

Format for the Protocol on Pollutant Release and Transfer Registers Implementation Report in accordance with Decision I/5 (ECE/MP.PRTR/2010/2/Add.1)

CERTIFICATION SHEET

The following report is submitted on behalf of

Romania

[name of the Party or the Signatory] in accordance with decision I/5

Name of officer responsible for submitting the national report:	Mrs. Iuliana Maria CHIDU Councillor for European Affairs Directorate for European Affairs and International Relations Ministry of Environment, <u>Water</u> and <u>Forests</u> 12 Liberty Avenue, district 5, Bucharest Romania Phone: +4021 408 96 06 Fax: +4021 316 56 62 Email: iuliana.chidu@mmediu.ro
Signature:	
Date:	

IMPLEMENTATION REPORT

Please provide the following details on the origin of this report.

<i>Party/Signatory</i>	Romania
<i>NATIONAL FOCAL POINT</i>	
Full name of the institution:	Ministry of Environment, Water and Forests
Name and title of officer:	Iuliana Maria CHIDU Councillor for European Affairs
Postal address:	12 Liberty Avenue, district 5, Bucharest Romania, postal code RO-040129
Telephone:	+4021 408 96 06
Fax:	+4021 316 56 62
E-mail:	iuliana.chidu@mmediu.ro
<i>Contact officer for national report (if different):</i>	
Full name of the institution:	Ministry of Environment, Water and Forests

Name and title of officer:	Ana Maria TUDOSE Senior Councillor, Pollution Control and Air Protection Unit
Postal address:	12 Liberty Avenue, district 5, Bucharest Romania, postal code RO-040129
Telephone:	+4021 316 04 21
Fax:	+4021 316 04 21
E-mail:	anamaria.tudose@mmediu.ro

<i>Designated competent authority responsible for managing the national or regional register (if different):</i>	
Full name of the institution:	National Environmental Protection Agency
Name and title of officer:	Sanda Bichir, Senior Councillor
Postal address:	Independence Embankment, no. 294, District 6, Bucharest Romania, Postal Code 060031
Telephone:	+4021 207 11 01
Fax:	+4021 207 11 03
E-mail:	office@anpm.ro; sanda.bichir@anpm.ro

<p>Provide a brief description of the process by which this report has been prepared, including information on which types of public authorities were consulted or contributed to its preparation, how the public was consulted and how the outcome of the public consultation was taken into account and on the material which was used as a basis for preparing the report.</p>
<p><i>Answer:</i></p> <p>First of all we mention that the implementation of the Protocol on Pollutant Release and Transfer Registers (PRTR Protocol) is performed using the administrative structure, the organization and the application of the procedures for implementing Regulation (EC) no 166/2006 of the European Parliament and of the Council concerning the establishment of a European Pollutant Release and Transfer Register and amending Council Directives 91/689/EEC and 96/61/EC (EPRTR Regulation) published in the Official Journal of the European Union no. L33 / 1 of 4 February 2006.</p> <p>Since PRTR Protocol largely overlaps with Regulation (EC) no. 166/2006 it was considered that it is not necessary to develop the legislation and two parallel structures.</p> <p>Therefore the answers to the questionnaire are formulated in terms of issues of Regulation (EC) no. 166/2006.</p> <p>National Environmental Protection Agency (NEPA) according to art. 2(2) of GD no. 140/2008 on establishing of measures to implement the provisions of Regulation (EC) No 166/2006 of the European Parliament and of the Council concerning the establishment of a European Pollutant Release and Transfer Register and amending Council Directives 91/689/EEC and 96/61/EC, published in the Official Journal of Romanian, Part I no. 125 of 18 February 2008 is the competent authority designated to centralize and set up data bases and additional information as well to elaborate preliminary report at national level in order to elaborate National Pollutant Release and Transfer Register (PRTR National Register). As well, NEPA administers the internet page allocated to the Register.</p> <p>Ministry of Environment and Climate Changes is the central environment authority for environmental protection with responsibilities in elaborating of environmental legislation projects and ensuring harmonization of national environmental legislation with the environmental acquis of the European Union and international requirements according to provisions of Government Decision no. 48/2013 on the organization and functioning of the Ministry of Environment and Climate Changes (MECC), published in the Official Journal of Romania, Part I no. 103 of 20 February 2013.</p> <p>Ministry of Environment and Climate Changes according to the provisions of Government Decision no. 48/2013 coordinate elaborating and sending to European Union Institutions of database and information as well as reports registered in National Pollutant Release and Transfer Register (PRTR National Register).</p> <p>In the present, the central public authority for environmental protection is the Ministry of</p>

