it is revoked by the Regulator; or
- (c) the day upon which it is surrendered.

Section 53: Revocation of a Waste Disposal Services License

- 53.1 The Regulator may revoke a Waste Disposal Services License pursuant to Section 7 of the UNMIK Regulation No. 2004/49.

- 53.2 The Regulator may also revoke the Waste Disposal Services License of the Waste Disposal Facilities Operator if:
- (a) it fails to render Waste Disposal Services within one (1) year of the date at which a Waste Disposal Services License was issued;
 - (b) it accepts any type or category of waste products for which it is not licensed to do;
 - (c) it accepts any type or waste products in any quantity from outside the boundaries of the Service Area for which it is licensed;
 - (d) it accepts any type or waste products in any quantity from outside the boundaries of Kosovo;
 - (e) the Ministry of Environment and Spatial Planning revokes the license that it issued to the Waste Disposal Facilities Operator; and
 - (f) any licenses required by the Waste Disposal Facilities Operator to maintain the operation and which is issued by any competent authority of Kosovo is revoked.
- 53.3 The Waste Disposal Facilities Operator whose Waste Disposal Services License has been revoked, may appeal the regulator's decision pursuant to Section 63 below.

Section 54: Surrender of a Waste Disposal Services License

- 54.1 A Waste Disposal Facilities Operator may surrender its Waste Disposal Services License upon giving six (6) months written prior notice to the Regulator.
- 54.2 The written notice required pursuant to sub-Section 54.1 above must be signed as applicable either by the Chairman of the Supervisory Board of the Waste Disposal Facilities Operator.

PART 8: WASTE DISPOSAL SERVICES LICENSE CONDITIONS AGREEMENT

Section 55: Waste Disposal Services License Conditions Agreement

- 55.1 The Regulator may enter into a written agreement with any Waste Disposal Facilities Operator for the purposes of amending, altering and/or supplementing any Waste Disposal License Conditions established under this Rule.
- 55.2 A Waste Disposal Services License Conditions Agreement may be entered given any conditions precedent as determined by the Regulator and proposed to the Waste Disposal Facilities Operator, including, without limitation, entering into other binding agreements with the Waste Disposal Facilities Operator on:
- (a) Establishment, review and/or modification to any Services Standards;
 - (b) Establishment, review and/or modification of Services Tariffs;
 - (c) Expansion of the Service Area;
 - (d) Expansion of the Waste Disposal Facility;
- 56.3 For the avoidance of doubt, a Waste Disposal Facilities Operators has the right, but not the obligation to propose to the Regulator to enter into a Waste Disposal Services License Conditions Agreement in accordance with the provisions set forth in Section 57 below.

Section 56: Negotiation of a Waste Disposal Services License Agreement

- 56.1 A Waste Disposal Facilities Operator desiring to enter into a Waste Disposal Services License Conditions Agreement shall submit a written request to the Regulator requesting opening of the negotiations to enter into such an agreement, justifying the reasons why it deemed that both public interest and its legitimate rights and legal expectations would be best served if the Regulator were to accept to enter into such an agreement.
- 56.2 The Regulator shall respond in writing within five (5) Business Days from the date of receipt of the communication referred to in sub-Section 38.1 above, either agreeing to enter into negotiations for a Waste Disposal Services License Conditions Agreement or refusing to do so.
- 56.3 If the Regulator decides to refuse to start negotiations to enter into a Waste Disposal Services License Conditions Agreement and shall provide its reasons for such a refusal.
- 56.4 If the Regulator agrees to initiate negotiations to enter into a Waste Disposal Services License Conditions Agreement, it shall also grant to the Waste Disposal Facilities Operator a reasonable period of time, in any event of no less than thirty (30) Business Days, to allow the Waste Disposal Services Provider to submit to the Regulator a draft Waste Disposal Services License Conditions Agreement.
- 56.5 Within ten (10) Business Days of receiving the draft Waste Disposal Services License Conditions Agreement, the Regulator shall notify the Waste Disposal Services Operator in writing of the scheduling details for the first meeting at which the negotiations for such an agreement are to begin.
- 56.6 The Regulator may also determine a maximum period of time for the conclusion of the conclusion of the negotiations to enter into a Waste Disposal Services License Conditions Agreement that cannot be less than twenty (20) Business Days from the first negotiation meeting scheduled in accordance with sub-Section 56.5 above.
- 56.7 For the avoidance of doubt, the Regulator has the right but not the obligation to enter into a Waste Disposal Services License Conditions Agreement and, therefore, either his refusal to enter into negotiations for such an agreement or any failure to successfully complete the said negotiations are deemed as contractual decisions and not as administrative acts or decisions subject to any administrative and/or judicial review.

Section 57: Entering into a Waste Disposal Services License Conditions Agreement

- 57.1 Pursuant to successful conclusion of the negotiations conducted in accordance with Section 56 above, the Regulator and the Waste Disposal Facilities Operator shall enter into an Operating Services License Conditions Agreement in writing.
- 57.2 The Waste Disposal Services License Conditions Agreement shall be signed in three (3) versions in each of the following official languages in Kosovo, being:
 - (a) Albanian; and
 - (b) Serbian; and
 - (c) English.
- 57.3 In case of any discrepancy between any of the versions in which the Waste Disposal Services License Conditions Agreement is signed, the English version shall prevail.
- 57.4 Except insofar as any fact, information and/or document could be deemed to contain any privileged or confidential information as the Regulator may justify in a written decision,

the Waste Disposal Services License Conditions Agreement, its Appendices and all information used for the negotiation and entering of such agreement shall be published or made public by the means the Regulator may determine from time to time and available for public consultation.

