

Experience in evaluation of Safety reports

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Background information

- Transposition of the Directive
 - Environmental protection act
 - 2002, revised 2009
 - Requirements for:
 - Essential duties of an operator (Art. 5)
 - notification (Art. 6)
 - MAPP (Art. 7)
 - Safety reports (Art. 9)
 - On- and off-site emergency plans
 - Information to the public
 - Land use planning
 - Domino effect sites
 - Provisions for:
 - Prohibition of use
 - Enforcement
 - Full transposition

Background information

- Transposition of the Directive
 - Regulation on major accident prevention
 - Technical requirements for
 - Notification
 - MAPP
 - SR
 - Information to the public
 - Procedure for
 - Preparation of inspection plans
 - Establishing of joint inspection teams
 - Reporting inspections

Background information

- Transposition of the additional requirements of the Convention
 - Notification of Parties
 - Transboundary cooperation
 - Access to information and justice
 - Civil liability
- The framework is transposed in the EPA, but no details

Background information

- Additional tools
 - Guidance notes
 - MAPP
 - SR
 - Information to public
 - Classification
 - Art. 9(6b)
 - Methodologies (under development)
 - Assessment of SR/MAPP
 - Risk assessment
 - Enforcement and inspections

Background information

- **Seveso companies**
 - 150 Seveso sites
 - 90 lower tier/ 60 top tier sites
 - Main Seveso activities
 - Chemistry
 - LPG storage and distribution
 - petroleum products storage and distribution
 - explosives
 - Industrial parks/Domino effect sites
 - Proximity to residential areas/vulnerable sites

Background information

Seveso companies

- Generally satisfactory level of expertise of the industries concerned
- Subsidiaries of multinational companies and previously regulated (most notably IPPC) sites show better understanding and produce higher quality SR
- Problems with SMEs and with sites which have not been in the scope of the environment and safety legislation yet (majority small sites with LPG tanks)
- Problems with the RA and its integration within the SR

Administrative and expert framework

Competent authorities

- Ministry of environment and water - Central competent authority
 - Areas of interest - Environmental aspects, Risk assessment, MAPP+SMS
 - 3 people (chemists, chemical engineers, environmental protection)
- Ministry of interior – Point of contact and Emergency response authority
 - Areas of interest - Fire safety, Emergency planning, preparedness and response
 - ~5 people (chemical and mechanical engineers, firefighters)



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Administrative and expert framework

Competent authorities

- Ministry of health
 - Areas of interest - health aspects
 - 2 people (medics, chemists)
- State agency for metrology and technical surveillance
 - Areas of interest – Pipelines, Pressured vessels, Electric and lifting equipment
 - 2 people (electric and mechanical engineers)
- District and local authorities
 - Areas of interest - Emergency planning, preparedness and response, Landuse planning, Information to public
 - 1 to 2 people (environmental and/or civil protection officers)

Procedure for evaluation of SR

- Laid down in the EPA
- Introduces a permitting system
- 4 – 6 months for new and existing establishments
- Completeness check – 14 days
- Evaluation by the authorities – 2 months
- Public access by the MoEW website and in the local authority – 1 month (within the 2 months evaluation period)
- Request for additional information – 2 weeks
- Issuing or refusing a permit – 1 month
- Notification of the permit or the refusal via the MoEW website, formal letter to the operator and an announcement in a national press – 10 days
- Permits and refusals could be appealed by operator or the public within 14 days of the receipt of the letter or the publishing of the announcement

Procedure for evaluation of SR

- The MoEW is leading and coordinating the procedure
 - Internal RoPs developed
 - “4 eyes” principle
 - Meeting the deadlines
 - Getting feedback from authorities and the public
 - Meeting the legal requirements for the quality of the SR
 - Additional national requirements for:
 - Fire safety
 - Building standards (fire & emergency safety, hygiene requirements)
 - Emergency planning



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Enforcement of Safety reports

- SR and permit conditions enforced by inspection teams
 - Regional structures of the MoEW, MI, MH, SAMTS
 - District and local authorities
- Established with a decree of the Minister of environment and water for each district
- Annual inspection plans
 - Seveso sites
 - Inspection teams
 - Inspection dates
 - Scope of the inspections
- RIEW leading and coordinating the inspections
- At least one inspection per year
- Feedback from inspections communicated to MoEW

Enforcement of Safety reports

- Inspectors background
 - Chemists, chemical engineers, firefighters, doctors, mechanical & electric engineers, environmentalists
 - Trained and supplied with inspection tools by the MoEW
- The inspectors can prohibit the use of a site or installation, impose fines (up to 50 00 Euro), issue mandatory improvement notices
- Priority is compliance promotion and cooperation with operators
- No serious conflicts
- If necessary, inspectors could ask for assistance from the MoEW and the other national authorities

Challenges and shortcomings

- The current SR evaluation and enforcement system is working, BUT:
 - Too many authorities
 - Too many formal procedures
 - Needs further justification of the results of the assessment process
 - Requires too much resources
- Problems with turnover of personnel, especially inspectors
- Flexibility needed for new Seveso sites and landuse planning issues

The way forward

- Major overhaul of the Seveso system planned
- Still under review, will coincide with the changes in the Directive
 - Reduction of evaluating and enforcing authorities
 - No permitting of lower tier sites
 - New inspection approaches
 - Flexible but working procedures for landuse planning
 - New SR evaluation and enforcement tools
 - New guidelines for the industry

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