

Analysis on the Legal System of Prevention and Control of Soil Solid Waste Pollution

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Abstract

Environmental pollution and ecological imbalance are important issues facing the development of modern society and are also of urgent concern worldwide. In this context, our country has put forward a sustainable development strategy, advocating harmonious coexistence and coordinated development of man and nature, and has taken many remedial measures against pollution, especially in the formulation, implementation and supervision of laws and regulations. This paper presents a detailed analysis and discussion on the legal system of soil solid waste pollution prevention and control, and proposes relatively feasible ideas and countermeasures to share and exchange with the industry.

Keywords

Soil pollution, Solid waste, Pollution prevention and control, Legal system

Introduction

Atmospheric pollution, water pollution, soil pollution and other pollution situations, not only caused serious impact on society, but also poses a huge threat to the physical and mental health of the people, so in the face of ecological pollution problems, the state must firmly follow the principle of governance by law, through the binding force of laws and regulations to prevent and control the deterioration and seriousness of the pollution situation. The law on the prevention and control of soil pollution by solid wastes, as mentioned in this paper, is the prevention and control measures implemented by laws and regulations as a weapon against the pollution of soil by solid wastes in the country, which clearly stipulates the conditions for the disposal of solid wastes and the measures for the disposal of soil pollution by solid wastes. The laws and regulations, once promulgated, have received strong support from all sectors of society and have achieved very significant environmental protection results. The author believes that although the law on the prevention and control of soil solid waste pollution is binding, it still needs to be monitored comprehensively in order to give better effect to the law, so the government should take monitoring measures to ensure that the law can be implemented without hindrance. Of course, in order to improve the fairness, impartiality and openness of soil solid waste pollution prevention and control laws, it is also necessary to effectively implement the public monitoring mechanism, so as to strengthen the quality and efficiency of supervision.

1. The basic status of solid waste pollution

The so-called solid waste pollution mainly refers to solid, semi-solid and gaseous goods and substances placed in containers, as well as solid waste management goods and substances expressly provided for in laws and regulations, in the production, transportation, storage, use and other aspects of the failure to take reasonable scientific management means, thus causing damage to the ecological environment and damage to the event. For example, lithium batteries can be found everywhere in real life, and when the batteries are depleted, if they are not disposed of directly in the natural environment (soil, water bodies and other environments) without taking the correct measures, then this used battery can be called solid waste [1]. At this stage,

solid waste is very common in social life and production. Industrial corners from chemical plants in production activities, waste rocks from mineral extraction, and kitchen waste in real life can all pose a hazard to the ecological environment if not treated. Depending on the characteristics of solid waste, it can be roughly divided into domestic waste, industrial solid waste and hazardous waste. After understanding what solid waste pollution is, it is possible to effectively analyse the harm caused to the soil, specifically: the complex composition of waste, pollution recurrence, pollution distribution is the main characteristics of soil solid waste pollution, while this type of pollution can be divided into two kinds of indirect pollution and direct pollution. For example, at present, our country uses methods such as burying, burning and piling to deal with domestic waste, but as the rate of disposal lags far behind the rate of production of domestic waste, mountains of domestic waste abound, causing not only a waste of land resources, but also serious pollution of the soil. With the attention and concern of society, the state and the people to the problem of environmental pollution, our country has continued to innovate pollutant treatment technology and measures, and has now achieved very significant treatment and prevention results.

2. Current status and problems of the legal system of soil pollution

2.1 Lack of mandatory and punitive measures

Laws and regulations have a certain guiding and binding nature, although it can play a good prevention and control effect on soil solid waste pollution, but there are still violations of the law, the author believes that this is related to the lack of mandatory and punitive measures, some enterprises, units or individuals have a fluke mentality, that even if they cause solid waste pollution problems, will not be too serious punitive measures [2]. In addition, in many cases soil solid waste pollution is not formed in a short period of time, but the result of the accumulation of months and years without effective treatment measures, when the pollution problem is found and then to find the source, it will happen that it is impossible to pursue the specific responsible person. Thus, the lack of mandatory and punitive laws and regulations is one of the main problems that affect the effectiveness of soil solid waste pollution prevention and control, and must be given significant consideration in the development of legal texts.

2.2 The provisions are not detailed enough to cause law enforcement hindrance

Laws and regulations are the basis and standards for law enforcement, due to the principle of our country's laws are more, and many laws are scattered in many laws, this situation will easily lead to law enforcement deviated from the legislative purpose of the problem, which will be difficult to protect the fairness and impartiality of law enforcement. For example, for soil solid waste pollution, the cause of pollution can be divided into a variety of situations, such as household waste pollution, hazardous waste pollution, industrial waste pollution, etc., although the variety of soil pollution is rich, but the current laws and regulations do not refine the classification, which leads to resistance to law enforcement links.