Environment, Water and Forests which according to the provisions of Government Decision no. 38/2015 on the organization and functioning of the Ministry of Environment, Water and Forests, published in the Official Journal of Romania, Part I no. 58 of 23 January 2015 has duties in elaborating of legislation projects in the environmental field, as well as ensuring the harmonization of national environmental legislation with the environmental acquis of the European Union and the requirements at European and international level as well as on coordinating and monitoring the implementation of European and national legislation on environmental protection.

National Environmental Protection Agency is environmental authority with competences to implement at national level of environmental protection legislation according to the Government Decision no. 1000/2012 on the reorganization and functioning of the National Environmental Protection Agency and public institutions subordinated to it, published in the Official Journal of Romania, Part I no. 729 of 29 October 2012.

PRTR National Register is available to public on internet page of NEPA at address: <http://prtr.anpm.ro/> and includes a special section named "Public opinion". Through this, the general public has the possibility to put questions about the national PRTR and express their views, as well as sending suggestions to develop or to amend the national or European registers. This internet page contains explanations regarding to the importance of dialog with the public concerned on the development of both registers. The internet page also enables the general public to establish a dialog by email with the members of the E-PRTR team from the National Environmental Protection Agency. These relevant opinions of the public are taken into consideration at future developing of PRTR National Register. Concerning the proposals on development of the register at European Union level, these are analyzed by competent authorities involved and are forwarded to European Commission officials through MEWF.

Up to the present the general public has not expressed any views on this subject.

On the internet page of the Ministry of Environment, Water and Forests on the section "Public Consultation Announcements " was published "Romanian Report for the session of the Meeting of the Parties to the Protocol on Pollutant Release and Transfer Register, adopted in Kiev on 21 May 2003 and signed by Romania in Kiev on 21 May 2003 to the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters, signed in Aarhus on 25 June 1998" in order to be consulted by the interested public regarding the data and information contained in the report.

In the period 1 September - 31 October 2013, the interested public was invited to express their suggestions and comments regarding Romania's Report for the session of the Meeting of the Parties to the Protocol on Pollutant Release and Transfer Register, 2014 but the MMSC was not received any, proposals or comments.

Articles 3, 4 and 5

List legislative, regulatory and other measures that implement the general provisions in articles 3 (general provisions), 4 (core elements of a pollutant release and transfer register system (PRTR)) and 5 (design and structure).
In particular, describe:
(a) With respect to article 3, paragraph 1 , measures taken to ensure the implementation of the provisions of the Protocol, including enforcement measures;
(b) With respect to article 3, paragraph 2 , measures taken to introduce a more extensive or more publicly accessible PRTR than required by the Protocol;
(c) With respect to article 3, paragraph 3 , measures taken to require that employees of a facility and members of the public who report a violation by a facility of national laws implementing this Protocol to public authorities are not penalized, persecuted or harassed for their actions in reporting the violation;

(d) With respect to **article 3, paragraph 5**, whether the PRTR system has been integrated into other reporting mechanisms and, if such integration has been undertaken, into which systems. Did such integration lead to elimination of duplicative reporting? Were any special challenges encountered or overcome in undertaking the integration, and how?

(e) With respect to **article 5, paragraph 1**, how releases and transfers can be searched and identified according to the parameters listed in subparagraphs (a) to (f);

(f) With respect to **article 5, paragraph 4**, provide the Universal Resource Locator (url) or Internet address where the register can be continuously and immediately accessed, or other electronic means with equivalent effect;

(g) With respect to **article 5, paragraphs 5 and 6**, provide information on links from the Party's register to relevant existing, publicly accessible databases on subject matters related to environmental protection, if any, and a link to PRTRs of other Parties.

Answer:

Romania, as European Union Member State has implemented at national level Pollutant Release and Transfer Register in accordance with the provisions of Regulation (EC) no. 166/2006 of the European Parliament and of the Council concerning the establishment of a European Pollutant Release and Transfer Register and amending Council Directives 91/689/EEC and 96/61/EC (E-PRTR Regulation).

