

de jure", which does not exclude others which may be included in the previous definition.

Article 3 of Decree 181/92 in turn, defines "waste" (residue or garbage) as "any matter, substance or object produced in any activity and whose elimination, recycling, recovery, reutilization and/or final disposal is effected, about to be effected, or obligatorily effected, as well as all those which, in the judgement of the application authority are to be considered as such".

The only exception to the legal provisions of Law 24051 are home wastes (whose regulation is still exclusively under municipal jurisdiction) plus the by-products of vessels' normal operations, which have their own legal system, as well as nuclear wastes, which also have their own legal system save as regards the absolute prohibition to import them, introduce them or transport them, as per the same law (Arts. 2 and 3).

### 5.1.2 Generators of Dangerous Wastes

According to the legal system mentioned above, a generator is taken to mean the physical or legal person who, as a result of his activity, produces wastes qualified as dangerous.

Every generator must apply for his registration with the National Register of Generators and Operators of Dangerous Wastes and submit a sworn declaration including identification data, location, characteristics of the wastes generated, the manner and site of their treatment, the estimated annual amount, the description of the generating processes, a list of the dangerous substances used, the method of evaluation, procedure for the obtaining of samples, leaching analysis and evaluation standards, a list of the exposed staff and precautionary measures. Data must be updated annually.

Special conditions are imposed on generators of pathological wastes (Arts. 19 to 21).

The law not only establishes the obligations of generators with the Public Administration, but the civil responsibility for ecological damage. Article 22 provides that it is the responsibility of the generator for any damage caused by the wastes and Art. 45 assumes that, unless there is proof to the contrary, any dangerous waste is a risk in the terms of Art. 1113 of the Civil Code. It is impossible for third parties - naturally - to transmit or voluntarily abandon said risk (Art. 46) nor may they be considered exempt from responsibility by proving the guilt of a third party (Art. 47) nor does the responsibility disappear through the transformation or evolution determined by the treatment thereof, save in the case of faulty treatment made by a treatment or final disposal plant (Art. 48).

The law also establishes administrative penalties for infringers, but these do not exclude possible penal or civil responsibility (Chapter VIII, Arts. 49 to 54). Chapter IX identifies penally punishable behaviour, with penalties ranging from prison or imprisonment for up to 25 years, in the cases of poisoning or pollution of the water, soil or air, followed by the death of any person.

### 5.1.3 Regulations

The responsible authority shall establish, through regulations, the Register of Generators and Operators of Dangerous Wastes, for the registration of those who develop activities related with the generation, transportation, treatment and final disposal.

Once this requirement has been complied with, the authority shall deliver the Environmental Certificate exclusively stipulating its approval of the system of handling, transportation, treatment or final disposal. The certificate must be renewed annually. (Art. 5).

The responsible authority must issue a dictum within 90 days after the application for the certificate. The certificate is a necessary condition for the authorization of the operation of industries, treatment plants, etc.

### 5.2 National Law on Security, Hygiene and Labor Medicine

In 1972 National Law No. 19,587 was sanctioned, whose rules and regulations apply in the whole territory of the Republic. Essentially, the matters are defined by the preoccupation to protect and preserve the integrity of workers, and it aims at avoiding and diminishing labor accidents and diseases, neutralizing or isolating the risks