- 57.5 Any amendments, alterations, modifications or supplementary provisions pertaining to the Waste Disposal Services License Conditions Agreement shall require the consent of both the Regulator and the Waste Disposal Facilities Operator and must be entered into in writing, published and made public in accordance with the provisions of the sub-Sections above or this Section.

Section 58: Legal Nature and Enforceability of the Waste Disposal Services License Conditions Agreement

- 58.1 A Waste Disposal Services License Conditions Agreement is deemed as an administrative contract for all intended legal purposes being the Regulator obligated to negotiate, enter and execute such an agreement with strict observance of the general legal principles, rules and procedures governing the exercise of the prerogatives and duties of a public authority.
- 58.2 The Waste Disposal Services License Conditions Agreement as a bilateral act, is legally binding, enforceable and executable in accordance with the terms for both parties and can only be amended, extended, modified, supplemented, reviewed, and/or terminated in light of its own provisions and the law applicable in Kosovo.

Section 59: Compliance with the Waste Disposal Services License Conditions Agreement

The Waste Disposal Facilities Operator is obligated to respect and to comply with the Waste Disposal Services License Conditions established in general terms in this Rule:

- (a) While the negotiations for entering into a Waste Disposal Services License Conditions Agreement, pending until the date of entering into force of such an agreement;
- (b) Immediately upon termination, cancellation, revocation or expiration of the Waste Disposal Services License Conditions Agreement insofar as any rights and obligations contained in the Waste Disposal Services License Conditions Agreement are not agreed upon to survive when it ceases to be in full force and effect for whatever legal cause;
- (c) In all respect where the Waste Disposal Services License Conditions Agreement does not otherwise stipulate an/or in all respects not specifically contemplated in such an agreement.

PART 9: ENFORCEMENT, PENALTIES, AND APPEALS

Chapter 1: Monitoring and Enforcement of Waste Disposal Services License Conditions

Section 60: Compliance Monitoring

- 60.1 The Regulator shall monitor compliance the Waste Disposal Services License Conditions established in this Rule on the basis of the regular reports provided by the Waste Disposal Facilities Operator from time to time as determined by the Regulator in accordance with Section 61 below.

- 60.2 The Regulator shall also monitor compliance with this Rule by inspections and surveys and from reports provided by other entities and public authorities.

Chapter 2: Reports and Records on the Waste Disposal Services License Conditions

Section 61: Records and Reports

- 61.1 Each Waste Disposal Facilities Operator shall prepare and file reports with the regulator in prescribed forms and within the intervals specified by the Regulator from time to time.
- 61.2 Each Waste Disposal Facilities Operator shall file to the Regulator, no later than the 31st day of March of the calendar year further to the closing of the previous calendar year, an annual report in the format that the Regulator may specify from time to time.
- 61.3 Quarterly non-audited financial statements shall be submitted by the 15th day of the month following the end on the months of March, June, September, and December in the format compatible with the generally accepted accounting standards and accounting rules in force in Kosovo.
- 61.4 A report on any change to the ownership and or management control of the Waste Disposal Facilities Operator shall be submitted at least once per year no later than the 15th day of January of each given calendar year and/or within (10) Business Days from the date when any relevant fact or change has occurred that would have determined any change in the management control and/or ownership of the Waste Disposal Facilities Operator.
- 61.5 No later than ten (10) Business Days from the date where any material change has occurred in an fact or information contained in any document that has accompanied the Application, the Waste Disposal Facilities Operators shall send an updated version of such a document and/or shall send to the Regulator an information update in the format that the Regulator may specify from time to time or by means of a written communication.
- 61.6 The Waste Disposal Facilities Operator shall notify in writing the Regulator of any facts or situations that have occurred and that have resulted in rendering the Waste Disposal Facilities Operator no longer able to comply and/or failed to comply with the terms and conditions of such official permits, authorizations or consents from other competent authorities deemed as essential for granting an Waste Disposal Services License in accordance with this Rule.
- 61.7 The Waste Disposal Facilities Operator is obliged to report in writing to the regulator any facts or situations that can actually and/or potentially affect its economic and financial good-standing and/or solvability, their managerial capacity operate and manage the Waste Disposal Facility and/or the ready availability of technical expertise and resources required for the proper operation and management of the Waste Disposal Facility to the standards determined by the Regulator, including, without limitation, whenever:
- (a) any security interest over an asset material to the provision of Waste Disposal Services by the Waste Disposal Facilities Operator becomes enforceable; and/or
 - (b) any Person takes possession of, or any process is levied, enforced upon or sued against any asset material to the provision of Waste Disposal Services by the Waste Disposal Services Operator; and/or
 - (c) any action and/or legal proceedings are started or any other steps are taken to bankrupt or liquidate the Waste Disposal Facilities Operator or declare it insolvent.