At the national level, has been promoted the Government Decision no. 140/2008 which establishes the institutional framework for the direct application of Regulation (EC) No 166/2006 of The European Parliament and of the Council of 18 January 2006 concerning the establishment of a European Pollutant Release and Transfer Register and amending Council Directives 91/689/EEC and 96/61/EC, published in the Official Journal of the European Union no. L33 / 1 of 4 February 2006.

The Protocol on Pollutant Release and Transfer Register was ratified by Romania by Law no 112/2009 for the ratification of the Protocol on Pollutant Release and Transfer Register, adopted in Kiev on 21 May 2003 and signed by Romania in Kiev on 21 May 2003 to the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters signed in Aarhus on 25th June 1998, published in Official Journal of Romania, Part I no. 339 of 21/05/2009.

a) In Romania reporting on Pollutant Release and Transfer Register is realized according to provisions GD no. 140/2008 on establishing of measures to implement the provisions of Regulation (EC) No 166/2006 of the European Parliament and of the Council concerning the establishment of a European Pollutant Release and Transfer Register and amending Council Directives 91/689/EEC and 96/61/EC, published in published in the Official Journal of Romanian, Part I no. 125 of 18 February 2008, decision that establishes the institutional framework necessary for the direct application of the E-PRTR Regulation.

Enforcement measures to ensure the application of E-PRTR Regulation:

In accordance with art. 20 of the E-PRTR, Romania established through art. 4-6 of GD No. 140/2008 the rules on penalties which are applicable to the infringements of the E-PRTR Regulation obligations as well as the rules on ensuring the implementation of this Regulation.

Up to the present there were no breaches by operators on reporting obligations or E-PRTR reporting format and have not applied penalties or other enforcement measures. In addition operators cooperated with authorities for environmental protection in all actions taken to correctly implementation of the E-PRTR Regulation.

b) Public access to the PRTR National Register is achieved mainly through the internet page at: <http://prtr.anpm.ro/>.

The address of PRTR Register is published on the websites of all territory agencies for environmental protection and its establishment was announced on the websites of the environmental protection authorities. Also on this internet pages, including on the National Environmental Protection Agency site there is a banner that allows direct entry into the PRTR National Register. PRTR National Register was released on February 2010. The average monthly number of visitors recorded up to the level of 2014 was approx. 1735, and in the present is approx. 1845.

c) In Romania there were no received complaints to the environmental competent authorities from the employees of a facility or from the members of the public through which anybody reported that was penalized, persecuted or harassed in any way for his actions on reporting of infringements of the provisions E-PRTR Regulation.

Ordinance no. 27/2002 on regulating the settlement of complaints, as amended and supplemented, published in Official Journal no. 84 on 01/02/2002, regulating the mode of exercising by the citizens to the right to petition public authorities and institutions formulated in own name as well as on the mode in which are solved these. By Ordinance no. 27/2002 it was recognized the right of petition to the legally constituted organizations, they can make complaints on behalf of the bodies they represent.

d). In present The National Environmental Protection Agency is finalizing the construction of an Environment Integrated System (SIM) that will include PRTR database developed with all facilities (website specifically dedicated, online reporting tool specially for the operators, validation tools, providing access to other institutions involved in validation). Such integration will facilitate interoperability between the data reported in the National Register PRTR and other reports made according to reporting obligations of Romania to the European Commission. At the level 2016 year will be elaborate a register with emission data for 2015 and will be the fourth year of the E-PRTR reporting in this Environment Integrated System.

e) When was designed the internet page, the search key words set out in Article 4 of Regulation (EC) No 166/2006 were used, as well as those stipulated at the art 5, paragraph 1 of PRTR Protocol. So that for each annual dataset is possible to identify the information in the following ways:

- search for “industrial facility” by: reference year, name of the facility plant, town, region, River basin district, pollutant activity, release into water, transfer in water, transfer of waste;
- search for ‘industrial facility plant’ by: activity, release of pollutants, transfer of pollutants, transfer of waste;
- search on map by: region, county, activity, River basin district, release to air, release to water, transfer of non hazardous waste, respectively hazardous inland or outside country;
- search for summarized data at national level by: releases of pollutants, transfer of pollutants, transfer of waste.

f) Address of the website from that can be accessed National Register PRTR is <http://prtr.anpm.ro/>.
On the internet general page of the National Agency for Environmental Protection which can be accessed at <http://www.anpm.ro/> is a banner that can link directly the PRTR National Register.

