

European Union Network for  
the Implementation and Enforcement  
of Environmental Law

### **IMPEL REVIEW INITIATIVE (IRI)**

**“A voluntary scheme for reporting and offering advice  
to environmental authorities”**

**Report on the IRI that took place in Zagreb  
between 07 to 09 June 2011  
at the Ministry of Environmental Protection,  
Physical Planning and Construction  
(MEPPPC)**

## **Introduction to IMPEL**

The European Union Network for the Implementation and Enforcement of Environmental Law (IMPEL) is an international non-profit association of the environmental authorities of the EU Member States, acceding and candidate countries of the European Union and EEA countries. The association is registered in Belgium and its legal seat is in Bruxelles, Belgium.

IMPEL was set up in 1992 as an informal Network of European regulators and authorities concerned with the implementation and enforcement of environmental law. The Network's objective is to create the necessary impetus in the European Community to make progress on ensuring a more effective application of environmental legislation. The core of the IMPEL activities concerns awareness raising, capacity building and exchange of information and experiences on implementation, enforcement and international enforcement collaboration as well as promoting and supporting the practicability and enforceability of European environmental legislation.

During the previous years, IMPEL has developed into a considerable, widely known organisation, being mentioned in a number of EU legislative and policy documents, e.g. the 6th Environment Action Programme and the Recommendation on Minimum Criteria for Environmental Inspections.

The expertise and experience of the participants within IMPEL make the network uniquely qualified to work on both technical and regulatory aspects of EU environmental legislation. Information on the IMPEL Network is also available through its website at:

[www.impel.eu](http://www.impel.eu)

# CROATIAN IMPEL REVIEW

## REPORT STRUCTURE

### Contents

<b>CONTENTS</b> .....	<b>3</b>
<b>EXECUTIVE SUMMARY</b> .....	<b>4</b>
<b>INTRODUCTION</b> .....	<b>5</b>
THE IRI SCHEME .....	5
PURPOSE OF THE IRI .....	5
SCOPE OF THE IRI IN CROATIA.....	5
STRUCTURE .....	6
<b>PART A – DEFINING THE REGULATORY FRAMEWORK OF ENVIRONMENTAL PROTECTION IN THE IMPEL MEMBER COUNTRY.</b> .....	<b>8</b>
ORGANISATION.....	8
LEGISLATION .....	18
EXTERNAL INTERACTION.....	19
<b>PART B– PERMITTING ACTIVITIES</b> .....	<b>22</b>
<b>PART C – PERFORMING INSPECTION TASKS (ENVIRONMENTAL INSPECTION CYCLE)</b> .....	<b>23</b>
1. PLANNING OF INSPECTIONS.....	23
2. EXECUTION FRAMEWORK.....	28
3. EXECUTION AND REPORTING .....	32
4. PERFORMANCE MONITORING .....	37
<b>PART D – SITE VISIT</b> .....	<b>39</b>
OVERVIEW .....	39
<b>SUMMARY OF FINDINGS</b> .....	<b>40</b>
<b>CONCLUSIONS</b> .....	<b>44</b>
<b>LESSONS LEARNED FROM THE REVIEW PROCESS</b> .....	<b>45</b>

## Executive Summary

In line with the Recommendation for Minimum Criteria for Environmental Inspections (RMCEI), this informal review of the Ministry of Environmental Protection, Physical Planning and Construction by a broad cross section of the IMPEL network, focuses upon the inspection and enforcement of the IPPC and SEVESO Directives and where relevant any other industrial processes that fall under the RMCEI.

Throughout, the IRI team have identified several examples of 'good practice' and 'opportunities for development', when considering the implementation of the above Directives during the review. Specifically, the review team have highlighted the following as particularly strong examples of this:

### Good practices:

- The focus on learning from other countries and providing opportunities for staff development within those international settings is very good
- ISIZO, the Ministries data management system, is a sophisticated tool for planning and reporting inspection activities
- The inclusion of a strong over-arching mission statement in the constitution: *Right to a healthy life*, is a positive starting point to develop any Ministry / Inspectorate

### Opportunities for development:

- Consider the competence levels of staff. Consider a gap analysis of current and future competency needs within the inspectorate and then create a plan for how you are going to get there
- The use of further prioritisation criteria for inspections will enable more effective use of resources
- Consider linking the ISIZO database to Ministries responsible for noise and water data

The review team considers that the objectives of the area of EU environmental law within the scope of the review of MEPPPC are being delivered in Croatia. Furthermore the arrangements for environmental inspection and enforcement are broadly in line with the RMCEI.

### **The IRI Scheme**

The IRI scheme is a voluntary scheme providing for informal reviews of environmental authorities in IMPEL Member countries. It was set up to implement the European Parliament and Council Recommendation (2001/331/EC) providing for minimum criteria for environmental inspections (RMCEI), where it states:

*“Member States should assist each other administratively in operating this Recommendation. The establishment by Member States in cooperation with IMPEL of reporting and advice schemes relating to inspectorates and inspection procedures would help to promote best practice across the Community.”*

### **Purpose of the IRI**

The aims of the IRI are to:

- provide advice to environmental authorities seeking an external review of their structure, operation or performance by experts from other IMPEL member countries for the purpose of benchmarking and continuous improvement of their organisation
- encourage capacity building in environmental authorities in IMPEL member countries
- encourage the exchange of experience and collaboration between these authorities on common issues and problems
- spread good practice leading to improved quality of the work of environmental authorities and contributing to continuous improvement of quality and consistency of application of environmental law across the EU (“the level playing field”)

The IRI is an informal review, not an audit process. The IRI is intended to enable the environmental authority and review team to explore how the authority carries out its tasks. It aims at identifying areas of good practice for dissemination together with opportunities to develop existing practice within the authority and authorities in other IMPEL member countries.

### **Scope of the IRI in Croatia**

The IRI uses a questionnaire to review the environmental authority against the requirements of the RMCEI. The IMPEL “Doing the Right Things” Guidance Book for planning of environmental inspections<sup>1</sup> has been used to help structure the questionnaire and the review. The Guidance Book was developed to support Inspectorates in implementing the RMCEI and describes the different steps of the Environmental Inspection Cycle pursuant to the RMCEI.

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<sup>1</sup> <http://impel.eu/tag/guidance-book>

The scope of the IRI in Croatia focussed on the work of the Ministry of Environmental Protection, Physical Planning and Construction (MEPPPC) primarily in relation to the inspection of sites covered by the IPPC and SEVESO II Directives. As such the Directorate for Inspection Affairs (DIA) and its associated Branch Units (BU) in the County Seats of Croatia were the main focus of the IRI.

As Croatia is a Candidate member country and the IPPC Directive is not expected to be fully implemented in Croatia until 2016, this review was relatively different to previous IRIs the IMPEL network has carried out. It had to focus less on practice and more on planning than in countries where IPPC has been implemented already.

### **Structure**

A pre-review meeting was held in Zagreb on 16 March 2011 in which details for the Review were discussed. The meeting comprised the team leader, rapporteur and the hosts.

The review itself took place at the offices of the MEPPPC in Zagreb 07-09 June 2011. The findings were presented to the higher management team of the MEPPPC.

The Review was structured according to the revised IRI questionnaire developed by the IRI review project during 2009. However, due to unforeseen problems, the team leader had to be replaced at the latest moment and some information from the pre-meeting was not available to the team and team leader.

The IRI Review team:

Norway	KLIF – The Norwegian Climate and Pollution Agency	Erik Forberg	Team Leader
IMPEL Secretariat	IMPEL	Michael Nicholson	Rapporteur
Denmark	Danish EPA, Roskilde	Hanne Holst Linulf	Reviewer
Austria	Lower Austria Environment Department	Christoph Planitzer	Reviewer
Finland	ELY - Centre for Economic Development, Transport and the Environment for Southwest Finland	Kari Pirkanniemi	Reviewer
Italy	ARPA Lombardia	Nadia Fibbiani	Reviewer

Project Leader	Ministry of Environmental Protection, Physical Planning and Construction	Anita Pokrovac Patekar	Host



**Part A – Defining the regulatory framework of environmental protection in the IMPEL member country.**

**Objective**

To find out about the organisation of the environmental authority, the relevant legislation it complies with and relationships with the public, operators government and other countries.

**Organisation**

The Republic of Croatia is a democratic Parliamentary Republic. Croatia is headed by a President, who is elected every five years. The executive in Croatia is the Government of the Republic of Croatia, headed by the Prime Minister and composed of several ministers in charge of their respective ministries. The Prime Minister is proposed by the President of the Republic of Croatia and is approved by a vote in the Croatian Parliament.

The Croatian Parliament is a representative body of citizens and is vested with the legislative power in the Republic of Croatia. After the first democratic multiparty elections held in Croatia on 30 May 1990, the first multiparty parliament was constituted. According to the provisions of the new Constitution established in December 1990, the Parliament consisted of two chambers: the Chamber of Deputies with legislative authority, and the Chamber of Counties with an advisory role and the right to lodge suspension vetoes. After the enactment of constitutional amendments in 2000, which changed the semi-presidential system into a parliamentary system, the Parliament acquired a new, more important role in Croatia's political system. After the elimination of the Chamber of Counties under the constitutional amendments enacted in 2001, the Croatian Parliament became unicameral. Parliamentary elections take place every four years. The Republic of Croatia is a member of the United Nations and NATO.

Croatia has borders with Slovenia, Hungary, Serbia, Bosnia and Herzegovina and Montenegro as well as a sea border with Italy. Croatia has a population of almost 4.5 million people. The capital of Croatia is Zagreb (with 779,145 inhabitants). There are four main urban 'macro' regions, but approximately 35% of the total territory and about 47% are in the Zagreb region. Croatia is divided administratively into 21 counties, including the City of Zagreb with county status. In addition to counties, there are also 556 local self-government units in Croatia, 126 of which have the status of urban municipality (24 large cities and 102 cities). The City of Zagreb has a special status and has competences for both county and urban municipalities.





**Figure 1: Country map and regions**

**Ministry of Environmental Protection, Physical Planning and Construction (MEPPPC)**

According to Article 69 of the Constitution of the Republic of Croatia, everyone shall have the right to a healthy life. The Republic of Croatia shall ensure citizens the right to a healthy environment.

**Vision statement: “Sustainable development of the Republic of Croatia through effective care for the protection and preservation of space and environment”.**

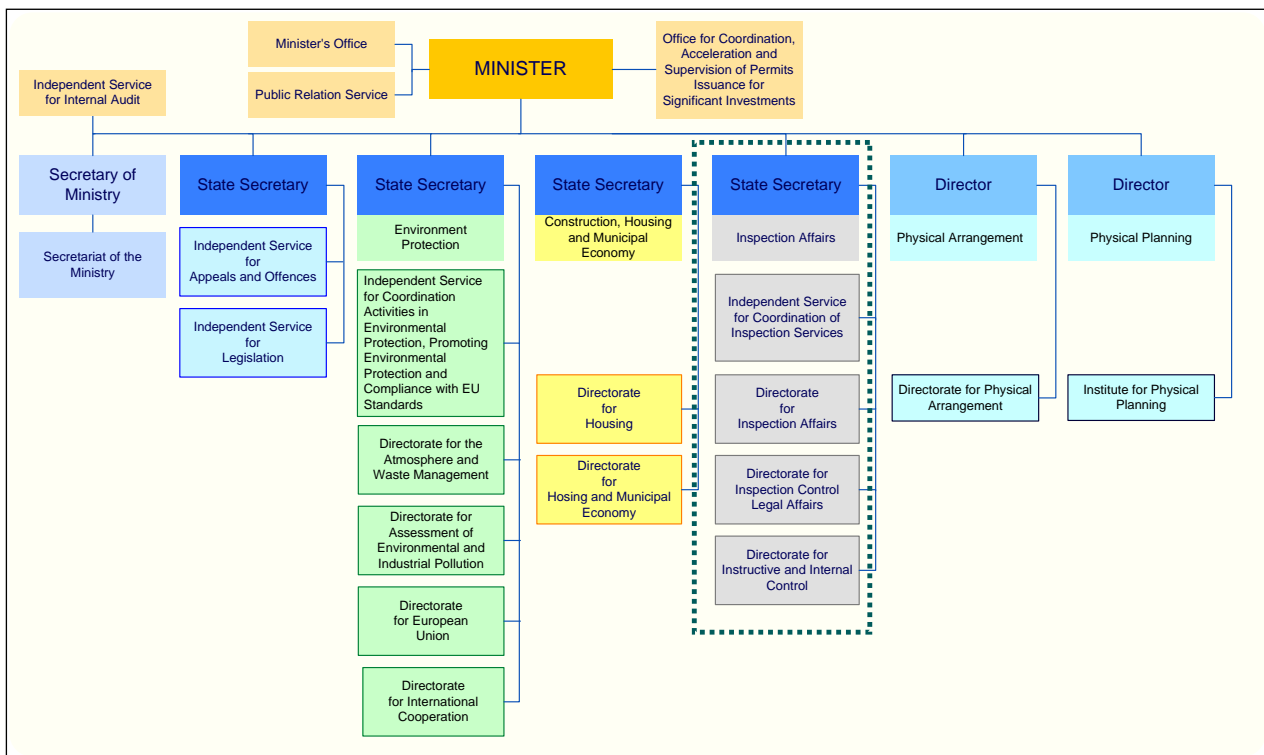
**Mission statement: “The mission of the Ministry of Environmental Protection, Physical Planning and Construction is to create preconditions for efficient, cost-effective and purposeful spatial and environmental management, to improve public information and raise citizens’ awareness of the necessity to preserve and protect their living space and environment, as well as to improve the status in the field of housing and construction.”**