- 61.8 All records shall be kept at the primary business office of the Waste Disposal Facilities Operator and shall be available on any Business Day during normal business hours for examination by the Regulator.
- 61.9 All records and reports foreseen in this Section must be organized and kept by the Waste Disposal Facilities Operator for at least two (2) calendar years from the date when they were first prepared or became due unless other applicable law determines they should be kept for any longer period of time in which case the longer retention period shall apply.

Chapter 3: Offences and Penalties

Section 62: Offences and Penalties

- 62.1 Failure to comply at all times with any of the Operating Services License Conditions determined under this Rule shall constitute an offence and shall subject the defaulting Waste Disposal Facilities Operator to a fine levied in accordance with the UNMIK Administrative Direction No. 2003 [xx] “Implementing UNMIK Regulation No. 2000/49 On The Establishment Of The Administrative Department Of Public Utilities” dated [Date]-[Month]-[Year].
- 62.2 Fines for the breach of any Waste Disposal Services License Conditions shall also be levied in accordance with the procedures established under the Rules of fines and with any other procedural Rules as determined by the Regulator from time to time.

Chapter 4: Appeals

Section 63: Appeals

- 63.1 A Waste Disposal Facilities Operator may appeal to the Review Committee on any concrete decisions of the Regulator taken on any relevant issues, including, without limitations on any of the:
- (a) issue, alteration, modification, amendment, supplement, renewal, extension and/or modification to a Waste Disposal Services License;
 - (b) revocation, declaration of determination and/or cancellation of a Waste Disposal Services License determined by the Regulator under this Rule;
 - (c) establishment and/or enforcement of any Waste Disposal Services License Conditions foreseen under this Rule;
 - (d) levy of any fines for any breach of Waste Disposal Services License Conditions and/or for the breach of any other provision of this Rule;
- 63.2 The Waste Disposal Facilities Operator may also appeal to the courts of Kosovo from any decision of the Review Committee taken on any concrete decisions as to the enforcement of this Rule by the Regulator.
- 63.3 Upon any issue of any concrete decision on the enforcement of this Rule, the Regulator shall inform the Waste Disposal Facilities Operator to which such an enforcement decision is addressed, of his rights to appeal pursuant to this Section.

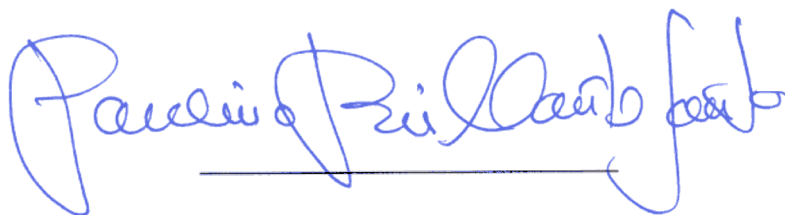
PART 10: MISCELLANEOUS

Section 64: Languages

- 64.1 This Rule is issued and published in three versions written in the official languages in use in Kosovo, namely:
- (a) English
 - (b) Albanian
 - (c) Serbian
- 64.2 In case of any discrepancy between any versions in which this Rule has been issued, the English version shall prevail.

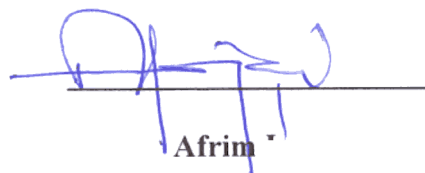
Section 65: Entry into Force

- 65.1 This Rule shall enter into force thirty (30) days from the date of its issuance.
- 65.2 The Waste Disposal Facilities Operators of any existing and operational Waste Disposal Facilities shall have ninety (90) Business Days to comply with the requirements of this Rule counted from the date of entry into force.

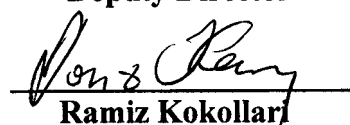


Paulino Brilhante Santos

Director



Deputy Director



Ramiz Kokollari

Head of Finance & Tariffs Section

Water and Waste Regulatory Office

APPENDICES

APPENDIX 1(a)