Article 7

List legislative, regulatory and other measures that implement article 7 (reporting requirements).
Describe or identify as appropriate:
(a) With respect to paragraph 1 , whether the reporting requirements of paragraph 1 (a) are required by the national system, or whether those of paragraph 1 (b) are required by the national system;
(b) With respect to paragraphs 1, 2 and 5 , whether it is the owner of each individual facility that is required to fulfil the reporting requirements or whether it is the operator;
(c) With respect to paragraph 1 and annex I , any difference between the list of activities for which reporting is required under the Protocol, or their associated thresholds, and the list of activities and associated thresholds for which reporting is required under the national PRTR system;
(d) With respect to paragraph 1 and annex II , any difference between the

list of pollutants for which reporting is required under the Protocol, or their associated thresholds, and the list of pollutants and associated thresholds for which reporting is required under the national PRTR system;
(e) With respect to paragraph 3 and annex II , whether for any particular pollutant or pollutants listed in annex II of the Protocol, the Party applies a type of threshold other than the one referred to in the responses to paragraph (a) above and, if so, why;
(f) With respect to paragraph 4 , the competent authority designated to collect the information on releases of pollutants from diffuse sources specified in paragraphs 7 and 8;
(g) With respect to paragraphs 5 and 6 , any differences between the scope of information to be provided by owners or operators under the Protocol and the information required under the national PRTR system, and whether the national system is based on pollutant-specific (paragraph 5 (d) (i)) or waste-specific (paragraph 5 (d) (ii)) reporting of transfers;
(h) With respect to paragraphs 4 and 7 , where diffuse sources have been included in the register, which diffuse sources have been included and how these can be searched and identified by users, in an adequate spatial disaggregation; or where they have not been included, provide information on measures to initiate reporting on diffuse sources;
(i) With respect to paragraph 8 , the types of methodology used to derive the information on diffuse sources.
<p>Answer:</p> <p>a) The reporting procedure under PRTR Protocol provisions and those of PRTR Regulation is only one. The reporting requirements of art. 7 of PRTR Protocol are included in the requirements of art. 5 of PRTR Regulation. The operators are responsible for proper fill in of the reporting questionnaires and they send them to the competent authority as is stipulate by art. 3 of GD no. 140/2008.</p> <p>b) In Romania the reporting under E-PRTR Regulation is realized by the operator of each facility, information reported are assimilated by the owner of the site (which in all cases is the parent company).</p> <p>c) The provisions of the PRTR Protocol and E-PRTR Regulation are applied in Romania taking in consideration the list of activities and capacity thresholds set out in Annex 1 of the Regulation no. 166/2006.</p> <p>The EPRTR Regulation establishes an integrated register of pollutant release and transfer at Community level (hereinafter ‘the European PRTR-EPRTR’) in the form of a publicly accessible electronic database and lays down rules for its functioning, in order to implement the UNECE Protocol on Pollutant Release and Transfer Registers and facilitate public participation in environmental decision-making, as well as contributing to the prevention and reduction of pollution of the environment.</p> <p>The register EPRTR contains annually data reported by <i>facilities</i> covering <i>65 economic activities</i> within the following <i>9 industrial sectors</i>:</p> <ul style="list-style-type: none"> • energy; • production and processing of metals; • mineral industry; • chemical industry; • waste and waste water management; • paper and wood production and processing; • intensive livestock production and aquaculture; • animal and vegetable products from the food and beverage sector, and • other activities.

d) Romania take in consideration the list of pollutants and their associated thresholds as indicated in Annex 1 of the E-PRTR Regulation in elaborating the PRTR National Register. E-PRTR Register includes however more substances than PRTR Protocol, to take account of European legislation in the field of water and persistent organic pollutants. In addition, the dates specified in this Regulation for notification of information are shorter than those established in PRTR Protocol.

Data is provided in the EPRTR register for *91 pollutants* falling under the following 7 groups:

- greenhouse gases;
- other gases;
- heavy metals;
- pesticides;
- chlorinated organic substances;
- other organic substances;
- inorganic substances.

