

Romania

Presentations on implementation of Article 14,
(1) and (2)

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Who implements Article 14(1) and (2)*

According to the national or local law, who is responsible for implementing the obligations under Article 14 (1) and (2) as indicated in the table below, and follow-up questions (a), (b), (c), and (d) as appropriate.

Please select the appropriate box. If further clarification is necessary, please feel free to explain your selection in words .

	Competent authority (Please indicate which authority or authorities)	Operator	Both competent authority and operator	Other
Article 14, (1) (Annex V, Part 1)		X		
Article 14 (1) (Annex V, Part 2)		X		
Article 14 (2) Determining “persons likely to be affected”			X	
Article 14 (2) (Information for Upper tier sites)		X		

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

According to the national or local law, who is responsible for implementing the obligations under Article 14 (1) and (2) as indicated in the table below, and follow-up questions (a), (b), (c), and (d) as appropriate.

Please select the appropriate box. If further clarification is necessary, please feel free to explain your selection in words .

	Competent authority (Please indicate which authority or authorities)	Operator	Both competent authority and operator	Other
Article 14, (1) (Annex V, Part 1)	Competent authorities check the implementation of the obligation. The format of the document containing the information to be communicated to the public, part 1, is posted on the website of the competent authorities.	All operators (upper and lower tier) have the obligation that the information provided in Annex no. V - Part 1 to be made available to the public at all times, including in electronic form on its website	Links to the information to be communicated to the public for all Seveso operators are posted on the website of each county inspectorate for emergencies. Also in EEP there is a specific chapter dedicated to public and media information.	
Article 14 (1) (Annex V, Part 2)		The upper tier operators have the obligation that the information provided in annex no. V Parts 1 and 2 shall be made available to the public at all times, including in electronic form on its website		
Article 14 (2) Determining “persons likely to be affected”			Counties competent authorities, on the basis of risk analysis (MAPP) / Safety Report made by the operators and External Emergency Plans defines the community affected using the worst case scenario identified	Land-use planning authorities (locality and county level)
Article 14 (2) (Information for Upper tier sites)		The operator shall also provide information to all administrators or owners of buildings and areas of public utility, including schools and hospitals, and to all adjacent locations. The operators also organize public information campaigns, including by organizing "open day", and develop and distribute brochures, leaflets, etc.		

Evaluating implementation –

Authority - Please briefly describe any rules or guidance followed **by authorities** in implementing their duties

The format of the document containing the information to be communicated to the public, is posted on the website of the national competent authorities, as well as on the websites of the county inspectorates for emergency situations.

Also, the county competent authorities have the obligation to post on their websites the links where the information to be communicated to the public can be found (links to the operators websites where the information for the public are posted).

Operator - How does the authority evaluate that the implementation **by the operator** is effective the requirement, (e.g., criteria, minimum information, frequency, methods)?

During the inspection the competent authorities shall verify:

- the document containing the information to the public, according to the model agreed by the authorities
- if the information is posted on the site
- If it has provided information to all administrators or owners of buildings and areas of public utility, including schools and hospitals, and to all adjacent locations.
- If he organized public information campaigns, including by organizing - "open day" and developed and distributed brochures, leaflets, etc.

Frequency – is set at every 5 years, but having yearly inspection, in reality is once / year.

Evaluating implementation –

Confidentiality - How do we deal with the requests for confidentiality? What information do we consider as confidential? Are there any criteria developed for declaring information as confidential?

We apply Aarhus Convention criteria.

Public authorities may reject a request for environmental information if the disclosure affects:

- a) the confidentiality of the procedures of the public authorities
- b) the international relations, the public security or the national defense;
- c) the course of justice, the possibility of any person to be the subject of a fair trial or the possibility of a public authority to conduct a criminal or disciplinary investigation;
- d) confidentiality of commercial or industrial information,
- e) intellectual property rights;
- f) the confidentiality of personal data and / or files concerning a natural person, if that person has not consented to the disclosure of the information to the public, when the confidentiality is provided for by the national or Community legislation in force;
- g) the interests or protection of any person who has voluntarily provided the requested information, without that party having a legal obligation or possibly being legally obliged to provide the information, unless that person has consented to the disclosure of that information;
- h) the protection of the environment to which such information refers, such as the location of rare species.

Guidance and tools

If you have any guidance online, please provide the links here.

A model for the public information document has been developed

<https://www.igsu.ro/Resources/Seveso/Model%20informare%20publica.docx>

(Alternatively, documents (e.g., .pdfs) can be shared via the MAHB Minerva Website)