APPLICATION FORM

WASTE DISPOSAL SERVICES LICENSE APPLICATION FORM FOR A WASTE DISPOSAL SERVICES LICENSE IN KOSOVO

APPLICATION IS HERBY MADE TO THE WATER AND WASTE REGULATORY OFFICE, FOR A WASTE DISPSAL SERVICE LICENSE TO PROVIDE WASTE DISPOSAL SERVICES.. WE ACKNOWLEDGE THAT PROVIDING FALSE INFORMATION MAY RESULT IN REFUSAL OF THE SERVICE LICENSE			
THIS APPLICATION MUST BE DELIVERED TO:		FOR OFFICIAL USE ONLY	
WATER AND WASTE REGULATORY OFFICE NEW ECONOMICS FACULTY BUILDING PRISHTINA, KOSOVO		Date Received	
		Date Accepted	
		Date Rejected	
		Application Fee Paid	<input type="checkbox"/> Yes <input type="checkbox"/> No
PART 1 – APPLICANT IDENTIFICATION			
a) Name of the Applicant:			
b) Business address			
c) Telephone number		d) Mobile telephone number	
e) Fax number		f) Email address	
g) Business license	Number	Name of issuing entity	
PART 2 – APPLICANT GENERAL INFORMATION			
a) Application type (Check “√”only one) First time Applicant <input type="checkbox"/> Renewal <input type="checkbox"/> Change of ownership <input type="checkbox"/>			
b) Applicant category (Check “√”only one) Publicly Owned Enterprise <input type="checkbox"/> Joint Stock Company <input type="checkbox"/> Partnership <input type="checkbox"/> Government Body Privately Owned Enterprise <input type="checkbox"/>			
c) Applicant contact person		Name:	Title
		Telephone number	Fax number
PART 3 – APPLICANT SENIOR MANAGERS			
a) Name of Chairman of the Supervisory Board (or Chairman of the Board)		Address	
b) Name of Managing Director (or General Manager)		Address	
c) Name of Senior Financial Officer (or equivalent)		Address	
(d) Name of Senior Operations Manager (or equivalent)		Address	
PART 4 – SHAREHOLDERS			
Name of shareholder (Use additional sheet if required)		Telephone Number	Percent of Ownership
PART 5 –LAND PROPERTY			
a) Property Owner (Use additional sheet if required)	Name	Telephone Number	Percent of Ownership

b) Property Description <i>(This is the legal description of the property. Use and additional sheet if so required)</i>	Legal description of the property		
	Cadastral map sheet number		
	Cadastral grid reference		
	Topography and geological description of the property <i>(A suitable drawing showing the topography and the geology of the property shall be provided)</i>		
	Registered land use		
	Mineral Rights		
Are there any mineral right conflict related to the property ?		Yes <input type="checkbox"/>	No <input type="checkbox"/>
If "yes", provide a description of the conflict on a separate sheet.			
c) Water Bodies	Waterways and wetlands <i>(Are there any waterways wetlands on the property?)</i>	No <input type="checkbox"/> Yes <input type="checkbox"/>	If "yes" provide a brief description
	Underground water aquifers <i>(Are there any underground aquifers on the property?)</i>	No <input type="checkbox"/> Yes <input type="checkbox"/>	If "yes" provide a brief description
	Water wells <i>(Are there any water wells or boreholes located within one kilometre of the property limit)</i>	No <input type="checkbox"/> Yes <input type="checkbox"/>	If "yes" provide a brief description
	Prior use of the property <i>(What was the site used for prior to use as a waste disposal site?)</i>		
	Risk of flooding <i>(Are there any risk of flooding or damage to the site through landslides or floods?)</i>	No <input type="checkbox"/> Yes <input type="checkbox"/>	If "yes" provide a brief description
	PART 6–THE WASTE DISPOSAL FACILITY PHYSICAL DETAILS		
a) Name under which the facility is known			
b) Name of the legal owner of the facility			
c) Address of the facility			
d) Telephone number of the facility		e)- Mobile telephone number of the facility	
f) Fax number of the facility		g) Email address of the facility	
h) Surface area of the property		i) Surface area reserved for landfill operations	
j) Design daily capacity in tonnes		k) Design annual capacity in tonnes	
l) Design life expectancy in years		m) Total volumetric capacity	
n) At what stage is the facility?	Planning stage	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	Completed	Yes <input type="checkbox"/>	No <input type="checkbox"/>
n) Construction permit	Number		Date issued
	o) Security and site access <i>(Provide a description o the site access and security equipment in place at the facility. A suitable drawing showing the location must be included)</i>		

<p>p) Buildings and other structures <i>(Provide a description of the various buildings on the site of the facility, their intended use, location of all roads, vehicle parking areas and security fences, location of landfill cells and drainage pipes. Suitable drawings must be provided with the application)</i></p>					
<p>q) Planned future development <i>(Provide a brief description of any planned future developments)</i></p>					
PART 7–THE WASTE DISPOSAL FACILITY OPERATIONS					
<p>a) Name of the operating entity</p>					
<p>b) Experience of the Waste Disposal Facility Operator <i>(Provide a description of the experience of the operator in the operation or management of waste disposal facilities. Use additional sheet if required.)</i></p>					
<p>c) Organizational Structure <i>(Provide a brief description of the organizational structure. An organizational chart is to be provided with the application)</i></p>					
d) Number of Employees					
Name of Position	Number of Employees in Position	Name of Position	Number of Employees in Position		
General Manager		Truck Operators			
Waste Disposal Facilities Manager		Maintenance Mechanics			
Site Superintendent		Administration Manager			
Site Foreman		Procurement Officer			
Weighbridge Attendants		Purchasing Officer			
Signalperson		Parts Inventory Attendant			
Labourer		Customer Service Attendant			
Security Guard and Gatekeepers		Secretary-Receptionist			
Heavy Equipment Operators		Others			
e) List of Major Equipment and Machinery at the facility					
Equipment Name	Number	Equipment Name	Number	Equipment Name	Number
Bulldozer		Landfill Compactor		Fire fighting Truck	
Excavator		Front Loader		Electric Generator	
Weighbridge		Backhoe Loader		Shredder	
Tanker truck		Tipper Truck		Computer Equipment	
Skid Steer Loader		Leachate Treatment			
<p>f) Fire Protection <i>(Provide a description of the contingency plan to be use in the prevention, control and management of accidental and illegal fires. Also provide details of the fire fighting training provided to the site employees and a list of the number and type of equipment available. Use an additional sheet if required)</i></p>					

