

05. INDUSTRIAL POLLUTION AND RISK MANAGEMENT

OVERVIEW

Industry and industry-related activities are major sources of pollution in Serbia, including untreated industrial and municipal wastewater, agricultural runoff and drainage, river shipping and thermal power plants. Hazardous waste production in Serbia has been estimated at 100,000 tons per year³². However, there are no hazardous waste treatment facilities in the country. There are currently 10 operational sanitary landfills, with those in Kikinda, Leskovac, Jagodina and Lapovo run by public-private partnerships.

As noted in Coalition 27's previous Shadow Report³³, historical industrial pollution is a significant problem. Large quantities of hazardous and industrial waste lie unattended at sites across the country, posing a serious threat to the environment; in numerous cases the companies that produced this hazardous waste have gone out of business or are undergoing bankruptcy, or lack the resources to deal with it. It is estimated that more than 5,000 tons of hazardous waste lies unattended at sites in Serbia owned by companies that are in the process of being restructured.

POLICY & LEGISLATIVE DEVELOPMENTS

The Post-Screening Document for Chapter 27 states that the full transposition of the Industrial Emissions Directive (2010/75/EU) in the Republic of Serbia will be achieved by 2018 through amendments to the IPPC Law³⁴.

In January 2016 the Republic of Serbia adopted a new Regulation in the field of water protection, regarding the control of emissions of pollutants in water and rules for implementation. New bylaws were also adopted based on the Law on Waters, which regulate emission of pollutants into water. These include a rulebook on measuring the quantity and quality of wastewater and subsequent reporting on the measurements ("Official Gazette of RS" no. 33/2016), and a decree on amending the Regulation of limit values of emissions of pollutants into water and deadlines for their achievement ("Official Gazette of RS" no.1/2016). Both bylaws were enacted in January 2016. It is the responsibility of business entities to conduct adequate monitoring of wastewaters and to submit reports

32 <http://www.ekapija.com/website/sr/page/314087>

33 https://rs.boell.org/sites/default/files/uploads/2016/02/coalition27_shadow_report_2015.pdf

34 Law on Integrated Pollution Prevention and Control.

to the Agency for Environmental Protection.

Also in January 2016, the Republic of Serbia adopted a Regulation on emission limit values for emissions of air pollutants from combustion plants ("Official Gazette of RS" no. 6/16) and a Regulation of the measurement of emissions of air pollutants from stationary sources of pollution ("Official Gazette of RS" no. 5/16).

A new **Law on Protection of Land ("Official Gazette of RS" no.112/2015) was adopted in December 2015 and came into force in January 2016**. The law regulates the protection of land and obliges land owners and users of land (legal and other persons using land or acting in a way that may affect the quality of soil), to take technical measures to prevent the discharge of pollutants, noxious and hazardous substances into the soil. The law also requires land owners and users to plan for the costs of protection against pollution and degradation of land as part of investment and production costs, and to monitor the impact of activities on soil quality. The Law requires land owners, users and facilities whose activities may be a cause of pollution and/or land degradation, prior to commencing activities, to take soil samples as a basis for an environmental impact assessment and as a baseline indicator for monitoring of environmental impact at the project site over time.

The Law on Inspection Control ("Official Gazette of RS", no.36/2015) was adopted in April 2015 and came into effect on the 30th of April 2016.

The EU funded project "Law enforcement in the field of industrial pollution control, prevention of chemical accidents and establishing the EMAS system", which concluded in 2014, produced a detailed analysis of legal gaps and recommendations for transposition into national legislation in these areas. The same project team should have developed an implementation plan for the Industrial Emissions Directive (Directive 2010/75/EU) by the end of 2015, including plans for harmonization, funding strategies and plans for the provision of public and private investment in infrastructure and technology necessary for full implementation of the Directive. However, the implementation plan has still not been developed. The State Secretary of the Ministry of Agriculture and Environmental Protection, Stana Božović has noted that "It is important for industry to define action plans for their facilities, which will include necessary measures for implementation and financial resources, so that specific plans for the implementation of the Directive can be achieved"³⁵.

IMPLEMENTATION

Box 3: Changes after the reporting period

According to the second revised National Programme for the Adoption of the Acquis (NPAA), which was adopted on the 17th of November 2016, it is expected that the parts of the Industrial Emissions Directive that relate to industrial pollution will be transposed by mid-2018.

In the future, industrial operators will need to provide precise information on

the steps, costs and time necessary to harmonize activities with Industrial Emissions Directive regulations.

198 plants in Serbia are subject to integrated permitting. 168 integrated permit applications have been submitted, however the majority have been returned to applicants for revision due to lack of required technical documentation. Only 17 permits have been issued to date. There is a delay in issuing of IPPC permits, mainly due to the approval process by other authorities. A deadline until the 31st of December 2020 applies.³⁶

There is a lack of capacities to address the challenges industrial pollution poses, especially at a local government level.

FINANCING

No funds are envisaged for the implementation of this part of *acquis* by the state administration, with the exception of strengthening the administrative capacities of responsible institutions.

RECOMMENDATIONS

Policy & Legislation

- The Republic of Serbia should take immediate steps to comply with the Industrial Emissions Directive and to harmonize the procedures for obtaining the various permits required for the integrated permit.

Implementation

- The Ministry of Agriculture and Environmental Protection and all relevant stakeholders should inform the public in Serbia, in a transparent manner, about all steps taken to create the specific plans for implementation of the Industrial Emissions Directive and law enforcement in this field.
- Fully ensure the public's right to participate in decision-making in cases when amendments are being made to integrated permits.