The EC Regulation goes beyond the PRTR Protocol by requiring the reporting on 5 additional pollutants (Octylphenols and Octylphenol ethoxylates, Fluoranthene, Isodrin, Hexabromobiphenyl, Benzo(g,h,i)perylene) and imposing more stringent thresholds for another 6 pollutants; PCDD (dioxins), PCDF (furans), tetrachloroethylene, tetrachloromethane, trichlorobenzene, trichloroethylene and trichloromethane.

e) E-PRTR Regulation is directly applicable in its entirety throughout the European Union. So Romania does not apply other thresholds for pollutants listed in Annex II of the E-PRTR Regulation.

There are some other differences of the E-PRTR Regulation compared to the PRTR Protocol:

- The thresholds for off-site transfers of waste water defined in the E-PRTR Regulation are for a large number of pollutants more stringent compared to the thresholds in the PRTR Protocol.
- The Protocol includes two different approaches to define the facility scope; capacity thresholds or employee thresholds. In the E-PRTR Regulation the capacity threshold approach was chosen.
- For waste transfers, the Protocol provides two different approaches to define the threshold above which waste transfers have to be reported: total amounts of waste transferred or total amounts of a specific pollutant transferred in the waste. In E-PRTR the mass based approach (threshold based on the total amount of waste transferred) has been chosen.

f) In Romania the authority with responsibilities to collect information on releases of pollutants from diffuse sources is the NEPA.

g) In Romania the operators must comply with the format for the reporting provided by the E-PRTR Regulation and is mandatory to report the following information about the facility according to the provisions of art. 3 of GD no. 140/2008:

g₁) name, address, geographical location and the activity or activities that the owner or operator shall report the name and, if applicable, the parent company;

g₂) the name and identification number of each pollutant required to be reported pursuant to paragraph 2;

g₃) the amount of each pollutant released into the environment required to be reported by the facility in the reporting year, indicating both the total emission and the quantity in air, water and soil, including injections in underground.

h) The diffuse sources have not yet been included in the PRTR National Register. At European level, in 2010, was started a project to represent the air emissions from diffuse sources as defined by Regulation E-PRTR. At the meeting of the support organized by the European Commission on 22-23 October 2010 it was proposed the working methodology and it was presented by the experts from the University of Stuttgart as well the first

simulation results for the 2007 data. Romania participates in the exchange of information regarding that subject and will apply the procedures which will be adopted at EU level in this field.

i) The project above uses data from national reports (CLRTAP and INEGES) and E-PRTR in a procedure / methodology for selecting the values assigned to the diffuse sources and a series of statistics data from EUROSTAT for the calibration which is afferent every country. The results were represented at the regional level in GIS system with layers for the pollutants concerned (CO, NO_x, SO₂, PM₁₀ and NH₃), afferent the categories of sources, according to the definition industry, road transport, internal and foreign shipping residential heating).

In the present Romania is considering the specific provisions from "Guidance Document for European PRTR implementation".

Article 8

For each reporting cycle since the last national implementation report (or date of entry into force of the Protocol), please indicate:

- (a) The reporting year (the calendar year to which the reported information relates);
- (b) The deadline(s) by which the owners or operators of facilities were required to report to the competent authority;
- (c) The date by which the information was required to be publicly accessible on the register, having regard to the requirements of **article 8** (reporting cycle);
- (d) Whether the various deadlines for reporting by facilities and for having the information publicly accessible on the register were met in practice; and if they were delayed, the reasons for this;
- (e) Whether methods of electronic reporting were used to facilitate the incorporation of the information required in the national register, and if such methods were used, the proportion of electronic reporting by facilities and any software applications used to support such reporting.

Answer:

a) Up to the present according to Regulation no 166/2006, Romania sent the data collections for the years 2007 - 2014 to European Environment Agency, which were included in the E-PRTR European Register.

b) In accordance with art. 3, paragraph 2 letter a-c of the Government Decision 140/2008, the following deadlines were set for operators to submit to the competent authorities their individual reports:

- a) 31 May 2008 – for the first reporting year (2007);
- b) 30 April 2009 – for the second reporting year (2008);
- c) 30 April n+1 – for the following reporting years, where n = reporting year, 2009, 2010, 2011, 2012, 2013, 2014.

All operators have been complying with reporting deadlines for sending to the competent authorities of individual reports.

c) The information reported are included in the PRTR National Register and are available to the public 3 months later than the reporting deadline established according to PRTR Regulation, in compliance with art. 8 of PRTR Protocol.

d) In Romania there were no cases of different reporting periods or postponement of deadlines for reporting by facilities, therefore no regarding the public accessibility of such information in the PRTR National Register.

e) For the database collections for the years 2010 and 2011, all operators registered in the

PRTR National Register reported data / information in electronically system. At that moment, at national level the online reporting tool for operators was created. This platform has been built in the client - server system and was accessed at address: <http://selfprtr.anpm.ro> with "user and password" generated and sent by NEPA to the users (operators and competent authorities involved in the validation of the data).