g) Pest and Litter Control <i>(Describe the measures which will be used to litter, pests, rodents and other animals at the site. Use an additional sheet if required)</i>			
h) Solid Waste Reception <i>(Describe the procedure by which Municipal Solid Waste is received, inspected and allowed to proceed into the facility. Use an additional sheet if required)</i>			
i) Weighbridge Procedures <i>(Describe the procedure used to weigh inbound and outbound waste carrying vehicles. Include information on records that will be used to maintain a register of the sites daily activity, including the amount of waste received. Use an additional sheet if required)</i>			
j) Recycling <i>(Describe the procedures that will be used at the site to separate waste products and facilitate recycling. Use an additional sheet if required)</i>			
k) Waste Placement, Compaction and Coverage <i>(Provide complete details of the waste placement, compaction and coverage operational plan including a suitable drawing. Use an additional sheet if required)</i>			
PART 8—CUSTOMERS			
a) Name of the Customer Service Attendant			
b) Telephone number		Mobile telephone number	Email address
c) Service availability	Number of days per week		Number of hours per day
	Daily starting time		Daily closing time
d) Service Area <i>(Provide the territorial boundaries of the area which will be serviced by the Waste Disposal Facility)</i>			
e) Names of Municipalities and Villages Served <i>(Use an additional sheet if required)</i>			
f) Waste Collection Services Providers <i>(Provide the names of the Waste Collection Services Providers that will be authorized to use the facility)</i>			

PART 9—ENVIRONMENTAL CONSIDERATIONS

a) Pollution Control Measures

(Provide a description of the measures and equipment that will be used for the treatment and monitoring of contaminated water and leachate. Use an additional sheet if required.)

b) Surface Water Management

(Describe the plan by which uncontaminated surface water and drainage will be prevented from entering the landfill site work area. Use an additional sheet if required.)

c) Waste Disposal Facility Closure Plan

(Provide a description of the landfill site closure and aftercare procedures and measures that will be implemented once the site is no longer in use.)

PART 10—APPLICATION AUTHORIZATION AND SIGNATURE

The undersigned certifies that he is a person of good standing and further certifies that he is authorized by its Supervisory Board to submit and sign this Application for a Waste Disposal Services License for and that the information contained in the application is true, accurate and correct.

Name: _____

Title: _____

Name of Applicant: _____

I _____, affirm under the penalty of Law, that the statements and information contained within this document are true and correct.

Signature: _____

Date: _____

APPENDIX 1 (b)

SUPERVISORY BOARD APPROVAL

The letter, referred to in this Rule on The Licensing of Waste Disposal Facilities Operators in Kosovo, shall be provided as per the following format and content by the Supervisory Board or Board of Directors (as applicable) of the Applicant on the official letterhead paper and signed by the Chairman of the Supervisory Board or the Board of Directors (as applicable) and submitted by the Applicant with the Application to the Regulator.

Date: Day-Month-Year

[Insert name of the Applicant]

[Insert address of the Applicant]

[Insert address of the Applicant]

Attention: [Insert name of the Managing Director of the Applicant]
Managing Director

Dear [Select one: Mr. / Mrs. / Miss.] [Insert name of recipient],

Subject: Board Authorization for applying for an Operating Services License

We the Supervisory Board of <*insert the complete name of the Applicant*> are cognizant of the need of the Applicant to apply for and obtain a Waste Disposal Services License from the Water and Waste Regulatory Office.

Furthermore we confirm that the Managing Director of <*insert the complete name of the Applicant*> is fully mandated and authorized on behalf of the said Applicant to apply for a Waste Disposal Services License operating a Waste Disposal Facility and provide the documents required by the Waste and Waste Regulatory Office or this purpose.

Yours truly,

[Type name of person signing the letter]

[Type title of person signing the letter]

[Signature of person whose name is typed]

APPENDIX 1 (c)

APPROVAL OF FINANCIAL STATEMENTS

The letter, referred to this Rule on The Licensing of Waste Disposal Facilities Operators in Kosovo shall be provided as per the following format and content and signed by a person mandated to do so and submitted by the Applicant with the Application to the Regulator.

Date: Day-Month-Year

[Insert name of the Applicant]

[Insert address of the Applicant]

[Insert address of the Applicant]

Attention: *[Insert name of the Managing Director of the Applicant]*
Managing Director

Dear *[Select one: Mr. / Mrs. / Miss.] [Insert name of recipient]*,

Subject: Financial Statements
[Insert complete name of the Applicant]

Enclosed you will find the most recently available *[indicate if “audited” or “un-audited”]* financial statements for your enterprise and which cover the twelve months period starting *[indicate start date as Day-Month-Year]* and finishing *[indicate end date as Day-Month-Year]*.

We attest that the accounts and figures contained in the enclosed financial statements embrace all of the financial operations of your enterprise and further certify that the financial statements, which represent the true and correct financial status of the enterprise.