2.3 Legislation is more ex-post facto

Ecological environmental protection issues should follow the principle of "prevention is the main focus and remediation is supplementary", so as to better achieve the purpose of pollution prevention. However, in terms of soil and solid waste pollution prevention laws, there are obvious problems of prevention over treatment, which are mainly reflected in the following aspects: the legislation is relatively simple for the protection and utilization of uncontaminated soil, and there is no corresponding prevention concept and early warning mechanism, which makes it difficult to detect and prevent soil pollution problems in time.

2.4 Low level of public participation in the law

Domestic waste is one of the main causes of soil solid waste pollution, and the generation of domestic waste is closely related to the public, but from the perspective of pollution prevention and control laws and regulations, the degree of public participation is very limited, which to a certain extent seriously affects the overall effectiveness of laws and regulations [3]. For example, many people in actual life do not realize that discarding solid waste at will has violated the soil solid waste pollution prevention and control laws, and also ignore the seriousness of soil solid waste pollution, so the lack of public legal awareness, environmental awareness, marking the public participation in the law is not high.

3. Legal Countermeasures for Prevention and Control of Soil Solid Waste Pollution

3.1 Development of a unified soil control law

Soil solid waste pollution is not a problem in a certain area, but in all regions, provinces and cities across the country, so soil

prevention and control laws should have unity, in order to better play the effectiveness of laws and regulations. For example, in the legislative process can be heavy metals, solid waste, wastewater and other pollutants, unified into the same law, and then the introduction of supporting measures related to it, which to a certain extent can avoid the problem of complex laws and regulations, but also to prevent departmental enforcement of the situation of shirking responsibilities. Specifically, the development of a unified soil prevention and control law, to follow the principles of special legislation, but also to fully consider the following factors: First, the laws and regulations must be shifted from pure governance to the effective use of [4]. The Solid Waste Pollution Prevention and Control Law clearly provides for the reduction of solid waste generation, and this provision reflects the shift of soil pollution from the end to the prior, but fails to reach the dimension of waste recycling. Therefore, when formulating or amending the Soil Solid Waste Pollution Prevention and Control Law, it is necessary to incorporate solid waste recycling and utilization into the legal system, and use the regulations of recycling, conversion, and utilization of new energy to enhance the effect of the Soil Solid Waste Pollution Prevention and Control Law [5]. Second, refine the types of pollution. Different kinds of solid wastes cause different pollution to the soil, of course, the treatment measures taken will be different, so in the development of pollution prevention and control laws to take refined classification measures, that is, the corresponding prevention and treatment of solid waste regulations respectively [6].

3.2 Strengthening local legislation

Although there are soil solid waste pollution problems throughout the country, but each province and city have different characteristics of pollution problems, so to ensure that laws and regulations can play an effective role, it is necessary to strengthen local legislation on the basis of national uniform laws and regulations, combined with the regional soil solid waste pollution situation, so as to strengthen the effectiveness of laws and regulations to prevent soil environmental pollution. For example, provinces and cities can be based on local soil solid waste pollution research results [7], to determine the focus of environmental pollution prevention laws, such as when industrial waste pollution problems are more serious, you can focus on improving industrial solid waste generation, transportation, recycling and utilization regulations. Another example is that some regions have imported "foreign garbage", in order to effectively regulate the "foreign garbage" threat to the soil environment [8], the region can focus on the formulation of "foreign garbage" to limit the import of laws and regulations, import laws and regulations. In addition, the strengthening of local legislation has, to some extent, improved the energy efficiency of soil solid waste pollution prevention laws, but extra attention needs to be paid to local laws to avoid conflicts with national uniform laws.

4. Conclusion

In conclusion, the law of soil solid waste pollution prevention and control has played a very important significance and value to achieve the strategic goal of sustainable development in our country and to build a harmonious relationship between people and the environment. Therefore, we need to find and develop new paths and directions in the development of laws and regulations, with the aim of improving the system of environmental protection laws, as well as strengthening the effectiveness of environmental protection laws. The above paper mainly puts forward reasonable ideas from two dimensions, namely, developing a unified soil pollution prevention and control law, and strengthening local legislation, in the hope that it will be helpful to soil solid waste pollution prevention and control.

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