To protect the environment the following tasks for the MEPPPC have been defined:

- Administrative and other tasks related to general policy of environmental protection in order to fulfil conditions for sustainable development,
- Protection of air, soil, water, sea, plant and animal life in the totality of their interaction,
- Ensuring the monitoring of the status of air, soil and marine environment pollution and ensuring the implementation of measures to prevent air, soil and marine environment pollution and protection measures,
- Preparation of measures to improve the environmental protection status and to implement the environmental protection goals laid down in the environmental protection strategy and to prepare reports on the environmental status in the state,
- Proposing, promoting and monitoring of measures for environmental protection improvement;
- Ensuring implementation of environmental impact assessment,
- Ensuring implementation of the pollution cadastre,
- Systematic monitoring of the environmental status,
- Keeping of the environmental information system,
- Establishing environmental measures, requirements and approvals; care, co-ordination and supervision of financing environmental protection programmes,
- Waste management; preparation of proposals for environmental protection standards,
- Assessment of working conditions for legal and natural persons in the field of environmental protection,
- Achievement of international environmental protection co-operation,
- Administrative supervision and supervision over the expert work of the Environmental Protection and Energy Efficiency Fund,
- Environmental protection inspection; encouragement of environmental protection related education and research.

The following units within the MEPPPC are responsible for environmental protection:

- Directorate for Atmosphere and Waste Management,
- Independent Service for Coordination of Environmental Protection Activities, Environmental Protection Promotion and Alignment with EU Standards,
- Directorate for Environmental Assessment and Industrial Pollution,
- Directorate for the EU,
- Directorate for International Cooperation and Sustainable Development,
- **Directorate for Inspection Affairs (DIA)** and 2 additional directorates and 1 independent service closely related to the DIA:
  - Directorate for Inspection Control Legal Affairs
  - Directorate for Instructive and Internal Control
  - Independent Service for Coordination of Inspection Services



**Figure 2: Structure of MEPPPC**

The Directorate for Inspection Affairs has responsibility within the Ministry for:

- Reporting on the work of the inspectorate (reports to the Minister on request, annual inspection plans, annual reports)
- Drafting letters and answers to the Minister's questions
- Cooperating with the Environment Directorates in the regulatory cycle (submission of comments on draft regulations)

Within the Directorate for Inspection Affairs; there are three inspection units:

- Building Inspection  
The inspection includes control the implementation of the Law on Physical Planning and Construction (OG 76/07, 38/09), Law on Construction Products (OG 86/08), Law on the procedure and conditions of construction in order to encourage investment (OG 69/09) and regulations adopted under these laws
- Urban planning inspections  
The inspection includes control the implementation of the Law on Physical Planning and Construction (OG76/07, 38/09), regulations made under this Law and special regulations pertaining to physical planning documents and the process of their development and adoption
- Environmental Inspection  
The inspection includes control and implementation of the provisions of the Environmental Protection Act (OG 110/07), Law on Air Protection (OG 178/04, 110/04/07, 60/08) and the Waste Act (OG 178/04, 111/06, 60/08, 87/09) and regulations adopted under these laws

\* The environmental inspection unit within the Directorate for Inspection Affairs is the main focus of this review. As such, for the purposes of this IRI, any further reference to the Department for Inspection Affairs (DIA) will refer to the environmental inspection unit unless otherwise stated.

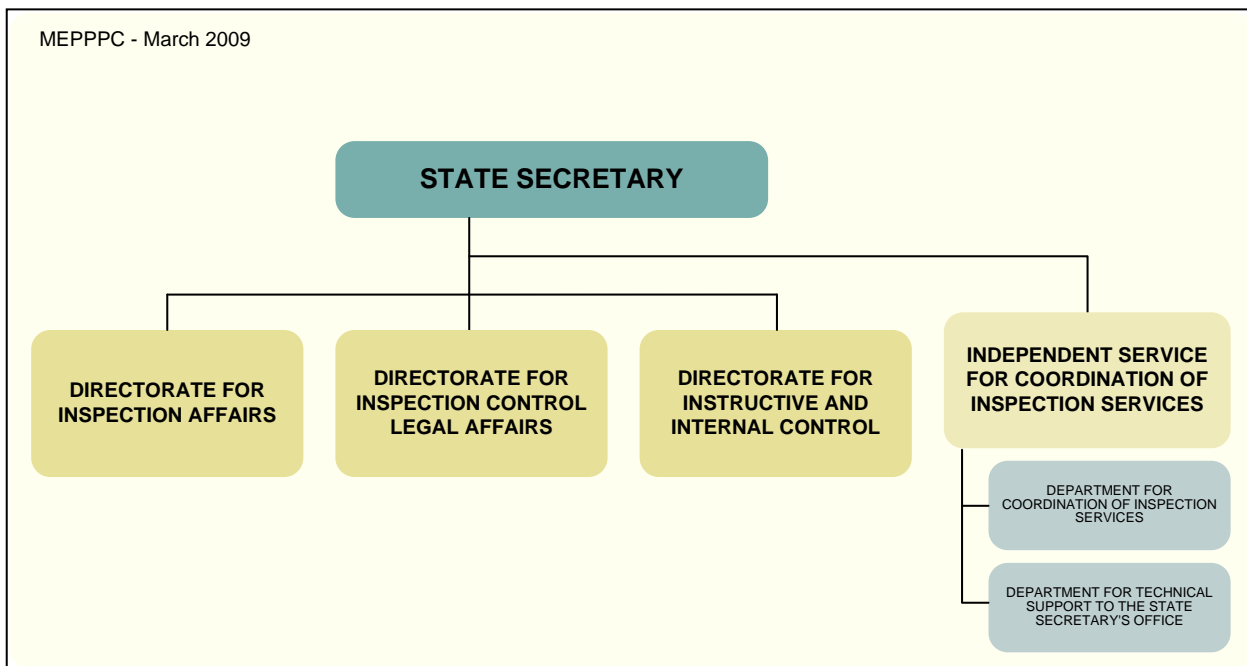


Figure 3: Inspection Affairs Directorate within MEPPPC

Environmental Inspection within the DIA performs the following tasks:

- Carrying out of inspectional supervision related to implementation of regulations in the field of environmental protection, waste management and air protection
- Participation in coordinated inspectional supervisions
- Organisation, preparation, development of instructions and reports, and coordination of systematic thematic inspectional supervisions
- Carrying out of systematic thematic inspectional supervisions
- Response in cases of emergencies
- Participation in administrative supervisions carried out by the Ministry
- Hours on-call and passive on-call
- Monitoring of preparation, proposal of amendments and participation in the development of regulation from the scope of work of the environmental inspection
- Passing of decisions in the administrative procedure
- Participation in the preparation of indictment proposals and criminal charges
- Participation in main hearings at Misdemeanour Courts in the capacity of witnesses
- Ensuring conditions for the execution of inspectional decisions and preparations for the execution of inspectional decisions
- Preparation of proposals of letters to state bodies, the Government of the Republic of Croatia, the Croatian Parliament, the Office of the President of the Republic of Croatia, the State Attorney's Office, the Ombudsman, NGOs,
- Preparation of notices to the information services and responses to citizens' inquiries,
- Preparation of monthly/annual and other reports and data from his/her scope.
- Work with clients.
- Participation in the cooperation with other state administration bodies and local self-government units, and especially with other inspection services,
- Participation in professional trainings of environmental inspectors and parties involved in the environmental protection system;
- Participation in international cooperation activities.

The DIA consists of three inspections services - Building Inspection , Urban Planning Inspection and Environmental Protection Inspection. DIA is located in both Zagreb, the capital , in Central Office (CO) and in 20 Branch Units (BU) in County Seats of Croatia . In 16 BUs there are also Environmental Protection Inspection Sections. See figure 4.

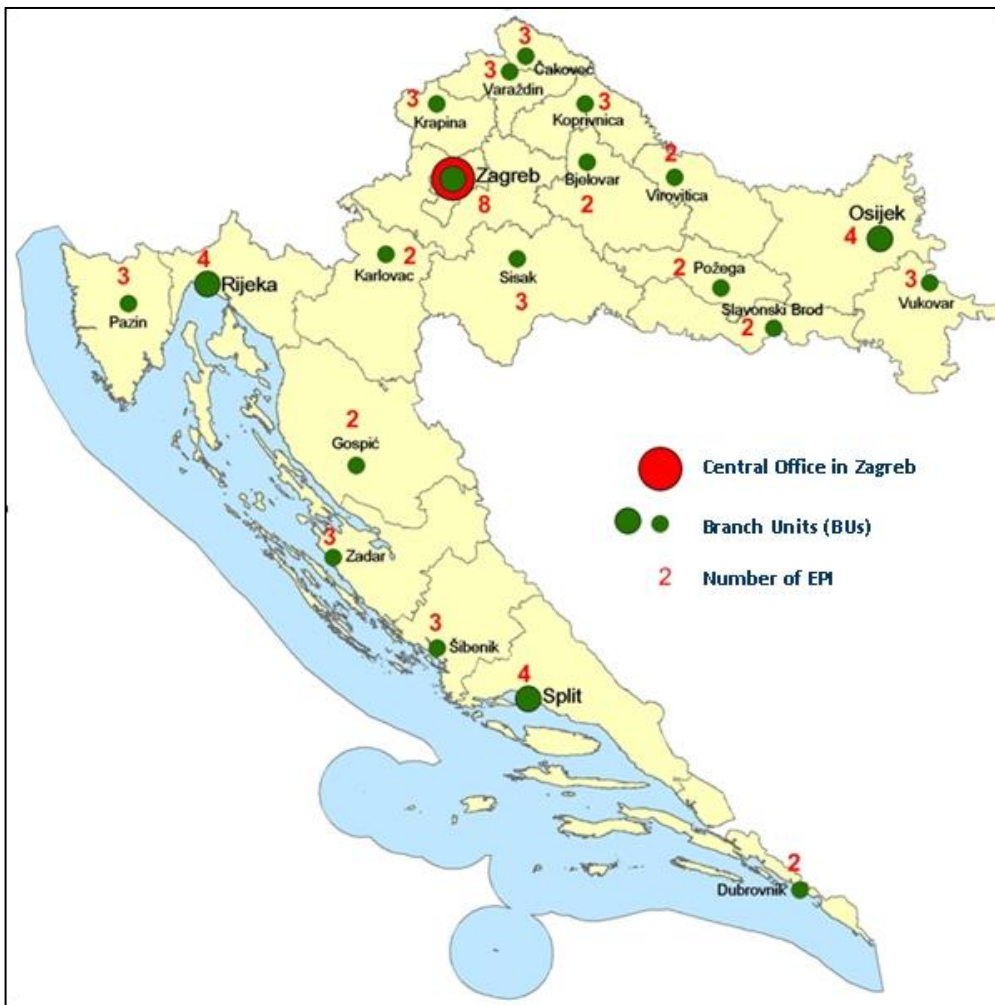


Figure 4: Croatia's Branch Units and the number of Environmental Inspection unit inspectors per branch

### Number of staff

As of May 2011, the inspection activities are performed by 55 senior inspectors and 25 inspectors of environmental protection, out of which 58 inspectors are situated in Branch Units while 22 inspectors are situated in the Central Office in Zagreb. Figure 5 shows the steady growth in the number of inspectors in the DIA.