Yours truly,

[Type name of person signing the letter]

[Type title of person signing the letter]

[Signature of person whose name is typed]

Enclosures

APPENDIX 1 (d)

AUTHORIZATION TO OPERATE

The Authorization Letter from the Kosovo Trust Agency shall be provided as per the following format and content and submitted by the Applicant with the Application to the Regulator

Date: Day-Month-Year

[Insert name of the Applicant]

[Insert address of the Applicant]

[Insert address of the Applicant]

Attention: [Insert name of the Managing of the Applicant
Managing Director]

Dear [Select one: Mr. / Mrs. / Miss.] [Insert name of recipient],

Subject: Authorization to Operate

We confirm that <insert complete name of the Applicant> is authorized to operate and manage the <insert name of the Waste Disposal Facility> Waste Disposal Facility for a period of <indicate number of years> years.

Yours truly,

[Type name of person signing the letter]

[Type title of person signing the letter]

[Signature of person whose name is typed]

APPENDIX 1(e)

ADMINISTRATIVE COMPLETENESS CHECK LIST

ALL THE INFORMATION INDICATED ON THIS CHECK LIST REQUIRES TO BE PROVIDED WITH THE APPLICATION FOR A WASTE DISPOSAL SERVICES LICENSE. ALL THE ITEMS INCLUDED IN THIS CHECK LIST REFER TO PARTS AND SECTIONS OF THE RULE ON THE LICENSING OF WASTE DISPOSAL FACILITIES OPERATORS IN KOSOVO AND IN THE RELATED APPLICATION FORM

A – THE LICENSE APPLICATION FORM

Part 1 - Applicant Identification		(Check “√” only one)		Remarks
1(a)	Name of Applicant	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
1(b)	Business Address	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
1(c)	Telephone Number	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
1(d)	Mobile Telephone Number	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
1(e)	Fax Number	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
1(f)	Email Address	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
1(g)	Business License	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
Part 2 – Applicant General Information		(Check “√” only one)		Remarks
2(a)	Application Type	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
2(b)	Applicant Category	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
2(c)	Applicant Contact Person	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
Part 3 – Applicant Senior Managers		(Check “√” only one)		Remarks
3(a)	Chairman of the Board	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
3(b)	Managing Director	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
3(d)	Senior Financial Officer	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
3(d)	Senior Operations Manager	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
Part 4 – Shareholders		(Check “√” only one)		Remarks
	Shareholders	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
Part 5 – Land Property		(Check “√” only one)		Remarks
5(a)	Property Owner	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
5(b)	Property Description	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
5(c)	Water Bodies	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
Part 6 – Waste Disposal Facility Details		(Check “√” only one)		Remarks
6(a)	Name of the Facility	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
6(b)	Name of Facility Owner	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
6(c)	Address of the Facility	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
6(d)	Tele[phone Number	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
6(e)	Mobile Telephone	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
6(f)	Fax Number	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
6(g)	Email Address	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
6(h)	Surface Area	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
6(i)	Surface Area for Landfill Activity	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
6(j)	Daily Design Capacity	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
6(k)	Annual Design Capacity	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
6(l)	Design Life Expectancy	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
6(m)	Total Volumetric Capacity	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
6(n)	Construction Permit	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
6(o)	Security and Site Access	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
6(p)	Buildings and Other Structures	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
6(q)	Planned Future Development	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	