In early 2013 reporting platform for operators it was included in the Environmental Integrated System, accessible currently by the economic operators at the following address <https://raportare.anpm.ro>. At the ending of the project, such integration will lead to an easier interoperability between data reported under PRTR Register and other reports made in accordance with the reporting obligations of Romania to the European Commission.

The stage for data loading on the platform designed to the operators and validation of them at local level will be completed as soon as possible.

Article 9

Describe the legislative, regulatory and other measures ensuring the collection of data and the keeping of records, and establishing the types of methodologies used in gathering the information on releases and transfers, in accordance with article 9 (data collection and record-keeping).

Answer:

At national level, Government Decision No 140/2008 at art. 3 paragraph 1, letter c) lays down specific provisions in order to assure quality of the date reported, for implementing Article 5 of Regulation (EC) No 166/2006.

Through article 3(1) of GD no. 140/2008 the operators of each facility that undertakes one or more of the activities specified in Annex I of Regulation EPTR and which comply the criteria set up at art. 5 from that have obligation to assure the quality of the information and keep the records of the data from which the reported information were derived, according to art. 5 paragraph 5 to the EPTR Regulation.

Also, through the regulatory acts operators have obligation to keep records of the data from which were derived the information reported for a period of 5 years from the end of the reporting year considered. Therefore are stipulated in the permit / integrated permits, conditions on the data collection and keep records, at the chapter "Reporting to the competent authority".

Article 10

Describe the rules, procedures and mechanisms ensuring the quality of the data contained in the national PRTR and what these revealed about the quality of data reported, having regard to the requirements of article 10 (quality assessment).

Answer:

According to art. 3. paragraph 1, letter b to GD no. 140/2008, the operators that undertake one or more of the activities specified in Annex I of EPTR Regulation and which are subject to the reporting requirements set out in Article 5 of this have obligation to assure the quality of the information presented in the report submitted under the provisions of art. 9 paragraph (1) of the E-PRTR Regulation.

The data quality assurance is required by the conditions of the permit / integrated environmental permit to specific chapters on monitoring of industrial activities for emissions into air, water, soil and waste management. The results of this self-monitoring are included in the annual environmental report. Reports are submitted to the competent authorities for environmental protection. Also in order to verify if the conditions of the permit are complied, there are undertaken inspections by the representatives of the National Environmental Guard which is authority inspection and enforcement in Romania of the national legislation which is harmonized with European Union legislation in the field environmental protection.

The data from individual PRTR reports of the operators are compared by the local environmental agencies with environmental data from the annual reports. If there are found discrepancies, the operators are informed and is required a review about the data submitted in order to improve the quality and completeness, consistency and credibility of their report.

The assessment of the quality of the EPRTR data is a stepwise process that took place up to the present at 3 levels: local, regional and national levels.

From 2012 until the present, the assessment of the quality of the EPRTR data is a stepwise process that took place at 2 levels: local and national levels.

Data analysis has in view the fulfilling of the consistency, credibility and completeness of the information provided by each facility, the main source "of data quality in the context of the reported values in the range 2007 - 2014 and by comparison with other national reports for air, water and waste.

The assessment of the correctness and consistency of the data presented in the individual reports drawn up by operators is carried out at national level for each site, taking account of aspects of the particular economic and geographic situation of the location in question. For the evaluation of the correct application of the reporting methodology, a cross check is carried out with the national register of IPPC facilities, checking the reliability of the data in accordance with the conditions laid down in integrated environmental permits or environmental permits.

National totals, structured by the total quantity of pollutants released, aggregated for both air and water, both and by the type of PRTR activity (in accordance with Annex I to Regulation (EC) No 166/2006), were validated through comparison between:

- the national inventory of emissions of air pollutants (CLRTAP);
- the inventory of greenhouse gases (INEGES);
- the inventory of emissions of NO_x, SO_x and dust from large combustion plants (LCP);
- the collection of data from EU-ETS;
- the inventory of the quantities of pollutants discharged in wastewater into natural receptors.