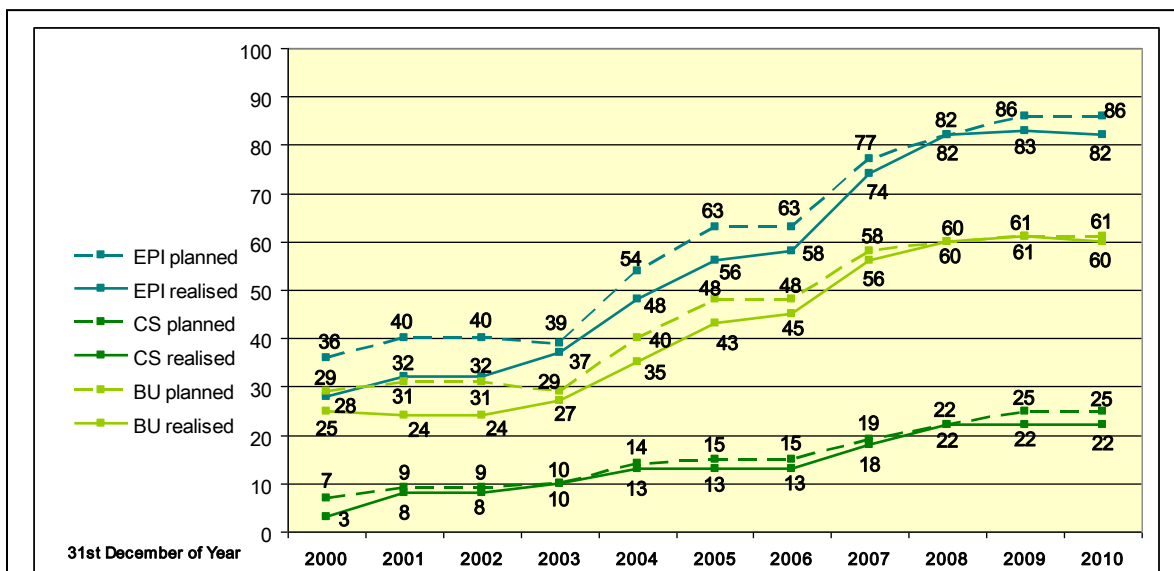


Figure 5: Growth in the number of inspectors in the period of 2000 to 2010

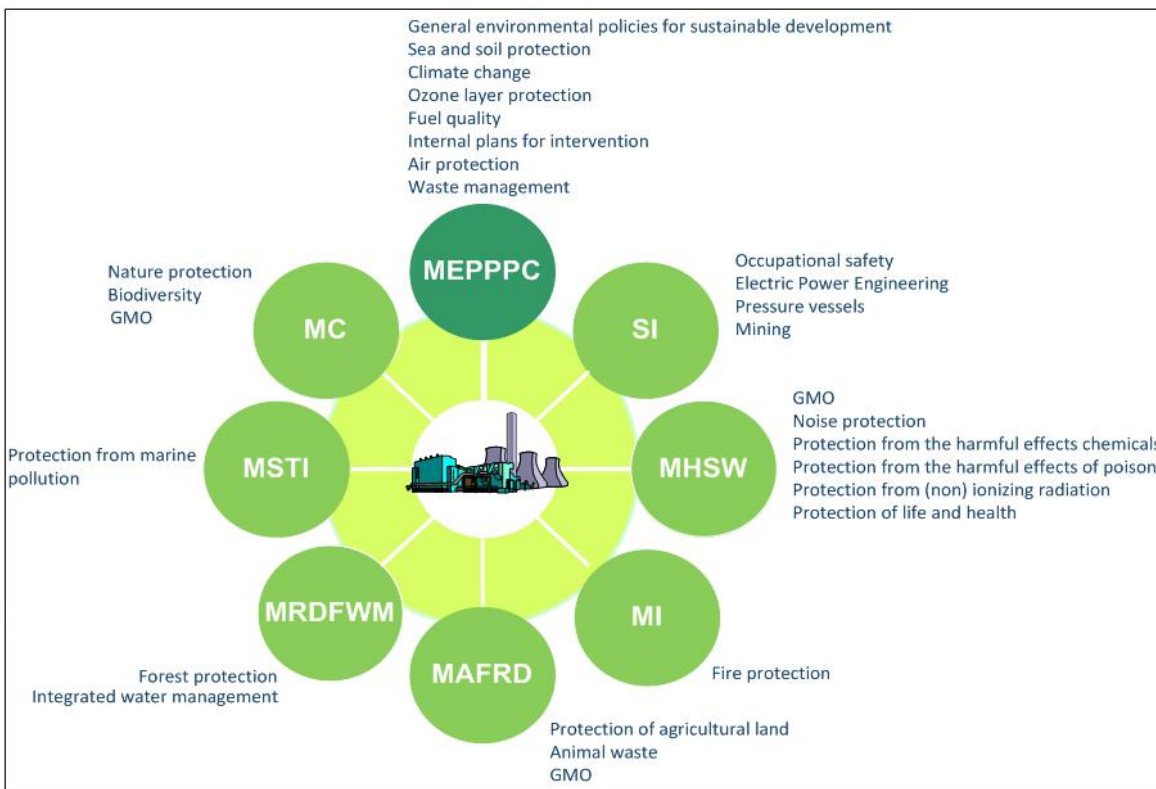
The DIA has a coordinating role in the field of environment protection and cooperates with other competent inspectorates and government bodies and Ministries when planning and managing control activities, emergencies and data exchange.

Cooperation and the MEPPPC's horizontal coordinating role of the inspectorate is laid out in the Agreement on Cooperation between all Inspection Services of Environment sector signed on 2007, and if required, within thematic control activities jointly with the representatives of the Ministry of Defence according to the special Agreement. Please see annex 3.

*Organisations working with the MEPPPC (Figure 6)*

Ministries with responsibilities in the environment sector and parties to the Agreement above are:

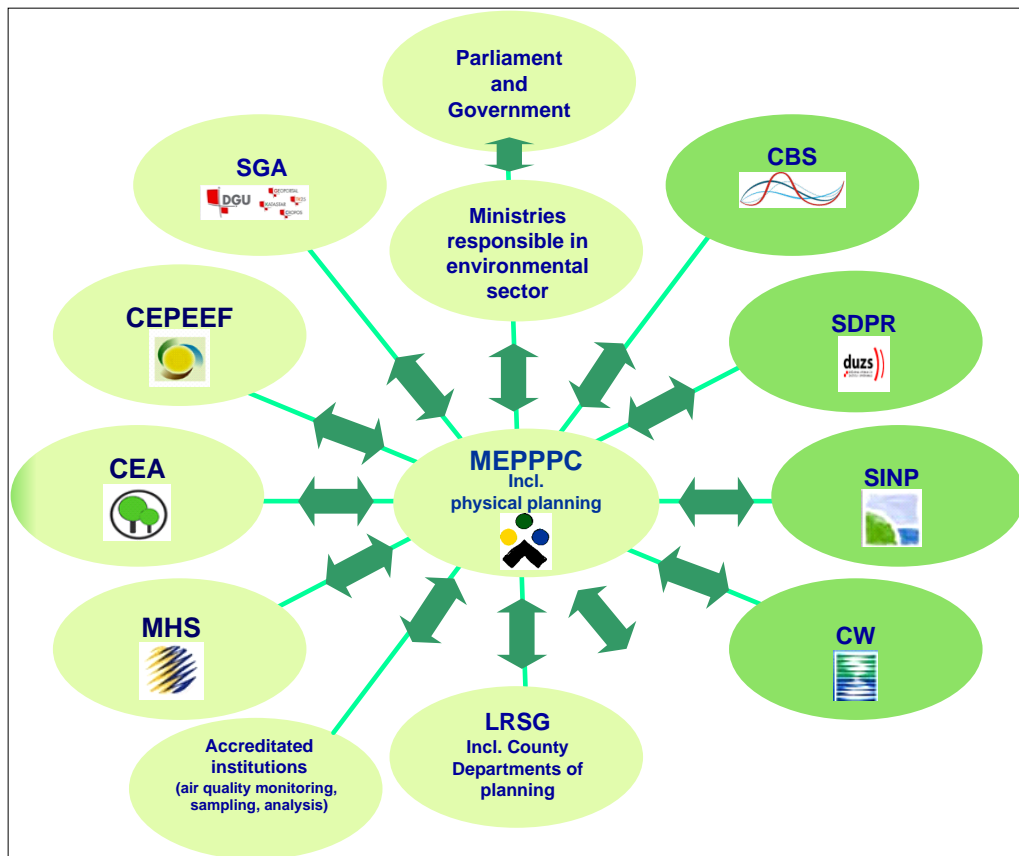
- Ministry of Environmental Protection, Physical Planning and Construction (MEPPC),
- Ministry of Culture (MC),
- Ministry of Sea, Transport and Infrastructure (MSTI),
- Ministry of Regional Development, Forestry and Water Management (MRDFWM),
- Ministry of Agriculture, Fisheries and Rural Development (MAFRD),
- Ministry of the Interior (MI),
- Ministry of Health and Social Welfare (MHSW),
- State Inspectorate (SI).



**Figure 6: Parties to the Agreement on Co-operation between Inspection Services in the Field of Environment**

Bodies with responsibilities in the environmental sector are:

- State Geodetic Administration (SGA),
- Environmental Protection and Energy Efficiency Fund (CEPEEF),
- Croatian Environment Agency (CEA),
- Meteorological and Hydrological Service (MHS),
- Croatian Bureau of Statistics (CBS),
- National Protection and Rescue Directorate (SDPR),
- State Institute for Nature Protection (SINP),
- Croatian Waters (CW),
- Local and regional self-government units.



**Figure 7: Bodies in the field of environmental protection**

The tasks of the CEPEEF in particular are:

- Financing preparation, implementation and development of programmes, projects and similar activities in the field of preservation, sustainable use, protection and improvement of the environment,
- Energy efficiency and use of renewable energy sources,
- Promotion of environmental protection goals and principles



- Providing the polluter pays principle, from fees and special fees collected from parties subject to paying as well as from other sources in accordance with special regulations

The tasks of the CEA in particular are:

- Establishing, developing, managing and coordinating a unified environmental information system in the State,
- Monitoring and reporting on environment,
- Data preparation for documents and reports production related to environmental protection and sustainable development,
- Preparation of reports on environmental status under the Environmental Protection Act
- Drafting a National list of indicators,
- Cooperation with government authorities and county, city and municipality administrative bodies,
- Maintaining appropriate databases on the environment.

The tasks of the CW in particular are:

- Water management is actions oriented towards conservation, rational use and control of water, which are indispensable requirement for survival on earth,
- Directly performing and organizing tasks related to securing the necessary water quantity, protection of water from pollution, regulation of watercourses and other water and protection from flooding, and no business conducted by government bodies and local self-government and administration.

The tasks of the SDPR in particular are:

- Performing risk assessment regarding disaster and bigger disaster
- Estimation and threat protection plans,
- Coordinate, manage and direct operational command of forces in disasters and major accidents and in the protection and rescue,
- Performing regular duties of 112,
- Performing tasks of informing and alerting the population and coordinating unique alarm system in the Republic of Croatia,
- Cooperation with the competent authorities of other countries and international organizations in the protection and rescue in order to provide international assistance and joint action,
- Providing information to the public,

The tasks of the MHS in particular are:

- Air quality monitoring activities in stations belonging to the State network for monitoring air quality according to the Law on Air Protection,

- Data collection, checking measurement and data quality, processing and presentation of results, delivery of data to the air quality information system and maintenance and servicing of stations and equipment and setting-up of new stations in the State network.

The tasks of the accredited institutions are:

All accredited institutions for air monitoring must obtain the certificate from a national accreditation body under the condition that are professionally and technically equipped which they shall prove by means of a certificate from a national accreditation body as well as by MEPPPC permit. But for the waste analyses and characterisation accredited institutions must obtain only the certificate from a national accreditation body.

### **Legislation**

A list of the RMCEI Directives that MEPPPC has responsibility for are:

- Air Quality Framework Directive
- Quality of bathing water Directive
- Cells and Accumulators Directive
- EIA Directive
- SEIA Directive
- ELV Directive
- GHG European Trading Scheme Directive
- IPPC Directive
- IED Directive
- Incineration and Co-incineration Waste Directive
- Landfill Directive
- Liability Directive
- LCP Directive
- Ozone Depleting Substance Regulation
- Paint and Refurnishing Vehicle Directive
- PCB's Directive
- PRTR Regulation
- SEVESO Directive
- TiO2 Directive
- TFS Regulation
- VOC's Directive
- Waste Framework Directive
- WEEE Directive, etc.