Part 7 – Waste Disposal Facility Operations		(Check “√” only one)		Remarks
7(a)	Name of the Operating Entity	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
7(b)	Experience of the Operating Entity	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
7(c)	Organizational Structure	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
7(d)	Number of Employees	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
7(e)	List of Major Equipment	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
7(f)	Fire Protection	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
7(g)	Pest and Litter Control	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
7(h)	Solid Waste Reception	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
7(i)	Weighbridge Procedures	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
7(j)	Recycling	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
7(i)	Waste Placement and Compaction	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
Part 8– Customers		(Check “√” only one)		Remarks
8(a)	Customer Service Attendant	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
8(b)	Telephone Number	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
8(c)	Service Availability	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
8(d)	Service Area	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
8(e)	Name of Serviced Municipalities	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
8(f)	Waste Collection Service s Provider	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
Part 9– Environmental Considerations		(Check “√” only one)		Remarks
9(a)	Pollution Control Measures	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
9(b)	Surface Water Management	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
9(c)	Facility Closure and Aftercare Plan	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
Part 10–Application Authorization		(Check “√” only one)		Remarks
	Signed and dated	<input type="checkbox"/> Completed	<input type="checkbox"/> Not Completed	
B – DOCUMENTS REQUIRED				
(Section numbers are a reference to those found in the Rule on the Licensing of Waste Disposal Facilities Operators)				
Section Number and Name		(Check “√” only one)		Remarks
Section 12	Application Form	<input type="checkbox"/> Present	<input type="checkbox"/> Absent	
Section 13.1	Application	<input type="checkbox"/> Present	<input type="checkbox"/> Absent	
Section 14.2	Approval of the Board	<input type="checkbox"/> Present	<input type="checkbox"/> Absent	
Section 15.2	Approval of Financial Statement	<input type="checkbox"/> Present	<input type="checkbox"/> Absent	
Section 16	Authorization to Operate	<input type="checkbox"/> Present	<input type="checkbox"/> Absent	
Section 23	Letter from Directorate of Mines	<input type="checkbox"/> Present	<input type="checkbox"/> Absent	
Section 25.2	License from MESP	<input type="checkbox"/> Present	<input type="checkbox"/> Absent	
Section 25.3	License from IPH	<input type="checkbox"/> Present	<input type="checkbox"/> Absent	
Section 26.1(a)	Site drawing	<input type="checkbox"/> Present	<input type="checkbox"/> Absent	
Section 26.1(b)	Surface drainage drawing	<input type="checkbox"/> Present	<input type="checkbox"/> Absent	
Section 26.1(c)	Structure location drawing	<input type="checkbox"/> Present	<input type="checkbox"/> Absent	
Section 26.1(e)	Description of Proposed Alterations	<input type="checkbox"/> Present	<input type="checkbox"/> Absent	
Section 26.1(e)	Set of “as constructed” Drawings	<input type="checkbox"/> Present	<input type="checkbox"/> Absent	
Section 26.1(g)	Drawing of Planned Facility	<input type="checkbox"/> Present	<input type="checkbox"/> Absent	
Section 27.1	General Area Drawing	<input type="checkbox"/> Present	<input type="checkbox"/> Absent	
Section 27.2	Topography and Geology Drawing	<input type="checkbox"/> Present	<input type="checkbox"/> Absent	
Section 27.3	Drawing for Water Bodies and Boreholes	<input type="checkbox"/> Present	<input type="checkbox"/> Absent	
Section 29	List of the Service Tariffs	<input type="checkbox"/> Present	<input type="checkbox"/> Absent	
Section 30.1	Organizational Chart	<input type="checkbox"/> Present	<input type="checkbox"/> Absent	
Section 30.2(a)	Procedure for Receiving Waste	<input type="checkbox"/> Present	<input type="checkbox"/> Absent	
Section 30.2(b)	Procedure for Acceptable Waste	<input type="checkbox"/> Present	<input type="checkbox"/> Absent	
Section 30.2(c)	Weighing Procedures	<input type="checkbox"/> Present	<input type="checkbox"/> Absent	
Section 30.2(d)	Record Keeping Procedures	<input type="checkbox"/> Present	<input type="checkbox"/> Absent	
Section 30.3	Recycling Procedure	<input type="checkbox"/> Present	<input type="checkbox"/> Absent	
Section 30.4	Placement and Coverage Procedures	<input type="checkbox"/> Present	<input type="checkbox"/> Absent	
Section 30.5	Pest and Rodent Control	<input type="checkbox"/> Present	<input type="checkbox"/> Absent	
Section 30.6	Fire Protection Plan	<input type="checkbox"/> Present	<input type="checkbox"/> Absent	
Section 30.7	Health and Safety Plan	<input type="checkbox"/> Present	<input type="checkbox"/> Absent	
Section 31.1(a)	Surface Water Management Plan	<input type="checkbox"/> Present	<input type="checkbox"/> Absent	
Section 31.1(b)	Treatment of Contaminated Water	<input type="checkbox"/> Present	<input type="checkbox"/> Absent	
Section 31.2	Environmental Impact Study	<input type="checkbox"/> Present	<input type="checkbox"/> Absent	
Section 32.1(a)	Plan for Closure of Active Cells	<input type="checkbox"/> Present	<input type="checkbox"/> Absent	

Section Number and Name		(Check “√” only one)		Remarks
Section 32.1(b)	Plan for Site Closure	<input type="checkbox"/> Present	<input type="checkbox"/> Absent	
Section 32.2	Aftercare and Monitoring Plan	<input type="checkbox"/> Present	<input type="checkbox"/> Absent	
Section 33.3	Insurance Documents	<input type="checkbox"/> Present	<input type="checkbox"/> Absent	
Section 34.1	Performance Guarantee Certificate	<input type="checkbox"/> Present	<input type="checkbox"/> Absent	
Section 35	Senior Managers Curriculum Vitae	<input type="checkbox"/> Present	<input type="checkbox"/> Absent	
Section 36(a)	Founding Documents	<input type="checkbox"/> Present	<input type="checkbox"/> Absent	
Section 36(c)	Business Registration Certificate	<input type="checkbox"/> Present	<input type="checkbox"/> Absent	
Section 36(d)	VAT Registration Certificate	<input type="checkbox"/> Present	<input type="checkbox"/> Absent	
Section 36(e)	Wages and Salaries Confirmation	<input type="checkbox"/> Present	<input type="checkbox"/> Absent	
Section 36(f)	Financial Statements	<input type="checkbox"/> Present	<input type="checkbox"/> Absent	
Section 36(g)	Bank Statements	<input type="checkbox"/> Present	<input type="checkbox"/> Absent	
Section 36(h)	Financial Statement Forecast	<input type="checkbox"/> Present	<input type="checkbox"/> Absent	
Section 36(i)	Proof of Investments	<input type="checkbox"/> Present	<input type="checkbox"/> Absent	
Section 36(j)	Forecasted Future Investments	<input type="checkbox"/> Present	<input type="checkbox"/> Absent	
Section 37.1(a)	Payment of Property Tax	<input type="checkbox"/> Present	<input type="checkbox"/> Absent	
Section 37.1(b)	Payment of Utilities	<input type="checkbox"/> Present	<input type="checkbox"/> Absent	
Section 37.1(c)	VAT Tax Payment Status	<input type="checkbox"/> Present	<input type="checkbox"/> Absent	