Article 11

Describe the way(s) in which public access to the information contained in the register is facilitated, having regard to the requirements of article 11 (public access to information).

Answer:

Requesting and providing of environmental information it is realized according with the applicable national legislation in force:

- Law no. 86/2000 ratifying the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters, signed in Aarhus on 25 June 1998, published in Official Journal no. 224 of 05.22.2000;
- Government Decision no 878/2009 on public access to environmental information, published in Official Journal no. 760 of 22/08/2005, transpose the provisions of **Directive 2003/4/EC of the European Parliament and Of the Council on public access to environmental information and repealing Council Directive 90/313/EEC** published in the Official Journal of the Directive no. 90/313/EEC;

- Law no. 544/2001 regarding free access to public interest information, as amended, published in Official Journal, Part I no. 663 on 23/10/2001;
- Government Decision no. 123/2002 approving the Methodological Norms for applying Law no. 544/2001 regarding free access to public interest information, as amended published in Official Journal no. 167 of 08/03/2002;
- Order of the Minister of Waters and Environmental Protection no. 1182/2002 approving the methodology for managing and providing environmental information held by public authorities for environmental protection, published in Official Journal no. 331 of 15/05/2003.

Romania provides public access to information held in the National PRTR and this information is easily accessible and free. PRTR National register is accessible at the following address: [http://prtr.anpm.ro./](http://prtr.anpm.ro/)

Article 12

Where any information on the register is kept confidential, give an indication of the types of information that may be withheld and the frequency with which it is withheld, having regard to the requirements of article 12 (confidentiality). Please provide comments on practical experience and challenges encountered with respect to dealing with confidentiality claims, in particular with respect to the requirements set out in paragraph 2.

Answer:

In Romania, granting of the confidentiality was made in compliance with art. 4 of Directive 2003/4/EC on public access to environmental information and repealing Council Directive 90/313/EEC transposed into national legislation by Government Decision no. 878/2005 on public access to environmental information, published in Official Journal no. 760 of 22/08/2005

The data types for which has been requested and granted confidentiality :

- Data on the operator (parent company name, the name of the facility);
- The quantities of hazardous and non-hazardous waste transferred off-site in the country.

Many industrial complexes have requested confidentiality for the information which has been reported only on a voluntary basis (production, total hours, and number of employees). These have been derogated taking in consideration the specific of the volunteer.

The main reasons invocated by the operators and documented were based on:

- Mother company policies on the protection of legitimate economic interests (commercial or industrial) (Article 4 (2) d) of Directive 2003/4/EC);
- Invocation of intellectual property rights (Article 4 (2) e) of Directive 2003/4/EC);
- Invocation of personal data about natural person (Article 4 (2) f) of Directive 2003/4/EC).

Article 13

Describe the opportunities for public participation in the development of the national PRTR system, in accordance with article 13 (public participation in the development of national pollutant release and transfer registers), and any relevant experience with public participation in the development of the system.

Answer:

PRTR National Register is available to public at [http://prtr.anpm.ro./](http://prtr.anpm.ro/) address and includes a special section named "Public opinion". Through this, the general public has the possibility to put questions about the national PRTR and express their views, as well as sending suggestions to develop or amend the National or European Registers.

After finalizing the Environment Integrated System, PRTR National Register will be

included in the new interface external GIS (Geographic Information System) which can be accessed at the following address: <http://atlas.anpm.ro/>.

Article 14

Describe the review procedure established by law to which all individuals have access if they consider that their request for information has been ignored, wrongfully refused or otherwise not dealt with in accordance with the provisions of article 14 (access to justice), and any use made of it.

Answer:

The requests for information contained in the PRTR National Register were not ignored, wrongfully refused (whether in full or in part), and all information are easily accessible and are free of charge and are available at any time.

Government Decision no. 878/2005 on public access to environmental information, published in Official Journal, Part I no. 760 of 22/08/2005 provides review procedure established by law:

“art. 16. – (1) Any applicant who considers that his request for information on environment has been ignored, wrongfully refused (whether in full or in part), inadequately answered or otherwise not dealt with in accordance with the provisions of Articles 3-8, art. 11-15 and of art. 29-31, can submit a previous complaint to the head of public authorities, requesting reconsideration of acts or omissions.”

