

Implementation of Article 14, (1) and (2)

Bulgaria- Ministry of environment and water



MJV Workshop -10.06.2022

Who implements Article 14(1) and (2)

| | Competent authority (Please indicate which authority or authorities) | Operator | Both competent authority and operator | Other |
|---|--|----------|--|--|
| Article 14, (1) (Annex V, Part 1) | <i>Ministry of Environment and water and Regional Inspection of Environment and Water (RIEWs – total 15)</i> | | | |
| Article 14 (1) (Annex V, Part 2) | <i>Ministry of Environment and water and RIEWs</i> | | | |
| Article 14 (2) Determining “persons likely to be affected” | | | <i>Operators of lower-tier and upper-tier establishments RIEWs</i> | |
| Article 14 (2) (Information for Upper tier sites) | | | <i>Ministry of Environment and water Operators</i> | <i>Mayors of the affected municipalities</i> |

How are Article 14(1) and (2) implemented?

| | Competent authority (Please indicate which authority or authorities) | Operator | Both competent authority and operator | Other |
|---|--|----------|---|---|
| Article 14, (1) (Annex V, Part 1) | Ministry of Environment and water and RIEWs Public electronic register https://public-seveso.moew.government.bg/enterprises | | | |
| Article 14 (1) (Annex V, Part 2) | Ministry of Environment and water and RIEWs Public electronic register https://public-seveso.moew.government.bg/enterprises | | | |
| Article 14 (2) Determining “persons likely to be affected” | | | Operators defines the public concerned, the public objects which may be affected in the event of a major accident and the neighboring establishments RIEWs – (land use planning office) take in the consideration the community affected on the worst case scenario using population zones defined in investment proposals, relating to the construction of new and planned amendments/extensions to existing establishments | |
| Article 14 (2) (Information for Upper tier sites) | | | Ministry of Environment and water and RIEWs Public electronic register The operator provide the information : 1. distribution by postal, courier or other services; 2. placement of suitable public places after consultation with the mayor of the municipality; 3. publication on the website of the company; 4. carrying out information campaigns; 5. publication in local media. | Mayors of the affected municipalities organize the provision of the information in publicly accessible places in all public buildings and areas, schools and medical facilities or hospital: 1. publication on the website of the municipality or placement of a suitable place in the building of the municipality; 2. placing appropriate public places; 3. publication in local media. |

Evaluating implementation

Competent authorities responsible for implementation and enforcement of Directive 2012/18/EU

Ministry of Environment and Water (MOEW): in charge of the coordinated implementation and enforcement of Directive 2012/18/EC at national level

Executive Environment Agency (ExEA):

- decision approving of the Safety report submitted by the operators of the upper-tier establishments

Regional Inspection of Environment and Water (RIEW – total 15):

- evaluate the documentation submitted by the operators of upper-tier establishments (land-use planning and Safety report)
- decision approving of the major accident prevention policy reports submitted by the operators of the lower-tier establishments (MAPP and land-use planning)
- organize, coordinate and take (a lead) part in the joint Seveso inspections

Ministry of Health: responsible for the health requirements

- evaluate the documentation submitted by the operators of upper-tier establishments (land-use planning and Safety report)

General Directorate "Fire Safety and Protection of the Population" under the Ministry of the Interior: responsible for emergency planning

- establishment and implementation of internal emergency plans
- evaluate the documentation submitted by the operators of upper-tier establishments (land-use planning and Safety report) and take part in the joint Seveso inspections

Executive Agency "General Labour Inspectorate" under the Ministry of Labour and Social Affairs: responsible for safety at work aspects

- evaluate the documentation submitted by the operators of upper-tier establishments (land-use planning and Safety report) and take part in the joint Seveso inspections

Local Authorities (Municipalities):

- evaluate the documentation submitted by the operators of upper-tier establishments (land-use planning, Safety report, External emergency plan)
- responsible for preparation and testing of the External emergency plan and take part in the joint Seveso inspections

Responsible for the provision of the information to the public.