APPENDIX 1(f)

LICENSE CERTIFICATE

WASTE DISPOSAL SERVICES LICENSE CERTIFICATE

LICENSE NUMBER: [\[CLICK HERE AND INSERT LICENSE NUMBER\]](#)

NAME OF WASTE DISPOSAL FACILITIES OPERATOR: [\[CLICK HERE AND INSERT NAME\]](#)

DATE OF ISSUANCE: [\[CLICK HERE AND INSERT DATE\]](#) **EXPIRATION**
[\[CLICK HERE AND INSERT DATE\]](#)

DATE:

MODIFICATION DATE: [\[IF APPLICABLE, CLICK HERE AND INSERT DATE, IF NOT TYPE NOT APPLICABLE\]](#)

NAME OF MANAGING DIRECTOR: [\[CLICK HERE AND INSERT DIRECTOR NAME\]](#)

ADDRESS OF THE WASTE DISPOSAL FACILITIES OPERATOR: [\[CLICK HERE AND INSERT ADDRESS\]](#)

SERVICE AREA: [\[CLICK HERE AND INSERT MUNICIPALITY AND SERVICE AREA NAME\]](#)

ACTIVITIES AUTHORIZED UNDER THIS SERVICE LICENSE:

Pursuant to the Water and Waste Regulatory Office Rule on the Licensing of Waste Disposal Facilities Operators in Kosovo, an Operating Service License is issued to [\[CLICK HERE AND INSERT NAME\]](#) for the specific purpose of providing within the Service Area defined above Waste Disposal related to Municipal Solid Waste and Non-Hazardous Solid Waste.

WASTE DISPOSAL:

All Municipal Solid Waste received at the Waste Disposal Facility shall either be compacted and buried in the appropriate cells or recycled as possible.

RESTRICTIONS:

The Waste Disposal Facilities Operator is specifically prohibited from:

1. Accepting unacceptable solid waste, hazardous solid waste, liquid waste of any form and type
2. Accepting any type of solid waste from outside the Service Area without obtaining pre-approval to do so from the Regulator.
3. Other restrictions as found in the Rule on the Licensing of Waste Disposal Facilities Operator.

OTHER APPLICABLE TERMS AND CONDITIONS:

This issuance of this Waste Disposal Services License is based on the information provided by the Applicant at the time of submitting the application on [\[CLICK HERE AND INSERT APPLICATION DATE\]](#). The Waste Disposal Services License may be revoked if the information provided by the Applicant is subsequently found to be incorrect and/or misrepresented and/or if it is determined that the conditions and terms under which this Waste Disposal Services License was issued are not complied with. The Waste Disposal Service License is effective on the date of issuance and shall remain in force until the Expiration Date provided above unless revoked pursuant to the provisions of the Water and Waste Regulatory Office Rule on The Licensing of Waste Disposal Facilities Operators in Kosovo.

SIGNED:

DATE: [\[CLICK HERE AND INSERT DATE\]](#)

NAME: [\[CLICK HERE AND INSERT NAME\]](#)

TITLE: **Head of Water and Waste Regulatory Office**

APPLY THE OFFICIAL SEAL OF
THE WATER AND WASTE
REGULATORY OFFICE

APPENDIX 1 (g)

CURRICULUM VITAE FORMAT

Format for Curriculum Vitae to be provided with the Waste Disposal Services License Application

Position title: *Insert the title of the most recent position worked.*

Qualifications:

- ☐ Education:
List the names of the schools, colleges, universities, technical or other professional training institutes that have been attended including the years attended and the degrees or certificates obtained.
- ☐ Experience:
Provide the brief description of the work experience, starting with the most recent. For each, list the name of the employer, the address and telephone number, the starting and ending year for each employer, and the title of the position

Knowledge, Skill, Abilities:

- ☐ Driver's License
Indicate if you have a driver's license valid in Kosovo (yes / no). If "yes", provide date of issue and name of issuing authority. A copy of the driver's license is to be attached to the curriculum vitae.
- ☐ Computer proficiency
List your computer ability level as not knowledgeable, or knowledgeable, or very knowledgeable. Also list the name of the computer software applications that you are familiar and functional with.
- ☐ Language
List your languages abilities. For each indicate the speaking, writing and reading proficiency abilities in terms of beginner, fair, good, excellent and native level.

Other:

- ☐ Personal Characteristics:
List any special characteristics that would have an impact on the position that you are applying for.
- ☐ Health:
Identify your general state of health in terms of any impact that it may have on the position that you are applying for. Indicate any work restrictions that you may have for reasons of your state of health.
- ☐ Criminal Record:
Indicate if you have ever been convicted of a crime and if "yes", indicate the nature of the conviction and year of conviction. This information is to be provided for each crime convicted.