Annex 1 gives an overview of all the Croatian legislation that enact the Directives above.

#### *Number of installations*

According to 2008 figures, there are 272 IPPC installations:

- 90 landfills
- 50 farms
- 132 other installations

At the present time the number of installations that have submitted requests for permits and the actual number of issued permits are:

- New installations:
  - 18 requests for IEPR (Integrated Environmental Permitting Requirements. This is the Croatian applied IPPC Directive)
  - 5 permits issued
- Existing installations:
  - 22 submitted Status Analyses together with Study for Compliance have been taken into procedure
  - 1 positive opinion about Status Analyses

There are 45 SEVESO installations in total including 11 upper tier and 34 lower tier.

All installations are inspected by the DIA using General Binding Rules or in case of existing Environmental Impact Assessment Decision in accordance with prescribed emission values.

#### *Funding of EPI*

Financial resources for the work of the environmental inspection are allocated in the State Budget of the Republic of Croatia. Implementation of projects ensuring professional training, additional education and strengthening of administrative capacity of environmental inspection are financed by funds from EU pre-accession fund, along with the appropriate share of funds from the State Budget of the Republic of Croatia.

### **External interaction**

#### *Provisions & procedures for operators and the general public – access to information and involvement in decision making within the regulatory process*

The MEPPPC publishes a draft of each new piece of legislation on its website and gives the public the opportunity to send their comments and suggestions. This practice is prescribed in law (Article 141 of the Environmental Protection Act (OG No. 110/07)). This also requires that public authorities shall enable timely and efficient public participation in the procedure of preparing implementing regulations and other generally applicable legally binding rules under their competence and that could have a significant impact on the environment.

The public is informed of and involved in the following procedures and decisions as laid out in the provisions of the Environmental Protection Act:

- Integrated environmental protection requirements
  - The aim and purpose of determining these requirements
  - the activities for which integrated requirements are mandatory
  - the obligations of the operators
  - the request for determining the requirements
  - the competences and the method of carrying out the procedure for determining integrated requirements
  - cessation of validity of the determined requirements before their expiry
  - the register of issued permits
- Environmental impact assessment
  - the obligation to carry out the EIA procedure
  - exemptions
  - content of the request
  - competence
  - procedure
- Approval of the Safety Report
  - Installations for which in view of the type and quantity of dangerous substances it is mandatory to prepare the Safety Report
  - Exemptions
  - Mandatory content of the Safety Report
  - Obtaining the approval of the Safety Report
  - Obligations of the operator
  - Information and data exchange
  - Registry of installations in which dangerous substances are present

*Provisions & procedures for operators or the general public – complaints and appeals related to the inspectorate activities*

Environmental inspectors in the central service of MEPPPC and inspectors in the twenty BUs are the first level of appeal for an operator or the general public.

Operators have the right to an appeal. An appeal against the decision, conclusion on the suspension of the enforcement procedure and conclusion on expenses issued by a BU inspector may be filed with the Ministry within fifteen days from the receipt of the decision or conclusion. If the inspector in a BU establishes that the appeal is permitted, timely and submitted by an authorized person, the inspector shall submit within a period of five days from the receipt of the appeal, the file related to the case to the Ministry to be resolved. An appeal submitted against the decision or conclusion shall not postpone its enforcement. An appeal shall be resolved by a special commission of the Ministry which is appointed by the Minister. By way of derogation, an appeal to the Ministry against an inspection decision or conclusion is not permitted, but an administrative dispute may be initiated. However, this shall not postpone its enforcement.

*Responsibility for relations with other states in respect of trans-boundary issues*

In the event of a major accident that can cause trans-boundary effects on human health and the environment, the Ministry will notify the country concerned through the central state administration body competent for safety and rescue and deliver to the competent bodies of that country all the information needed in order to undertake necessary measures.

With regard to trans-boundary environmental pollution, Croatia has been undertaking activities through the MEPPPC and the Ministry of Foreign Affairs and European Integrations (MFAEI), and in cases of accidents the National Protection and Rescue Directorate (NPRD) is involved through the National 112 Centre. MEPPPC is the competent body for environmental protection in cases of trans-boundary pollution and international conventions to which the Republic of Croatia is a signatory.

## Part B– Permitting activities

### Objective

Explore the permitting activities of the environmental authority.

Permitting is outside of the scope of this review. However the following is background information.

Environmental protection in Croatia lies under responsibility of several Ministries (MEPPPC, Ministry of Regional Development, Forestry and Water Management, Ministry of Health and Social Welfare, Ministry of Culture). MEPPPC is the Competent Authority and coordinating body for the issuing of IPPC permits. The MEPPPC Directorate for EIA and Industrial Pollution is responsible for the issuing of environmental permits.

Other relevant line Ministries are partners of MEPPPC in the process of determining the Decision on Integrated Environmental Requirements (i.e. the IPPC permit). For example, the Ministry of Regional Development, Forestry and Water Management/Croatian Waters set conditions related to water (use and emissions) whereas the Ministry of Culture set conditions related to nature protection requirements. MEPPPC then integrates these conditions into separate paragraphs within the Decision on Integrated Environmental Requirements (in other words, the IPPC permit).

## Part C – Performing inspection tasks (Environmental Inspection Cycle)

The objective of this part of the questionnaire is to find out the criteria and procedures for planning of inspections and how this is put into practice. This part of the questionnaire is structured according to the different steps of the Environmental Inspection Cycle from the IMPEL “Doing the right things” Guidance Book. The cycle is shown in detail, in the Annex.

For those organisations that solely carry out permitting activity, the following questions should be answered. Many questions on the environmental inspection cycle may also be relevant and these can be included in the review and should be agreed in advance between the host and the IRI Champion / team leader.

### **1. Planning of inspections**

#### **Objective**

To find out the criteria and procedures for planning of inspections and how this is put into practice.

#### **1a. Describing the context**

##### *Identifying the scope:*

Information on tasks, responsibilities, legislation and installations can be found in part A.

The Environmental Protection Act is the basis for the drafting of an annual work plan. The MEPPPC Strategic plan 2011-13 defines medium period objectives and this breaks down into annual targets and objectives. In the period 2011-13, the general aim of the DIA is to: increase capacity and the number of coordinated inspections with those Ministries that have a horizontal agreement with MEPPPC (please see annex 3), regulate effectively IPPC installations and those that deal with dangerous substances, and other installations that have a high risk of pollution and potential to harm human health.

#### **1b. Setting priorities**

The DIA’s Annual Work Plan is developed by the State Secretary and the Chief Inspector in cooperation with Head of Sector and Heads of Departments. Using strategic documents and previous years inspection plans, they:

1. calculate / estimate the amount of non-routine inspections to be performed e.g. complaints based on previous years

Responding to and dealing with complaints is approximately 20% of the total number of inspections an inspector carries out. Inspectors evaluate the importance of complaints and are authorised to prioritise these complaints and respond when they are able to. The number of

accidents is approximately 170 per year. Inspectors are obliged to react immediately and investigate the incident.

Year	2008	2009	2010
Number of complaints	1623	1529	1444

2. determine the industrial sectors for thematic inspections

The DIA also carries out thematic inspections on a particular industry sector, type of installation or type of operator. The purpose of these inspections is to obtain an overview of the current situation in that industry sector and compare the results of inspections at different installations. It is also used to introduce new pieces of legislation to operators. A coordinator for each thematic inspection is appointed. The coordinator prepares instructions for inspection performance and the frame for reporting.

3. develop a plan for coordinated inspections

There is a separate Annual Work Plan for Coordinated inspections. Coordinated inspections bring together inspectors from several Ministries with the responsibility to regulate the conditions relating to their competence, for example, the Ministry of Regional Development, Forestry and Water Management for conditions relating to water legislation.

A pre-meeting with representatives of all line institutions (in December for the following year) takes place to identify priorities. A detailed work plan with the names of operators, names of inspectors and the exact week in which the inspections will take place is then agreed and published on the website. In 2011, 54 coordinated inspections took place.

Prioritization of the above Annual Work plan is based on the following:

- Strategic Documents
  - National Strategy for Environmental protection
  - National Action Plan for Environmental protection
  - Air Quality Protection and Improvement Plan (2008 – 2011)
  - Strategy of Waste Management in Croatia (up to 2025)
  - Action Plan for Waste Management in Croatia (2007 – 2015)
  - Strategy of sustainable development
  - Strategic Plan of MEPPPC for 2011-2013
- Risks and environmental impacts of activities
- Available human resources
- Necessary workload

The annual plan is then translated into annual targets for individual inspectors. Inspectors then turn these into monthly plans and get these plans approved by their line manager.



The average time spent by inspectors for carrying out inspection activities has been broken down into those for 'large' and 'small' installations, complaint handling/investigation, follow up and 'other' (investigating accidents / incidents). For large installations, inspection time is usually three days compared to one day for small installations. Inspection of documentation is usually 0.5 days for large installations and a third of a day for small installations. The DIA also factors in time spent on preparation, reports and appearing in court cases (5 days for large installations and 1 day for small installations). Follow up activities usually account for 1 day of inspection and half a day for reporting.

### 1c. Defining objectives and strategies

As described above, the DIA have the benefit of working underneath a strong corporate mission and goal. Once this has been broken down into the MEPPPC's Strategic Plan (2011-13) that defines medium term objectives and then the annual targets, individual inspectors are expected to translate these annual targets into their own annual targets. This provides inspectors with a clear 'line of sight' linking individual inspector goals to corporate goals so that they can see how they contribute to the wider organizational targets.

Targets for 2011 can be seen in figures 8 and 9 below.

	Installations		Complaints	Control of decision execution	Others	Total
	Large	Medium-sized				
<b>Total:</b>	<b>250</b>	<b>10.500</b>	<b>2.000</b>	<b>2.500</b>	<b>1.000</b>	16.250
<b>%</b>	<b>1,54</b>	<b>63,62</b>	<b>12,31</b>	<b>15,38</b>	<b>6,15</b>	100,00
Frequency of on-site supervision (x year)	1	0,33	1	1	1	
Frequency of supervision, documents (x year)	0,5	0,33	0	1	1	
Date/supervision, site	3	1	0,5	1	1	
Date/preparation, reports, documents, courts	5	1	0,1	0,5	1	
<b>Total man day</b>	<b>1.375</b>	<b>6.930</b>	<b>1.000</b>	<b>3.750</b>	<b>2.000</b>	<b>15.055</b>
Work days/year/inspector (effectively)						<b>200</b>
<b>No of inspectors outside managerial structures</b>						<b>75</b>
Additional staff						
<b>Management</b>	<b>1 chief inspector + on average 5% head inspectors</b>					<b>7</b>
<b>Instructive and internal control</b>	<b>Education of inspectors 3% of instructive inspectors</b>					<b>4</b>
Administrative staff	1 administrator per 20 inspectors					6
Legal assistance	On average one legal expert per 30 inspectors					4
Court representation	On average one legal expert per 30 inspectors					4
<b>Total</b>						<b>23</b>
<b>Total No of inspectors</b>						<b>86</b>

Total (inspectors and additional staff)	100
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Figure 8: Human Potentials and work load

	Site visit 1/year	Documentation - 1/year	Site visit - 0,5/year	Documentation - 0,5/year	Site visit - 0,2/year	Documentation - 0,2/year	Occasionally, the frequency is not determined
IPPC Installations (integrated requirements of environmental protection)	X			X			
SEVESO Installations - Upper Tier	X			X			
SEVESO Installations - Lower Tier			X	X			
Waste landfills	X						
EIA installations		X					X
Hazardous waste - companies that deal with hazardous waste management (collection, storage, processing, disposal, export)	X						
Hazardous waste - companies that are producers of hazardous waste, and are subject of reporting to PRTR		X	X				
Hazardous waste - companies that are producers of hazardous waste and not subject of reporting to PRTR					X	X	
Trans-boundary movement of waste	X	X					
Special categories of waste - companies that deal with special waste categories (producers, importers, collection, storage, processing, disposal, export)							X
Non-hazardous and municipal waste - companies that deal with non-hazardous and municipal waste management (collection, storage, processing, disposal, export)		X					X
Non-hazardous waste - companies that are producers of non hazardous waste, and are subject of reporting to PRTR		X					X
Non-hazardous waste - companies that are producers of non hazardous waste and are not subject of reporting to PRTR							X
Air Emissions – Installation/continuous measurements	X	X					
Air Emissions - Installation/periodic measurements at least 1/year		X					X
Air Emissions - Installation/periodic measurements at least 1/every three years					X	X	
Air Emissions - Installation/periodic measurements at least 1/every five years					X	X	
Installations that use volatile organic solvents VOC		X					X
Controlled and alternative materials ODS - import / export, marketing, servicing, collection				X			X
Others							X
Local and regional self governments		X					

Figure 9: Frequency of inspection

The DIA carries out mostly announced inspections in line with their coordinated and thematic inspections. The review team suggested that an analysis of announced versus unannounced inspections may be useful in understanding the different types of intervention strategies available to them. Also, thematic inspections are used not only to inspect installations but also to inform operators of new pieces of legislation they should be aware of. Thematic inspections have rotated over the past several years in order for the DIA to interface with different areas of industry. This rotation is considered when the DIA establishes its annual work plan each year.