"The public concerned" shall be the public, which is affected or is likely to be affected by, or which has an interest in, the procedures for approval of plans, programmes, development proposals, and in the decision-making process on the granting or updating of permits according to the procedure established by the Environmental Protection Act, or in the conditions set in the permits, including the non-governmental organizations promoting environmental protection which are established in accordance with national legislation.

Evaluating implementation

National legalization:

Environmental Protection Act, Title VII, Chapter I (State Gazette, No. 62 of 14th August 2015, last amendment State Gazette, No. 42 of 7th June 2022)

Ordinance on prevention of major accidents involving dangerous substances and limitation of their consequences (adopted by Council of Minister's Decree No. 2 of 11.01.2016, SG, No. 5 of 19.01.2016)

✓ **Minimum information**

Proposal Annex XII Information to the public

1. The name/or trade name of the operator.
2. Name and full address of the establishment.
3. Dates of person who provides the information.
4. Brief description of the activity or planned activities of the establishment.
5. General information on hazardous substances present in the establishment.
6. General information relating to the nature of major- accident hazards, including their potential impacts on the population and the environment.
7. Adequate information on the actions the affected population should take and on the behavior they should adopt in the event of a major accident.
8. Adequate information on how the affected population will be warned and kept informed in the event of a major accident.
9. Details of where additional information can be obtained.



In addition to the information referred to in points 1 to 9, for upper-tier establishments.

- 10.1. General information on the main emergency scenarios and the measures taken to mitigate their consequences.
- 10.2. General information from the External emergency plan, which includes advice on cooperation with the relevant operational center of the General Directorate for Fire Safety and Protection of the Population and the Mayor
- 10.3. Information on the existence of a risk of a major accident with transboundary consequences in accordance with the TEIA Convention.

✓ **Frequency**

The operator shall, within 14 days of receipt of a notification of decision approving a Safety report provide information on the planned safety measures and the ways of action in the event of an accident to the public concerned, to the public objects which may be affected in the event of a major accident, and to neighboring establishments. The information is also provided to the mayor of the affected municipality.

✓ **Methods**

To ensure that the information has been supplied to the public concerned this requirement has been set as a priority in inspection program.

Evaluating implementation

✓ **Confidentiality**

Request from the operator:

The operator may request from the Executive Director of the ExEA part of the information in Safety report or the list of dangerous substances to be treated as confidential and shall present the relevant reasons.

In case when:

- manufacturing secret or trade secret
- state secret or an official secret
- contains any personal data.

Decision of the competent authority:

The Executive Director of the ExEA may determine that some of the information in Safety report or the list of dangerous shall be considered confidential.

NEW

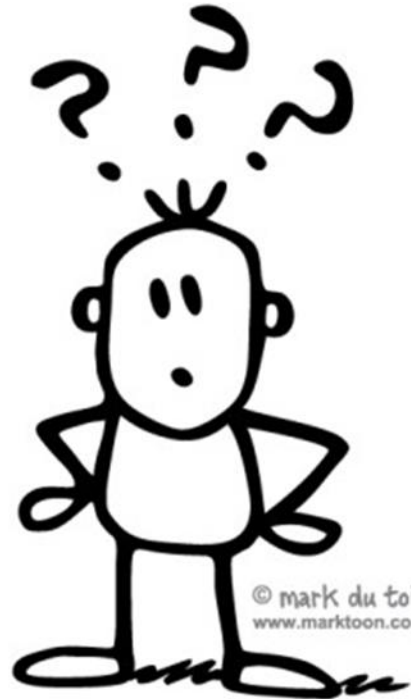
Within 14 days of receipt of the application, the operator is notify whether his request has been partially or fully accepted.
In both cases the operator shall submit a revised version of the documents for public access purposes.



The national legal system provides access to information to the public concerned by submitting an application.
Within its competence, the Competent Authority shall provide the requested information electronically or in any other requested manner.

Thank you for your kind attention!

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