



МИНИСТЕРСТВО НА ОКОЛНАТА СРЕДА И ВОДИТЕ

**Example of cooperation between national competent authorities responsible for chemicals management and industrial accident prevention, preparedness and response in Bulgaria**

## Content

- National legislator
- Competent authorities
- Procedure
- Information tools
- Mutual assistance and cooperation

## Legal basis

### I) Transposition acts for Seveso III and TEIA:

- Environmental Protection Act
- Ordinance on the major accident prevention, preparedness and response

### II) National measures for implementation and enforcement of REACH and CLP Regulations

- Protection from the Harmful Impact of the Chemical Substances and Mixtures Act (Chemicals Act)
- Ordinance on the safe storage of chemicals

## REACH and CLP competent authority:

- the *Minister of Environment and Water* (MoEW) is designated as a national competent authority (Chemicals Act, Art. 21);
- Responsible unit: Hazardous Chemicals Department, Preventive Activities Directorate;
- authorised to perform *substance evaluation* (screening of potential candidates for CoRAP and SVHC) and propose, where necessary, national or EU-wide *risk management measures under REACH and CLP*: Expert Council for Substance Evaluation under the MoEW
- *National REACH and CLP Helpdesk (Seveso also covered)*-capacity building for classification and labelling of chemicals;
- Access to data in the European Chemicals Agency's databases;

- Consultation and cooperation with the *national body* responsible for receiving information related to *emergency health response* under *CLP* (Toxicological Clinic of the University Multiprofile Hospital for Active Treatment and Emergency Medicine) under the Ministry of Health
- Cooperation between the national enforcing authorities (environment, health and labour inspectorates);
- Interlinks and exchange of information on the risk assessments performed under the different pieces of legislation (environment, occupational exposure);

***Cooperation and coordination among the competent authorities:***

- ✓ Standing Committee for coordinated implementation of REACH under the MoEW (mandate extended in terms of CLP), Ministerial Order, 2009
- ✓ REACH (and CLP) Enforcement Strategy, MoEW Order, ongoing interservice consultation
- ✓ Cooperation with Customs Authorities in relation to the hazardous substances subject to ***authorisation*** or ***restriction*** (Memorandum of Understanding, access to the Customs database);

### **Seveso/TEIA competent authority:**

- the Minister of Environment and Water (MoEW) is designated as a national competent authority (Environmental Protection Act, Art. 111);
- Responsible unit: Hazardous Chemicals Department, Preventive Activities Directorate;
- coordinates the activities for implementation and enforcement of Seveso III and TEIA Convention;
- validates notifications of the lower- and upper-tier establishments and reports in eSPIRS;
- maintains e-register with Seveso establishments; e-SPIRS and e-MARS reporting;
- use the relevant data available under REACH, CLP, IED, EIA, SEA, Environmental Liability Directive, etc. for the proper (re-)classification of the establishments and assessment of the safety measures of the operators;

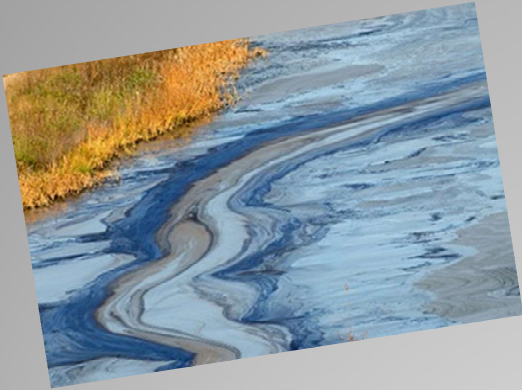
## POLICY FOR IMPLEMENTATION OF THE CONVENTION

- ❑ The operators of the Seveso establishments are obliged to take all the necessary measures for prevention of major accidents and for the limitations of the negative effects thereof.
- ❑ Lower tier sites should demonstrate this with the preparation and implementation of a Major accident policy that is put into effect by the means of a Safety management system. A Major accident policy report, which contains a description of the Major accident policy and the Safety management system, has to be submitted to the Regional inspectorates for environment and water for the purposes of the enforcement.
- ❑ Upper tier sites have to submit for formal assessment and approval a safety report, which contains a description of the Major accident policy and the Safety management system, as well as a description of the environment, site and accident risk analysis thereof. The risk analysis describes the geographical area that might be affected in case of a major accident, taking into account the worst possible scenarios.
- ❑ The upper tier site operators have to prepare and implement an internal emergency plan and consult it with the local authorities when the latter prepare an external emergency plan.



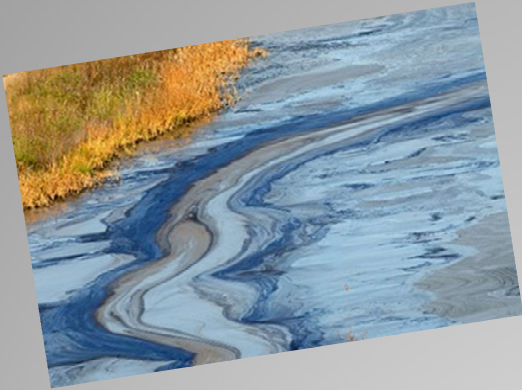
## POLICY FOR IMPLEMENTATION OF THE CONVENTION

- ❑ According to the recent amendments of the Environmental Protection Act in terms of Seveso III transposition, in force as for 14<sup>th</sup> of August 2015, the responsibilities for the assessment and approval of the new and updated safety reports for the upper tier establishments has been handed over to the Executive Environmental Agency (ExEA). ExEA is an administration with the Minister of Environment and Water to carry out management, coordination and information functions as regards the control and environmental protection in Bulgaria.
- ❑ There are also numerous regulations that are dealing with the technical elements of the major accident prevention of, preparedness for and response to industrial accidents, such as the regulation for personal and collective protection, regulation on the firefighting and accident safety building standards, regulation on the fire and accident safety, regulations for high pressure equipment, regulation on safe storage of hazardous chemicals, regulations on occupational health and safety, etc.
- ❑ The authorities are closely cooperating in the assessment of the documentation provided by the operators and are performing joint inspections on hazardous sites (at least one annual inspection for top tier sites).
- ❑ Accidents with transboundary effects have not occurred and the level of compliance of the operators as a whole is assessed to be satisfactory.



