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A brief overview of the changes in the Environmental Legislation of the Russian Federation

The theme of ecology and environmental protection is still one of the most relevant on the world agenda. Despite the fact that the coronavirus pandemic temporarily overshadowed environmental issues, nevertheless, environmental legislation in Russia remains relevant and in demand. Taking into account the large number of requests from our clients, we decided to make quarterly reviews of the main changes in environmental legislation, which may concern representatives of many sectors of the economy.

1. Resolution of the Government of the Russian Federation from 15.01.2020 №13 "On approval of the Rules maintaining the register of unscrupulous water users and auction participants for the right to conclude the water use agreement and on amendments to certain acts of the Government of the Russian Federation"

The procedure for maintaining the register of unscrupulous water users by the Federal Agency for Water Resources is established

How it works: the register will include the information about water users whose rights to use water objects were forcibly terminated due to the misuse of the water object or in connection with the use of the water object in violation of the legislation of the Russian Federation, as well as about the winners of the auction for the right to conclude a water use agreement that evaded his conclusion.

The register is maintained in electronic form and is published on the official website of the Federal Agency for Water Resources. Access to the registry is free of charge. The water user should be included in the register within 10 working days from the date of receipt of information of the grounds for inclusion in the register.

It is important to note: information contained in the registry is excluded from it after 2 years from the date of inclusion or by a court decision.

2. Resolution of the Government of the Russian Federation from 20.12.2019 №1727 "On approval of the Rules providing a subsidy from the Federal budget in the form of a property contribution of the Russian Federation to the public law company for the formation of the comprehensive system of solid municipal waste management "Russian Environmental Operator"

Projects which put waste treatment and recycling facilities into commercial operation, funded by the «Russian Environmental Operator», will receive Federal subsidies

How it works: this subsidy is provided to the "Russian Environmental Operator" on the basis of the agreement with the Ministry of Natural Resources of the Russian Federation. The performance indicator of the subsidy is attracting private investment (including the form of own and borrowed funds) in the amount of at least 2.46 rubles per 1 ruble of the granted subsidy to the projects for which the company has financed through the subsidy. The results of its provision are the following indicators:

- ▶ the waste treatment facilities were put into commercial operation: waste in 2020 - 9.22 million tonnes; in 2021 21.7 million tonnes; in 2022 - 25.55 million tonnes; in 2023 - 29.4 million tons; in 2024 - 37.1 million tons;
- ▶ the waste disposal capacities were put into commercial operation: in 2020 - 6.39 million tons; in 2021 - 13.9 million tons; in 2022 - 16.2 million tons; in 2023 - 18.5 million tons; in 2024 - 23.1 million tons.

3. Federal law from 27.12.2019 №450 "On amendments to certain legislative acts of the Russian Federation "

Starting from January 1, 2020, the procedure for making quarterly advance payments for negative environmental impact will be changed

How it works: individuals who are required to pay for the NEI have the right to choose one of the following ways to determine the amount of the quarterly advance payment for each type of NEI that is charged:

- ▶ in the amount of 1/4 of the amount of the NEI fee payable for the previous year;
- ▶ in the amount of 1/4 of the amount of the fee for NEI, the payment base determined on the basis of the volume or mass of emissions, discharges of pollutants within the limits of standards for permissible discharges, temporarily permitted discharges, limits for waste disposal;
- ▶ in the amount determined by multiplying the payment base, which is determined on the basis of industrial environmental control data on the volume or mass of emissions (discharges) of pollutants or on the volume or mass of disposed production and consumption waste in the previous quarter of the current reporting period, at the appropriate rates of payment for NEI using coefficients established by the Federal law from 10.01.2002 №7 "On environmental protection".

The chosen method of determining the quarterly advance payment is indicated by the persons who are obliged to pay the fee in the Declaration of payment for the NEI.

It is important to note: the funds received through the collection of environmental fees are used exclusively for the disposal of waste from the use of goods.

- ▶ in the amount of 1/4 of the amount of the fee for the NEI, at the calculation of which the payment base determined on the basis of the volume or mass of emissions, discharges of pollutants within the limits of standards for permissible discharges (emissions), temporarily permitted discharges (emissions), limits for waste disposal;

4. Resolution of the Government of the Russian Federation from 24.01.2020 №39 "On application in 2020 payment rates for negative impact on the environment"

For 2020, the rates of payment for NEI and emissions of pollutants into the air are set

In 2020, the following will be applied:

- ▶ payment rates for negative environmental impact, approved by the Resolution of the Government of the Russian Federation from 13.09.2016 №913 "On payment rates for negative impact on the environment and additional coefficients", established for 2018, using the coefficient 1.08 in addition to other coefficients;
- ▶ the rate of payment for emissions of pollutants into the air stationary sources for coal dust, which is 61 rubles per ton.

It is important to note: the resolution applies to legal relations that have arisen since 1 January 2020.

The GRATA International St. Petersburg team actively develops the practice of environmental law and our experts always closely monitor the changes in the field of environmental legislation in order to inform partners and clients about all the innovations in a timely manner.

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