

May, 2014

ENTRY INTO FORCE OF THE REGISTRY OF EMISSIONS AND TRANSFERS OF POLLUTANTS (RETC)

On May 2nd, 2013, the Regulation of the Registry of Emissions and Transfers of Pollutants ("RETC") was published in the Official Gazette. The purpose of this regulation is to create a centralized public database of emissions, waste and transfers of pollutants potentially harmful for human health and the environment, generated by industrial and non-industrial activities, or transferred for recovery or disposal.

By means of these Regulations, regulated entities instead of directly declaring their emissions, waste and/or transfers of pollutants to relevant agencies must now do it through a centralized online system (<http://www.mma.gob.cl/retc/1279/channel.html>), which in turn reroute the information to the respective governmental institution. The obligation to report through such system is valid from **May 2nd, 2014 on.**

Those obliged to report their emissions, waste and/or transfers of pollutants through the RETC system are the following:

- 1** Facilities that must report to other public agencies the information on emissions, waste and/or transfers of pollutants, either by requirement of an emission standard, an Environmental Approval Resolution ("RCA"), a prevention plan, a decontamination plan, or a relevant sectorial or general regulations.
- 2** Facilities that can be qualified as an emission or generator source or waste receiver according to emission standards or any other regulation.
- 3** Facilities subject to the obligation of reporting emissions, waste and/or transfers of pollutants according to international treaties ratified by Chile.
- 4** Facilities that generate pollutants, substances, generate or receive waste and/or transfer pollutants, to which a specific regulation requires a report.
- 5** Importers, manufacturers, distributors and traders of products containing pollutants and substances as to which any regulation and/or international treaty ratified by Chile require a report.
- 6** Storage facilities of raw materials required for the industrial production, potentially harmful to human health and the environment, as to which any regulation and/or international treaty ratified by Chile requires a report.
- 7** Facilities that generate more than 12 tons of waste per year, city halls, and recipients of waste in accordance with the definitions set forth in the RETC Regulation.



If you have any questions regarding the matters discussed in this memorandum, please contact the following attorneys or call your regular Carey contact.

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