The review team noted that the DIA are currently involved in the IMPEL project: easyTools. The DIA were actively using the results of this project to implement a more thorough method of risk assessment in their inspection planning that will in turn help to better achieve the MEPPPC's qualitative goals set out in its mission statement.

### **1d. Planning and review**

The MEPPPC is obliged by law to develop an annual report on its activities carried out throughout the year. The Minister then delivers this report to the Government. It includes information such as:

- data and information related to the implementation of the work plan and programme
- a joint report on coordinated inspections carried out and other activities within the framework of mutual cooperation with other inspections in the area of environmental protection
- proposals for advancement of inspection supervision in the field of environmental protection and improvement of Croatia's environmental status

The DIA then develops an annual report to be published on the website, for the benefit of the public, on inspection activities and joint inspections carried out as well as on bathing water quality.

When reviewing the inspection plan, the DIA takes into account the views of the heads of Branch Units. They check planned against realised inspections for each month through monthly reports of inspectors and analyses the reasons for why this was not achieved if that is the case. The general annual plan for the whole DIA is reviewed after 6 months based on this report from BU heads. The schedule can be revised where necessary if there are changes to be made because of:

- Major accidents
- A high number of 112 calls
- Local community / citizens' complaints
- Requests from the public prosecutor or police
- Changes in priorities or Ministry policies
- Information about violations in trans-frontier shipments of waste

## **2. Execution framework**

### **Objective**

To find out what provisions, instructions, arrangements, procedures, equipment etc, are in place to enable inspectors and other staff to carry out inspection activities on the ground.

### **Overview**

There are several ways to disseminate developments to all staff within the organisation:

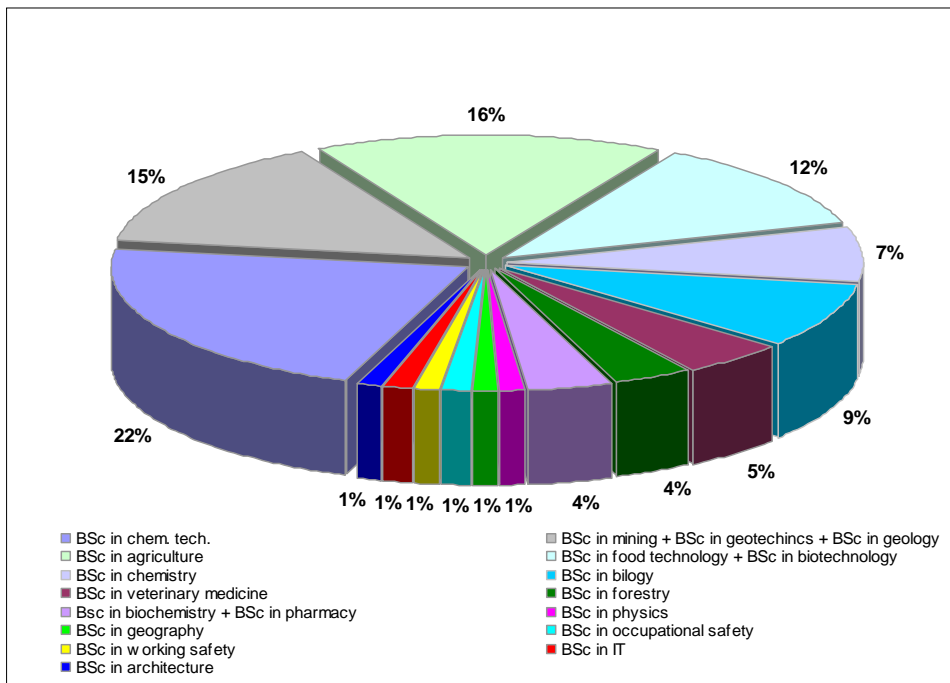
- Regular communication flow through emails (head inspector and coordinators down to inspectors)
- Briefings: internal workshops and seminars not only for inspectors but also for operators and other interested parties
- Postings on MZOPU Intranet. The Intranet has been recently developed linking all of the Ministry departments together
- Postings on MZOPU web, [www.mzopu.hr](http://www.mzopu.hr)
- Official Gazette web page, [www.nn.hr](http://www.nn.hr)

### *Emergency response*

The Inspectorate has established a 24 hour duty, and inspectors are ready to respond on a 112 call. The Inspector on duty is obliged to react; visit the location, make a judgment and alert all other relevant bodies and / or make an inspection if necessary.

### **Qualifications, skills and experience**

Inspectors are employed on the basis of vacancy published in the Official Gazette and newspapers. A university degree in natural or technical sciences (Master of Science) is obligatory for environmental inspectors in Croatia. Requested work experience is at least 5 years for inspectors and 10 years for senior inspectors. A driving licence and knowledge of a foreign language is also requested. There is a general probationary period of 6 months, the same for all state employees. However, inspectors at the beginning work together with a senior inspector for a longer period (up to 2 years). All state employees must take and pass state exams within one year from the date of employment. The emphasis during the exams for inspectors is on administrative work, inspection and offence procedures.



**Figure 10: EPI qualification structure - status on 31st December 2010**

### *The code of ethics*

Environmental inspectors performing official duties apply the principles of the civil service and ethical principles prescribed by the Law on Civil Servants and the Code of Ethics.

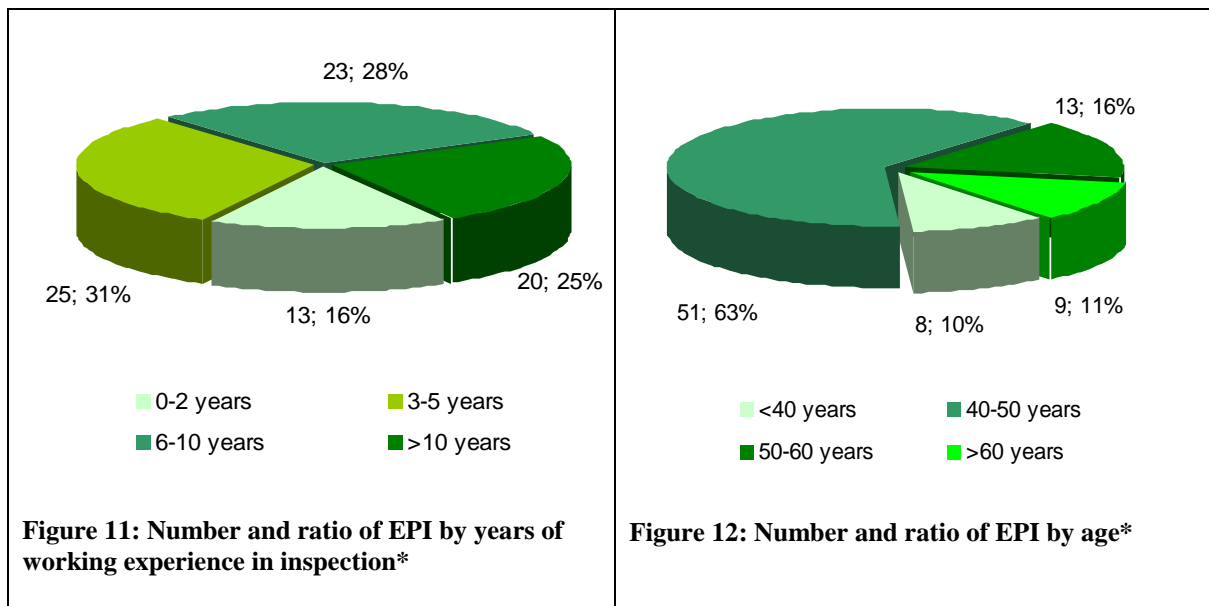
### *Education and training for inspectors*

There is permanent training and education throughout the inspector's career. The training plan is developed by the Chief Inspector. Inspectors are trained on general topics and specific work areas. Most training is in technical areas but also includes improvement of computer skills and language courses for example. In 2010 each inspector on average spent 4.5 days in internal training programs. There are also opportunities to work in an international setting and this provides additional training for inspectors. These opportunities include:

- Work in the EU pre-accession activities e.g. Phare / Twinning projects
- experience in international cooperation (bilateral, multilateral, ..)
- working in international networks (BERCEN, ECENA, RENA, INECE, THEMIS, Interpol, IMPEL)
- Mutual Joint Visit Programme on Inspections under SEVESO II Directive

There is a multi-annual plan approach to training requirements. Evaluation forms from participants are completed after all training and this helps to ensure that participation is valuable. It is also used by the Chief Inspector when deciding on the following year's training programme.

The average age of an inspector is 46.6 years. The following graphs show the age of and the amount of experience inspectors have:



\* Status on 31<sup>st</sup> December 2010

### Guidance

Instructions to inspectors regarding performance of inspection supervision are drafted by senior inspectors. These are made on annual basis and are delivered to environmental inspectors in Branch Units by e-mail and are all stored in paper and electronic formats at the inspectorate. Instructions for systematic thematic supervision sent out in 2011 for:

- landfills
- installations in which organic solvents are used
- persons authorised for waste management
- entities dealing with controlled and alternate substances
- farms
- traffic routes
- nautical tourism ports
- quarries
- coffee roasting
- confectionary production
- olive oil production

Instructions contain:

- a list of entities to be inspected
- a list of the respective regulations
- deadline for the execution of inspection
- questionnaire for inspection supervision
- a template of a letter sent to the operator

- manner and time limit for preparation and submission of the report on performed inspection and the form of that report
- other relevant data characteristic for a certain type of thematic inspection

Integrated Environmental Protection Requirements (IPPC) manuals were developed:

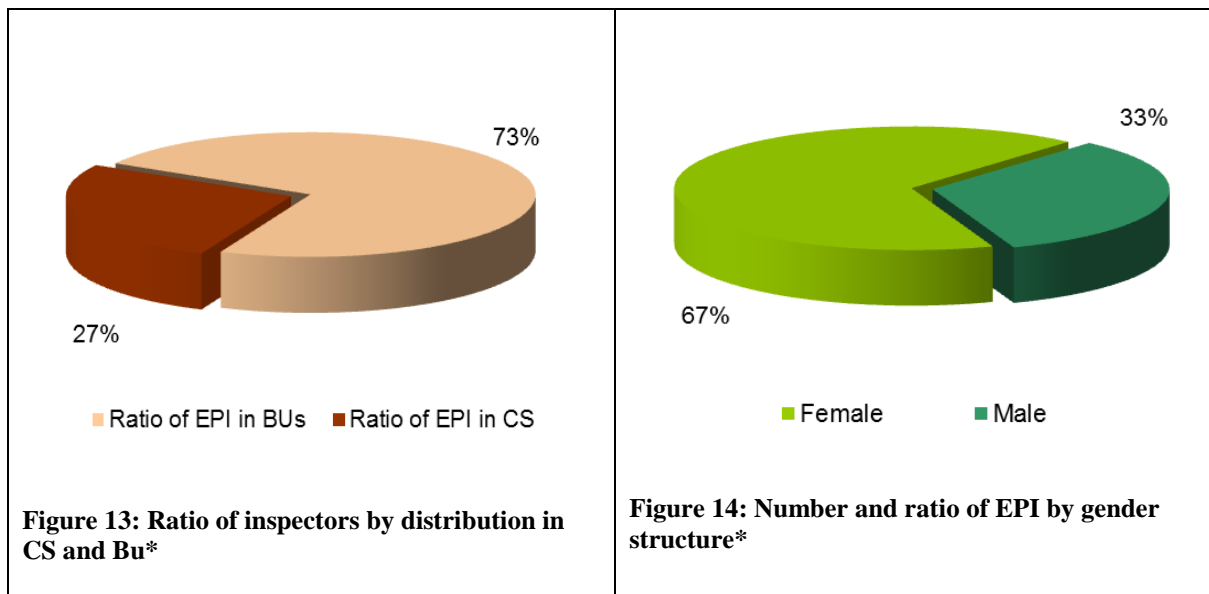
- within the framework of the PHARE 2005 project: "Enhanced environmental inspection for enforcement of new environmental legislation" and
- within the CARDS 2004 project: "Support for the Further Approximation of Croatian Legislation with the Environmental Acquis", Component 1.