## Prevention of industrial accidents

- It is implemented by a Safety management system that includes detailed measures for major accident prevention, incl. organisational, technical and management aspects. The safety management system is consistent with the requirements of Annex IV of the Convention.
- The prevention measures as defined in the national legislation and implemented by the industry are adequate and deliver the intended results.
- According to the national legislation, all industrial activities that are within the scope of Seveso Directive have to have internal emergency plans. The upper tier establishments have to submit information needed for the preparation of an external emergency plans, which are prepared by the local authorities as a part of the general disaster and accident emergency plan of the municipality.
- The emergency plans are drafted with respect to the risk analysis results. Risk analysis is required for issuing a permit for upper tier sites.



## Prevention of industrial accidents

- Emergency plans of the operators are checked by enforcement authorities during planned joint inspections of establishments. Operators cooperate and submit information when authorities are drafting external emergency plans.
- According to the national legislation, emergency plans for upper tier sites are reviewed and updated at least within 3 years or prior significant modifications within the establishment. They are tested once per year.
- There is a good cooperation in accident response measures with all neighbouring countries. Bilateral and EU wide mechanisms for notification and support are utilised.
- In case of accident in all establishments within the scope of Seveso Directive the operator is obliged to inform the operational communication-information center and the local authority.

## **Identification and notification of hazardous activities with the potential to cause transboundary effects**

- ❖ The potential for transboundary effects is evaluated based on the risk analysis performed by the operators of the upper tier sites and submitted as a part of the safety reports. The risk analysis adequacy and credibility is evaluated by the competent authorities.
- ❖ As a result of the latest assessment of the safety reports submitted by the operators of the upper tier sites, no hazardous activities with possible transboundary effects have been identified.
- ❖ Extensive risk analysis has been undertaken for upper tier sites by the operators and evaluated by the competent authorities. As a result of the process no sites with transboundary affect potential have been identified. A number of sites have decreased the quantities of the hazardous substances present and others have substituted hazardous substances with less hazardous ones.
- ❖ The identification of the hazardous activities is thought to be successful. It is based on the documents submitted by the operator, the risk analysis studies performed by them and on the facts elicited during internal multidisciplinary team inspection.
- ❖ According to the national legislation, siting of hazardous activities and major developments nearby such activities is controlled by the ministry of environment and water by the means of a permitting system for seveso upper tier sites and by approval of local land use plans.
- ❖ Transboundary issues are taken into account when assessing the seveso reports, submitted by the operators.

## MUTUAL ASSISTANCE

- ✓ In 1996 the government of the Republic of Bulgaria and Republic of Romania signed a cooperation agreement in the field of civil protection in peacetime.

According to the bilateral Bulgarian-Romanian cooperation agreement in case of emergency the Bulgarian Ministry of the Interior notifies directly the Romanian General Inspectorate for emergency situations and vice versa.

- ✓ In 2012 the Governments of the Republic of Bulgaria and Republic of Turkey signed a cooperation agreement in the field of emergency situations prevention, preparedness and response.

According to the bilateral Bulgarian-Turkish cooperation agreement in case of emergency the Bulgarian Ministry of the Interior notifies directly the Disaster and Emergency Management Presidency of Turkey and vice versa. Turkey is not a party to the Convention.

## MUTUAL ASSISTANCE

- ✓ Emergency situation assistance may be rendered by means of sending rescue teams and/or experts, as well as by means of providing relief supplies for the needs of the victims as in the request is stated the type, the scale, the location, the time and the current situation of the emergency situation in the country requesting assistance, information for the taken actions and the planned actions for managing the emergency situation; types and priorities of assistance required by rescue teams and/or experts, equipment and means of support.
- ✓ In emergency situations, the request may be addressed orally, only if a written confirmation is sent within a 24 hour period.
- ✓ The Contracting Party to which the request is directed responds to the request in accordance with its available means and in compliance with its national legislation.



## PARTICIPATION OF THE PUBLIC

- ✓ The public is able to deliver its opinion when operators of the upper tier sites are drafting major accident prevention policies and safety reports.
- ✓ The external emergency plans are public and approved on open sessions of the local authorities.
- ✓ The public concerned has the opportunity to deliver its opinion within the process of evaluation of Major accident prevention policies and Safety report, submitted by the upper tier site operators. It is alerted about the necessary measures for prevention of major accidents and for the limitation of the negative effects thereof by notifications on the website of the Ministry of environment and water and by adverts in the local press.
- ✓ Public participation in Bulgaria is effective and gives the members of the general public, NGOs and the industry the opportunity to provide opinion on the preventive and preparedness measures as defined in the documents prepared by the operator. The public opinion is taken into account in the process of the approval of the safety report.



# Thank you for your attention

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