(2) Preliminary complaint under par. (1) is solved according to the provisions of art. 7 of the Law no. 554/2004 on administrative litigation, published in Official Journal of Romania, Part I, no. 1154 of 7 December 2004.

(3) Preliminary administrative complaint stipulated at paragraph (1) is free of charge.

art. 17. - (1) An applicant who, as a result of the application of Art. 16 paragraph (1) maintain the impairment of a his right stipulated by present decision or which has not received a response to his preliminary complaint to the term set may apply to the competent administrative court, where they are considered acts or omissions of the public authority concerned.

(2) The decision shall be taken in accordance with the provisions of Law no. 554/2004.

art. 18. - According to Law no. 554/2004, may apply to the competent administrative court and a third person impairment in a right or a legitimate interest as a result of the provision of environmental information.

art. 19. - (1) Final and irrevocable judgments through have allowable the action formulated under the provisions of Law no. 554/2004 is enforceable against the public authority holds environmental information.

(2) The decisions of the courts shall be in writing and shall be justified in fact and in law. "

Article 15

Describe how the Party has promoted public awareness of its PRTR and provide detail, in accordance with article 15 (capacity-building), on:

(a) Efforts to provide adequate capacity-building for and guidance to public authorities and bodies to assist them in carrying out their duties under the Protocol;

(b) Assistance and guidance to the public in accessing the national register and in understanding the use of the information contained in it.

Answer:

PRTR National Register is accessible at <http://prtr.anpm.ro/> page and includes a special section named "Public opinion". Through this, the general public has the possibility to put

questions about the national PRTR and express their views, as well as sending suggestions to the environmental competent authority to develop or amend the national or European registers.

This internet page contains explanations regarding to the importance of dialog with the public concerned on the development of both registers, PRTR and EPRTR. The internet page also enables the general public to establish a dialog by email with the members of the E-PRTR team with responsibilities at national level (National Environmental Protection Agency) on implementing of the provisions EPRTR Regulation.

These relevant opinions of the public are taken into consideration at future developing of PRTR National Register.

Concerning the proposals the public on development of the register at European Union level will be forwarded by Romania to the European Commission officials who are involved in EPRTR Regulation.

Up to the present the general public has not expressed any views on future developing of PRTR Register and EPRTR Register.

In order to prevent situations in which the public does not have its own means of accessing the Internet at the National Agency for Environmental Protection and local environmental agencies there are the electronically information points that enables the public to access environmental information, including information from the PRTR National Register and EPRTR European Register.

After finalizing the Environment Integrated System, PRTR National Register will be included in the new interface external GIS (Geographic Information System) which can be accessed at the following address: <http://atlas.anpm.ro/>.

The environmental competent authorities support the operators and industry for that they provide data of appropriate quality to ensure that information is complete, consistent and credible.

On the website of the National Agency for Environmental Protection there is a special section called "FAQ - Frequently Asked Questions" designed to provide answers to frequently asked questions on the National Register PRTR.

In the framework of working meetings which aimed at applying the provisions on industrial emissions are promoted both the Regulation E-PRTR and the PRTR Protocol for the development and good knowledge of their requirements.

Article 16

Describe how the Party has cooperated and assisted other Parties and encouraged cooperation among relevant international organizations, as appropriate, in particular:

(a) In international actions in support of the objectives of this Protocol, in accordance with **paragraph 1 (a)**;

(b) On the basis of mutual agreements between the Parties concerned, in implementing national systems in pursuance of this Protocol, in accordance with **paragraph 1 (b)**;

(c) In sharing information under this Protocol on releases and transfers within border areas, in accordance with **paragraph 1 (c)**;

(d) In sharing information under this Protocol concerning transfers among Parties, in accordance with **paragraph 1 (d)**;

(e) Through the provision of technical assistance to Parties that are developing countries and Parties with economies in transition in matters relating to this Protocol, in accordance with **paragraph 2 (c)**.

Answer:

- c) National Register PTR is available on the website <http://prtr.anpm.ro/>, for the all public authorities and for the public.
- e) Participation with the experts who approached PRTR Protocol in twinning project between Austria, Finland, Romania in Turkey, Twining in the field environmental protection on emission controls 3-7 October 2011.

Provide any further comments relevant to the Party's implementation, or in the case of Signatories, preparation for implementation, of the Protocol. Parties and Signatories are invited to identify any challenges or obstacles encountered in setting up, gathering data for and filling in the register.

Answer:

Not the case