These manuals show the practical application of the Recommendation for Minimum Criteria on Environmental Inspections (RMCEI), and methodology for performing inspections of IPPC installations.

When organising coordinated inspections, the head of department for coordinated inspection drafts the instructions for senior environmental inspectors taking into account the Agreement on Co-operation between Inspection Services in the Field of Environment, as well as the manner and time limit for reporting on performed inspections.

In order to use the Environmental Inspection Information System (ISIZO), developed under the PHARE 2005 project: "Enhanced environmental inspection for enforcement of new environmental legislation", environmental inspectors are provided with written instructions and continuous expert assistance from employees of the Department for Inspectional Supervision Information System.

Instructions and guidelines for work are also given to environmental inspectors during annual meetings and thematic workshops. New inspectors are trained in special workshops and by environmental inspectors in BUs during live inspections.



\* Status on 31<sup>st</sup> December 2010

### *Culture of the Inspectorate*

As part of the MEPPPC's guiding principles, its aim is to Increasing public confidence in the inspection services by ensuring tasks are performed to the highest possible level of quality, using the highest possible level of expertise and professional training of inspectors and other officials. The DIA aims to regulate inspection tasks so as to standardised operating procedures and ensure consistent decision making. The DIA tries to ensure that inspector's activities are based on established legal practice as well as on best practise.

### **3. Execution and reporting**

#### **Objective**

Find out how routine and non-routine inspection activities are carried out and reported and how data on inspections carried out, their outcomes and follow-up is stored, used and communicated.



## Overview

The inspection procedure defined by the Environmental Act authorises the inspector to:

- Enter facilities, buildings, premises and areas (industrial production facilities, installations with plants or devices with associated land on a building plot) and inspect them, as well as forests, farmland and other land, temporary construction sites; performance of works etc.,
- Inspect business documentation that provides insight into business activities of the supervised person (business records, registers, documents, contracts, papers etc.),
- Take statements from responsible persons for the purpose of gathering evidence on facts, as well as from other persons who are present at the inspection supervision,
- Request a written report from the supervised person on the undertaking of measures ordered in the course of the inspection supervision,
- Establish facts in visual form (taking photos, recording by camera, etc.),
- Perform soil, air and waste samples using authorised personnel,
- In case of an imminent threat to human lives and health and the environment, the inspector may verbally order a supervised person to undertake emergency measures for the purpose of preventing further environmental pollution
- During the inspection supervision, the inspector may immediately close by sealing the premises or areas to where the supervised person performs a specific activity and prevent the operator from using the installation or equipment and other working instruments

When performing inspections, inspectors write 'Minutes' of their inspection of an installation. The minutes are not publicly available, must be written during the inspection and the content is prescribed by the General Administrative Procedure Act. The minutes are signed by the inspector and usually by the operator (operator gets one copy) and contains all relevant facts and findings of the inspection. The operator does not have to sign the minutes but this does not invalidate the findings if they are not signed by the operator. By law, all records for each inspection have to be kept in archives (hard copy) for a minimum of 5 years (electronic versions are kept as well). In practice, all hard copies have been kept in the archives since the formation of the Ministry. When performing coordinated inspections an inspection report is produced that is available to the public. This is an amalgam of the comments from all line Ministries involved in the coordinated inspection.

The inspector has the opportunity to apply a 'Decision' or 'Emergency measures' in case of non-compliance. If the non-compliance is rectified within an agreed deadline a 'Conclusion on Suspension of the Enforcement Procedure' is issued. If it is not, the enforcement procedure of the Decision is initiated.

Enforcement of the inspection Decision takes the following form:

- Administrative measures

- Sealing measures (closing of the site or part of the site)

If in the course of an inspection a violation is established, the inspector has the right and obligation to bring without any delay misdemeanour or criminal charges before competent authorities.

An operator has the right to appeal.

- Appeal body - a special commission within the Ministry of Environmental Protection, Physical Planning and Construction that is appointed by the Minister to resolve cases
- Administrative Court - an administrative dispute can be filed at the Administrative Court

In both cases an appeal submitted against a decision shall not postpone its enforcement.

### *Information systems*

The inspectorate uses the Environmental Inspection Information System (ISIZO) and this allows systematic electronic document tracking, storage, and analysis and information/data exchange. ISIZO allows efficient management and use of data, availability of information on the inspection treatment to the other stakeholders involved in environmental protection to information. Inspectors are obliged to insert all data on their everyday work in ISIZO. The system was introduced in 2010, and after testing period, starting from 1<sup>st</sup> October 2010, all environmental inspectors have to enter data into it and attach all relevant documents (photos, scans of minutes, decisions, etc.). By 6<sup>th</sup> March 2011 there were 2,775 operators and 3,616 cases entered in the system. The chief inspector and other senior inspectors in the CS have access to all data in the system and permission to mark cases as best practice. Superiors have permission to access data entered by their subordinates.

The inspectorate is planning to further develop ISIZO and is going to:

- Add additional reporting templates
- Give the public web-access for a select set of data/reports
- Enable data exchange with the Croatian Environment Agency and other interested parties
- Improve some elements of operability and user-friendliness

### *Website content*

On the [MEPPPC website](#) a separate section called: 'Inspection' has been established to inform the public about DIA's activities. The Inspection section consists of details on:

- Organisation and structure
- Contact information
- A description on how to file complaints
- Activities and news
- International activities
- Work with related networks on inspections such as IMPEL, INECE, Interpol, THEMIS, RENA
- Reports:
  - Annual report on environmental protection inspection
  - Annual report on coordinated inspection

- Sea bathing water quality on beaches of the Croatian Adriatic
- [Agreement on Co-operation between Inspection Services in the Field of Environment](#)
- EU funded projects

#### *Making information available to the public*

The inspectorate provides information to the general public through the Public Relations Department in MEPPPC and through the press officer. The answers are usually prepared with the assistance of the inspectors. All public information requests and complaints submitted to the Inspectorate should be responded to within one month.

Requests and complaints can be submitted:

- In written form
- By email
- By telephone (every working day, during regular working hours 8a.m. to 4 p.m.)
- By 112 Service in case of emergency (24 hours)

The inspectorate in the Central Service in Zagreb, as well as in Branch units, have scheduled office hours for the public two Mondays (1<sup>st</sup> and 3<sup>rd</sup>) during the calendar month (from 9 a.m. to 12 a.m.), during which they may communicate personally with the inspector on duty. They may also communicate with the inspector on duty by phone. This service is also organised in 20 MEPPPC Branch Units. The inspector shall notify the applicant on the facts established in the inspection findings within 30 days though a further month may be granted if the requested information is extensive and complex.

#### *Dealing with accidents*

After information about an accident is received (e.g. phone calls on 112 there is a DIA inspector on duty 24 hours a day), basic information about the accident is collected: time and place of occurrence, hazardous substances involved, general assessment of threatened zone (from internal plan). An on-site inspection is then made and inspection minutes are taken including photos and statements taken from witnesses. Sampling and analysis of soil, water, air can be taken by a certified laboratory.

When conducting the inspection in the event of an accident, the inspector can order by Decision, a company or operator to immediately apply measures and procedures in line with the Safety Report and internal plan. These are measures to prevent further spreading of environmental pollution and initiate restoration measures. The inspector then orders the company or operator to inform the public on the performed measures, to conduct analyses of possible deficiencies in the Safety Report, as well as to undertake other necessary measures for reducing environmental damage.

In case of an imminent threat to human lives and health and the environment, the inspector may verbally issue an order to cease the operation of the installation until the threat is removed. A written confirmation of the verbal order should be delivered to the party concerned within a period of eight days from the date of issuing the verbal order. The inspector immediately informs the central state administration body competent for safety and rescue as well as the competent police department on the issuance of the order.

The inspector orders, by the decision, the company or operator to undertake new protective activities and measures which are not included in the Safety Report for the purpose of remediation. The inspector requires the company or operator to obtain from the Ministry a new approval of the safety report as well as set the appropriate deadlines for the purpose of harmonization with the provisions set out in this report. The inspector can prohibit the company or operator from operating the installation and/or from performing activities if after the expiry of the deadline ordered in that decision the company or operator has not taken action in line with the order.

#### **4. Performance monitoring**

##### **Objective**

Find out how the environmental authority assesses its performance and the environmental and other outcomes of its activities.

##### **Overview**

Within the Strategic Plan of the MEPPPC for the period 2011 – 2013, objectives were defined for the next three years. This also incorporated ways to achieve this plan, including identifying tasks and core functions and setting appropriate quantitative indicators to illustrate this.

Figures 13 and 14 below show the DIA's current output and outcome indicators for the period 2011-13. Information such as the number of inspections carried out and the number of training days inspectors take part in are measured as an indicator of an improved environment. The review team noted that the DIA's general aim is to increase the number of supervisions though the implementation of a more effective risk classification system would avoid unnecessary use of resources on high frequency inspections. For example, if an installation is on a high inspection frequency due to high risk activities concerning water, but have only low risk activities regarding air issues and noise, DIA could look into the possibilities of not spending resources on checking low risk activities during each visit.

<b>Table of output indicators</b>								
<i>Special goal</i>	<i>Outcome indicator</i>	<i>Definition</i>	<i>Unit</i>	<i>Baseline</i>	<i>Source</i>	<i>Target value (2011)</i>	<i>Target value (2012)</i>	<i>Target value (2013)</i>
Improve preconditions for prevention of all types of environmental pollution, supervision and proceeding in environmental protection	Percentage of increase of implementation of measures for reduction of all types of environmental pollution	Pursuant to the existing legislative background the Ministry will step up implementation of prescribed measures for integrated prevention and control of all types of pollution	%	65	MEPPPC	66	67	68
Ensure preconditions for establishment of an integrated waste management system	Increase in percentage of realised goals prescribed by ordinances and the Operational Programme	Goals prescribed in waste management are realised through reduction of waste generation, reuse of usable components of waste and reduction of quantities of waste being deposited at landfills with a limited number of organised centres for waste management	%	25	MEPPPC	27	28	35
Improve the status of environment through performance of inspectional supervision	Increase in percentage of supervised persons in compliance with environmental	In order to improve the status of environment compliance of operation of supervised persons with environmental protection, air protection and waste management regulations is	%	55	MEPPPC	60	65	70

	protection, air protection and waste management regulations	realised through coordinated and systematic inspectional supervision							
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**Figure 15: Table of output indicators in MEPPPC Strategic Plan 2011-13**

Table of outcome indicators									
<i>Special goal</i>	<i>Method for achievement</i>	<i>Output indicators</i>	<i>Definition</i>	<i>Unit</i>	<i>Baseline</i>	<i>Source</i>	<i>Target Value (2011)</i>	<i>Target value (2012)</i>	<i>Target value (2013)</i>
Improve the status of environmental through performance of inspection supervision	Planning of coordinated and systematic inspection	Increasing of number of planned inspections	Implementation of obligatory inspections of certain activities with risk of environmental pollution, reduces their potential impact on the environment in excess of the value of all components of the environmental burden	number	6000	MEPPPC	6500	7000	7500
		Increase in number of supervised person	Inspecting a large number of legal entities, ensures the improvement of the environment	number	5000	MEPPPC	5200	5600	6000
		The number of supervised persons matched with the regulations on environmental protection, air protection and waste management	Compliance of the supervised person provides awareness, knowledge and action in order to improve the environmental status	number	2700	MEPPPC	3100	3600	4200
	Training of environmental inspectors	Increasing the number of days in training for environmental inspectors	Systematic training and education with the aim of developing specific skills and professional knowledge of inspectors for the effective implementation of environmental legislation in line with the EU legislation.	number	4	MEPPPC	8	8	8

**Figure 16: Table of outcome indicators in MEPPPC Strategic Plan 2011-13**

## Part D – Site visit

A site visit can be a useful way to confirm the Review team’s understanding of the regulatory system and work of the environmental authority. It is not compulsory and will add an extra ½ day to the review but previous reviews have shown it to be a useful addition.

### **Objective**

To gain an understanding of the relationship between the environmental authority and industry and how this works in practice.

### **Overview**

During the IRI no site visits were performed.

### **Good practice**

#### **Part A**

- The inclusion of a strong over-arching mission statement in the constitution: *Right to a healthy life*, is a positive starting point to develop any Ministry / Inspectorate
- A clear line of sight from the Ministries Vision to the Mission Statement, to the inspection planning. The inspectorate also have a clear documented commitment and ethics on serving the citizens of Croatia
- Though the horizontal cooperation agreement between Ministries appears quite time consuming because the MEPPPC takes the lead in coordinating these joint inspections; in practice, the DIA seem to have found an efficient way of carrying this out. The formal agreement between the Ministries is impressive

#### **Part C**

##### *Planning of Inspections*

- The involvement of Branch Units in decision making alongside the Central Service around on work planning encourages participation and ownership in corporate goals
- Time set aside for non-routine inspections / court appearances. Set aside of time in annual plan for education of inspectors shows strong commitment to staff development
- The use of thematic inspections and the subsequent comparison of results at different installations is good. Checklists and other support documents, e.g. report templates are produced for each thematic inspection campaign
- The use of a pre-meeting between representatives of all line institutions to identify priorities when carrying out joint inspections
- Possibility to revoke/review permits
- General Binding Rules used on de facto IPPC sites that have not yet applied for or obtained a permit
- The DIA is involved in the IMPEL easyTools project. This will help DIA to design a more effective risk assessment system going forward
- The checking of planned against actual inspections on a monthly basis

##### *Execution Framework*

- Systematic and structured annual inspection planning is broken down into monthly activity planning for individual inspectors. These plans are signed off by the inspector to ensure that they are understood, how they contribute to corporate goals and possible to implement
- Training courses for operators as well as internal staff to increase/improve compliance are available
- There is a professional and systematic training system



- Annual meeting designed as both a training and information dissemination exercise for all inspectors held once a year
- The DIA encourages a mentoring roles for senior inspectors. DIA have a formalised system of mentoring
- There is a focus on learning from other countries, International cooperation and networking. Management appear to promote inspectors and encourage them to participate in international projects / activities to learn from their peers
- The MEPPPC has a formalised code of ethics alongside other civil servants which is published so that public know the standards the inspectorate are supposed to work to
- Video conferencing used to reduce costs and communicate between Branch Units, Central Service and other institutions
- The use of guidance documents (that are written by senior, specialist inspectors), when inspecting certain industry sectors provides other inspectors with a clear understanding of what to look for and how to inspect those installations effectively

#### *Execution and Reporting*

- ISIZO is a sophisticated tool for planning and reporting inspection activities. The Chief Inspector can highlight good examples in order to aid training of new inspectors. The Review team would encourage the Ministries future plan to share information through the ISIZO database with CEA and vice versa
- The development of Annual reports on coordinated inspections is impressive
- The development of an annual report that summarises and publicises suggestions for improvement
- The right to inspect is laid down in law. Other inspectorates have a similar right and authority
- Intention to implement the annual work plan of the 'Educational academy for Administration' is likely to produce good results by enabling training with other Ministries
- A 24 hour emergency response service to the public is provided by inspectors at the DIA
- There is a significant number of publicly available documents on the website. The MEPPPC website is designed and used for communicating to the public
- The MEPPPC makes publicly available the 'minutes' (inspection report)

#### **Opportunities for development**

##### **Part A**

- Consider developing a more formalised management/Quality Assurance system
- Consider the possible challenges in the future if responsibilities for IPPC permits and inspection systems are split between several Ministries

## Part C

### *Planning of Inspections*

- More thorough analysis of the results produced from announced and unannounced inspections may prove beneficial to understanding the different outcomes of the respective approaches
- The use of further prioritisation criteria for inspections will enable more effective use of resources. The inspectorate is already involved in the easyTools project and the review team would encourage the implementation of findings and learning from this project into their planning process
- Consider building a system for risk based diversification of inspection targets on each inspection, to avoid unnecessary use of resources on high frequency inspections. E.g., if an installation is on a high inspection frequency due to high risk activities concerning water, but have only low risk activities regarding air issues and noise, one should look into the possibilities of not spending resources on checking low risk activities during each visit
- Consider using a guideline document to assist inspectors in deciding how to prioritise the importance of complaints

### *Execution Framework*

- Look into the possible risks that the difference in number of applications for open positions in Zagreb compared to those in Branch Units could lead to a long term development of different levels of competence
- Demographic challenge – a significant proportion of staff are in the 40-50 age range. Take steps to tackle this 'bubble' and ensure there is no significant loss of experience and expertise from the DIA when that group retires or leaves the Inspectorate
- Consider using e-learning tools as part of training suite
- Look into possibilities for systematic mapping of the competence levels of staff, and consider a gap analysis of current and future competency needs within the inspectorate and then create a plan for how you are going to get there
- Consider developing an internal procedure to keep and maintain data for a long enough period to ensure availability of data for future needs, e.g. concerning clean up and soil remediation on discontinued industrial sites

### *Execution and Reporting*

- 7000 inspections vs. 1 criminal case - Explore strategies to integrate criminal court cases as a more accessible and more frequently used option for increasing compliance and enforcement
- Explore possibilities for linking ISIZO database to Ministries responsible for noise and water to make inspection plans, reports etc available to them
- Look into the possibilities of linking data from monitoring of the environment done by CEA into ISIZO to make a good and easily available input to inspection prioritization

*Performance Monitoring*

- Consider a more systematic evaluation of performance in relation to goals and targets of MEPPPC

## Conclusions

The Directorate for Inspection Affairs in the MEPPPC has developed, and are in the process of developing, a range of strong tools for planning, carrying out and reporting on inspections. The speed of change and the implementation of key tools and processes like ISIZO are impressive. The review team have stressed the need to build upon this progress by developing clear prioritisation criteria and establishing a more formal management system.

The review benefited from involving both Central Service representatives as well as those from the Branch Units. There is clearly a strong commitment to outside learning and to the development and personal well-being of staff.

The Directorate for Inspection Affairs should be congratulated on their hard work in making the review a success. This was characterised by the excellent management of the project leader but also extensive notes, guidance and presentations produced in advance of the IRI itself.

The Review team's broad conclusions are that the objectives of the area of EC environmental law within the scope of the review of MEPPPC are being delivered in Croatia, and that arrangements for environmental inspection and enforcement are broadly in line with the RMCEI.

## Lessons learned from the Review process

The main lessons are:

- Preparation of key documents and presentations by the host organisation in advance of the review significantly improved the IRI process
- It was felt that two days to perform the IRI was not long enough to adequately go into detail
- There was sufficient time given to explaining Part A both in the pre-reading material and in the Review itself in order to give a good system wide overview. This was assisted by a presentation on permitting and though it was not the focus of the IRI it helped to give structure and an understanding of the organisations involved
- There was an uneven balance between team members that had experience of the IRI process and those that did not though this was caused by the late withdrawal of two more experienced members of the team. It was felt that having an approximately 50/50 split was optimal
- There was an even representation between managers and inspectors as well as a good balance between skill sets for example, a legal expert, a permitting expert and experts that focussed on SEVESO and IPPC were present in the team
- For more experienced IRI members, it was a good experience to work on and analyze a system in transition and under development
- For the team members who were new to the IRI process it was commented that participation gave an international perspective on environmental regulatory issues and that regulation can be implemented in several different ways.
- Keep the number of team members limited, 5-8 seems to be ideal
- It was felt that distributing more general info on the IRI process to team members at least a week ahead of the IRI, e.g. questionnaire, one recent report and information of what is expected from the team members, would be of significant benefit to the outcome
- Keeping presentations to the essentials would allow team members time to follow up particular issues more in depth
- The leadership of an IRI could be improved by making a MS PowerPoint package for team leaders with IMPEL templates included for example on what to consider when reporting on the first and last day, relevant IRI maps, reporting documents

## TERMS OF REFERENCE FOR IMPEL PROJECT

No	Name of project
	IMPEL Review Initiative (IRI) on the Croatian Environmental Protection Inspectorate of the Ministry of Environmental Protection, Physical Planning and Construction (MEPPPC)

### 1. Scope

<p><b>1.1. Background</b></p>	<p>The IRI scheme is a voluntary scheme providing for informal reviews of environmental authorities in IMPEL Member countries. It was set up to implement the European Parliament and Council Recommendation (2001/331/EC) providing for minimum criteria for environmental inspections (RMCEI), where it states:</p> <p><i>“Member States should assist each other administratively in operating this Recommendation. The establishment by Member States in cooperation with IMPEL of reporting and advice schemes relating to inspectorates and inspection procedures would help to promote best practice across the Community.”</i></p> <p>The potential benefits of the IRI include:</p> <ul style="list-style-type: none"> <li>• providing advice to environmental authorities seeking an external review of their structure, operation or performance by experts from other IMPEL Member Countries</li> <li>• encouraging capacity building in environmental authorities in IMPEL Member Countries</li> <li>• encouraging the exchange of experience and collaboration between these authorities on common issues and problems</li> <li>• spreading good practice leading to improved quality of the work of environmental authorities and contributing to continuous improvement of quality and consistency of application of environmental law across the EU (“the level playing-field”)</li> </ul> <p>The IRI scheme has recently been revised to make it easier to follow and more appealing to member countries. The questionnaire was updated and the inspection part aligned to the Doing the right things project. The new scheme was first used in Portugal in October 2009.</p> <p>The IRI in Republic of Croatia will be done under new scheme and using the new questionnaire.</p>
<p><b>1.2. Link to MAWP and IMPEL’s role and scope</b></p>	<p>ART. 3.3.2. of MAWP 2007-2010, among the key priorities and legislative areas of IMPEL activities mentions that:</p> <p>»IMPEL's key priorities for the period 2007-2010 are to continue the work on the tasks given to IMPEL by the Recommendation on Minimum Criteria for Environmental Inspections (RMCEI) and to fulfil its mandate under the 6th Environment Action Programme (6th EAP).«</p>

<b>1.3. Objective (s)</b>	<p>To undertake an IRI review of Croatian Environmental Protection Inspection as described under point 1.2.</p> <p>The benefits of the project are:</p> <ul style="list-style-type: none"> <li>- Environmental Protection Inspectorate will benefit from an expert review of its systems and procedures with particular focus on conformity with the RMCEI,</li> <li>- the participants in the review team will broaden and deepen their knowledge and understanding of environmental inspection procedures</li> <li>- other Member States will benefit through the dissemination of the findings of the review through the IMPEL network.</li> </ul> <p>The inspectorate will in particular benefit from an expert review of the risk based planning of the future permitted IPPC installations which is currently developed taking into account the criteria in the RMCEI and the IMPEL Guidance book on inspection planning »Doing the right things«.</p>
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<b>1.4. Definition</b>	<p>The IRI would focus on RMCEI, IPPC, SEVESO and all other relevant processes.</p> <p>This particular IRI would include the following aspects:</p> <ul style="list-style-type: none"> <li>- the legal and constitutional setting of the inspectorate,</li> <li>- structure and managerial organisation, including funding, staffing and lines of authority and responsibility for regulatory and policy functions,</li> <li>- workload, in terms of numbers of IPPC processes and Annex 1 category,</li> <li>- qualifications, skills and experience of inspection staff,</li> <li>- procedures for the execution and reporting of routine and non-routine inspections,</li> <li>- procedures for assessment of training needs and provisions for training and maintaining current awareness,</li> <li>- procedures, criteria and guidance for the development and revision of inspection plans and inspection schedules,</li> <li>- setting the priorities for IPPC installations: the evaluation aspects, the risk assessment and classifications of risk,</li> <li>- performance monitoring: evaluation of the output and where feasible environmental outcome of inspection activities. The arrangements for internal assessment of the quality of inspection performance and for improvement if appropriate,</li> <li>- arrangements for reporting on inspectorate activities.</li> </ul> <p>A review team will be set up to consider the topics above. This will facilitate the identification of both good practice and opportunities for development. The assessment may involve examination of documentation related to the inspection of a number of future IPPC permitted facilities.</p>
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<b>1.5. Product(s)</b>	<p>In addition to the benefits listed in Section 1.1, tangible products will include:</p> <ul style="list-style-type: none"> <li>- A written report of the review for Environmental Protection Inspection,</li> <li>- Relevant extracts from the review report, as agreed with Croatian Environmental Protection Inspection, for dissemination to IMPEL members and the EC,</li> <li>- Training and Educational material on “lessons learnt” and on examples of good practice for incorporation into training schemes of Member State inspectorates.</li> </ul>
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## 2. Structure of the project

<b>2.1. Participants</b>	<p>The review team will consist of a review team leader, rapporteur(s) and approximately five experts from different Member States. The nomination of the team members will be decided upon in agreement with the Croatian Environmental Protection Inspection and an IRI Ambassador. The review team will work closely together with the project manager, Anita Patekar</p>
<b>2.2. Project team</b>	<p>See 2.1.</p>
<b>2.3. Manager Executor</b>	<p>The Project manager will be Anita Patekar.</p>
<b>2.4. Reporting arrangements</b>	<p>The results of the Review will be reported by the Team leader and a report will be submitted to the General IMPEL Assembly for approval.</p>
<b>2.5 Dissemination of results/main target groups</b>	<p><b>Target audience:</b></p> <ul style="list-style-type: none"> <li>- IMPEL members,</li> <li>- Croatian Environmental Protection Inspectorate.</li> </ul> <p><b>Dissemination of the result of the project:</b></p> <p>IMPEL: The report will contain review background, participants and expenditure and recommendations on its dissemination and follow up.</p> <p>For dissemination the new communication strategy of IMPEL will be used as well.</p> <p>Republic of Croatia: The Report will be available at Ministry of Environmental Protection, Physical Planning and Construction (MEPPPC) website.</p>

## 3. Resources required



<p><b>3.1 Project costs</b></p>	<p>The project will involve the steps:</p> <ul style="list-style-type: none"> <li>• Pre-meeting of the Review Team Leader with the Candidate Inspectorate to finalise the Scope and Timing of the Review,</li> <li>• Preparation of information on the Croatian Environmental Protection Inspection within MEPPPC and its activities by the Croatian contact persons (after a previous contact with the Review Team Leader in order to establish the relevant and needed information) and circulation to Review Team members.</li> <li>• Review over a period of 3 days comprising</li> <li>• 1.5 days for review and assessment</li> <li>• 0.5 days for comparison and collation of team views</li> <li>• 1 day for feedback, discussion and finalisation of report.</li> </ul> <p>It is proposed that meetings and report are conducted in English no interpretation is required.</p> <p><b><u>Preparatory meeting:</u></b></p> <p>covered by IMPEL: - travel for team leader and rapporteur - 2x500= €1000  - accommodation for team leader and rapporteur (2 evenings) – 125x2x2 =€500  - <b>total = €1500</b></p> <p><b><u>Project:</u></b></p> <p>covered by IMPEL: - travel for 7 participants -7x500 = €3500  - accommodation for participants x 3 evenings – 125x7x3 =€2625  - lunch for the participants- 25x7x4 = €700  - Meeting venue costs and travel to meeting =€1000  - <b>total = €7825</b></p> <p>We estimate that the total costs for the IRI review would be €9325</p> <p>Personnel costs from the candidate inspectorate are not included in this assessment.</p>
<p><b>3.2. Fin. from IMPEL budget</b></p>	<p>€9325</p>
<p><b>3.3. Fin. from MS (and any other )</b></p>	<p>Host country will cover..- meeting facilities for the project  - costs for the hard copies  - coffee breaks  - 1 official welcome dinner</p> <p>Cost to be confirmed depending on approval but will not exceed €2000</p>

<b>3.4. Human from MS</b>	Two people to participate in preparatory meeting and project plus other preparatory work = 15 days
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#### 4. Quality review mechanisms

Progress monitoring and quality assessment will be carried out by IMPEL Cluster 1. Cluster 1 will appoint a contact person for this project.
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#### 5. Legal base

<b>5.1. Directive/ Regulation/ Decision</b>	The European Parliament and Council Recommendation on Providing Minimum Criteria for Environmental Inspections in Member States (300/331/EC)
<b>5.2. Article and description</b>	Recommendation 2001/331/EC is a substantial element of IMPEL' MAWP.
<b>5.3 Link to the 6<sup>th</sup> EAP</b>	ART. 3.3.2. of MAWP 2007-2010, among the key priorities and legislative areas of IMPEL activities mentions that: »IMPEL's key priorities for the period 2007-2010 are to continue the work on the tasks given to IMPEL by the Recommendation on Minimum Criteria for Environmental Inspections (RMCEI) and to fulfil its mandate under the 6th Environment Action Programme (6th EAP).«

#### 6. Project planning

<b>6.1. Approval</b>	By IMPEL 6th General Assembly, 18-19th November, 2010 Brussels, Belgium.
<b>(6.2.Fin. Contributions)</b>	
<b>6.3. Start</b>	Work on composing the Review team can commence after approval. The review itself is planned for June 2011 with a pre-review meeting to be held in March 2011.

## ANNEX 1 – Croatian environmental legislation

### Environmental Protection Act (OG 110/07)

- Instructions on the form, the tenor and the manner of keeping records of inspections performed by environmental inspectors (OG 79/95)
- Environmental protection emergency plan (OG 82/99, 86/99, 12/01)
- National Environmental Strategy (OG 46/02)
- National Environmental Action Plan (NEAP) (OG 46/02)
- Regulation on the quality of bio-fuels (OG 141/05)
- Regulation on technical standards of environmental protection from VOC emissions by storage of petrol and its distribution (OG. 135/06)
- Regulation on unit charges, corrective coefficients and detailed criteria and benchmarks for determination of the charge for emission into the environment of carbon dioxide (OG 73/07)
- Ordinance on the method and terms for calculation and payment of the charge for emissions into the environment of carbon dioxide (OG 77/07)
- Ordinance on the environmental pollution register(OG 35/08)
- Regulation on environmental impact assessment(OG 64/08, 67/09)
- Regulation on strategic environmental assessment of plans and programmes (OG 64/08)
- Regulation on information and participation of the public and public concerned in environmental matters (OG 64/08)
- Regulation on the Environmental Information System (OG 68/08)
- Ordinance on the committee for strategic assessment (OG 70/08)
- Ordinance on the environmental label (OG 70/08)
- Regulation on sea bathing water quality (OG 73/08)
- Contingency plan for accidental marine pollution(OG 92/08)
- Ordinance on the register of use permits establishing integrated environmental requirements and of decisions on integrated environmental requirements for existing installations (OG 113/08)
- Ordinance on the register of installations in which dangerous substances have been identified and on the register of reported major accidents (OG 113/08)
- Regulation on the procedure for establishing integrated environmental requirements (OG 114/08)
- Regulation on the prevention of major accidents involving dangerous substances (OG 114/08)
- Regulation on the involvement of organisations in the system of environmental management and independent assessment (OG 114/08)
- Regulation on the manner of establishing environmental damage (OG 139/08)
- Ordinance on measures for environmental damage remediation and remediation programmes (OG 145/08)
- Decision on publishing rules on state aid for environmental protection (OG 154/08)
- Strategy for Sustainable Development of the Republic of Croatia (OG 30/09)
- List of persons eligible to be appointed members and deputy members of committees in procedures of strategic assessment, environmental impact assessment of projects and establishment of integrated environmental requirements (OG 126/09)

- Ordinance on awards and prizes for environmental achievements (OG 31/10)
- Ordinance on requirements for issuing approvals to legal persons for performing professional environmental protection activities (OG 57/10)
- Ordinance on the official identity card and label of environmental inspectors (OG 126/10)
- Ordinance on the manner of sealing premises, areas and working instruments of supervised persons pursuant to environmental protection regulations (OG 126/10)
- Regulation on environmental technical standards for reduction of volatile organic compound emissions from refuelling of motor vehicles with petrol at service stations (OG 5/11)
- Regulation on the establishment of the Croatian Environment Agency (OG 75/02)

### **Air Protection Act (OG 178/04, 60/08), (OG 178/04), (OG 60/08)**

- Regulation on siting of national network stations for continuous air quality monitoring (OG 4/02)
- Programme on air quality measurement in the national air quality monitoring network (OG 43/02)
- Regulation on substances that deplete the ozone layer (OG No. 120/05)
- Regulation on ozone in air (OG 133/05)
- Regulation on limit values of pollutants in air (OG 133/05)
- Regulation on alert thresholds for pollutants in air (OG 133/05)
- Regulation on the quality of bio fuels (OG 141/05, 33/11)
- Ordinance on monitoring air quality (OG 155/05)
- Ordinance on monitoring pollutant emissions from stationary sources into the air (OG 1/06)
- Ordinance on issuing of licence or approval for performing the activities of monitoring air quality and emissions into the air from stationary sources (OG 79/06)
- Ordinance on information exchange of data from the network for continuous air quality monitoring (OG 135/06)
- Regulation on technical standards of environmental protection from volatile organic compound emissions by storage of petrol and its distribution (OG 135/06)
- Regulation on the monitoring of greenhouse gas emissions in the Republic of Croatia (OG 01/07)
- Regulation on limit values for pollutant emissions from stationary sources into the air (OG No. 21/07, 150/08)
- Guide for the implementation of the Regulation on limit values of pollutant emissions from stationary sources into the air, Chapter VI (OG 21/07)
- Regulation on unit charges, corrective coefficients and detailed criteria and benchmarks for determination of the charge for carbon dioxide emissions into the environment (OG 73/07, 48/09)
- Ordinance on the method and deadlines for calculation and payment of the charge on carbon dioxide emissions into the environment (OG 77/07)
- Regulation on limit values of the content of volatile organic compounds in certain paints and varnishes and vehicle refinishing products (OG 94/07)
- Programme for monitoring the quality of liquid oil fuels for 2008 (OG 120/07)
- Ordinance on the availability of data on fuel economy and CO<sub>2</sub> emissions of new passenger cars (OG 120/07)

- Air Quality Protection and Improvement Plan of the Republic of Croatia for the period 2008 – 2011 (OG 61/08)
- Regulation on designation of zones and agglomerations according to categories of air quality (OG 68/08)
- Calculated level and permitted consumption for controlled substances that deplete the ozone layer, Annex C, Group I (OG 129/08)
- Regulation on emission quotas for certain pollutants in the Republic of Croatia (OG 141/08)
- Regulation on implementation of the Kyoto Protocol flexible mechanisms (OG 142/08)
- Regulation on greenhouse gas emission quotas and the method of emission allowance trading (OG 142/08, 113/10)
- Decision on the adoption of the National Plan for the implementation of Stockholm Convention on Persistent Organic Pollutants (OG 145/08)
- Decision on adopting the Plan on reduction of emissions of sulphur dioxide, nitrogen oxides and particulate matter from major combustion plants and gas turbines in the territory of the Republic of Croatia (OG 151/08)
- Programme for monitoring the quality of liquid oil fuels for 2009 (OG 5/09)
- Plan on allocation of greenhouse gas emission quotas in the Republic of Croatia (National Allocation Plan) (OG 76/09)
- Programme for gradual emission reduction of certain pollutants in the Republic of Croatia for the period until the end of 2010, with emission projections for the period 2010-2020 (OG 152/09)
- Programme for monitoring the quality of liquid oil fuels for 2010 (OG 13/10)
- Decision on adoption of the Fifth National Communication of the Republic of Croatia under the United Nations Framework Convention on Climate Change (OG 24/10)
- Programme for monitoring the quality of liquid oil fuels for 2011 (OG 144/10)
- Decision on establishing the annual quantity of liquid oil fuels allowed to be placed on the domestic market without meeting the limit values and other quality characteristics for liquid oil fuels (OG 6/11)
- Regulation on the quality of petroleum-derived liquid fuels (OG 33/11)

#### **Waste Act (OG 178/04, 111/09, 60/08, 87/09)**

- Regulation on categories, types and classification of waste with a waste catalogue and list of hazardous waste (OG 50/05, 39/09)
- Ordinance on packaging and packaging waste (OG 97/05, 115/05, 81/08, 31/09, 156/09, 38/10, 10/11)
- Decision on requirements regarding packaging labelling (OG 155/05, 24/06, 28/06)
- Waste Management Strategy of the Republic of Croatia (OG 130/05)
- Ordinance on waste tyre management (OG 40/06, 31/09, 156/09)
- Ordinance on the register of legal and natural persons dealing with intermediation activity in organising waste recovery and/or disposal, and of legal and natural persons dealing with the activity of non-hazardous waste export (OG 51/06)
- Regulation on the criteria, procedure and manner of determining compensation to real estate owners and local self-government units (OG 59/06)

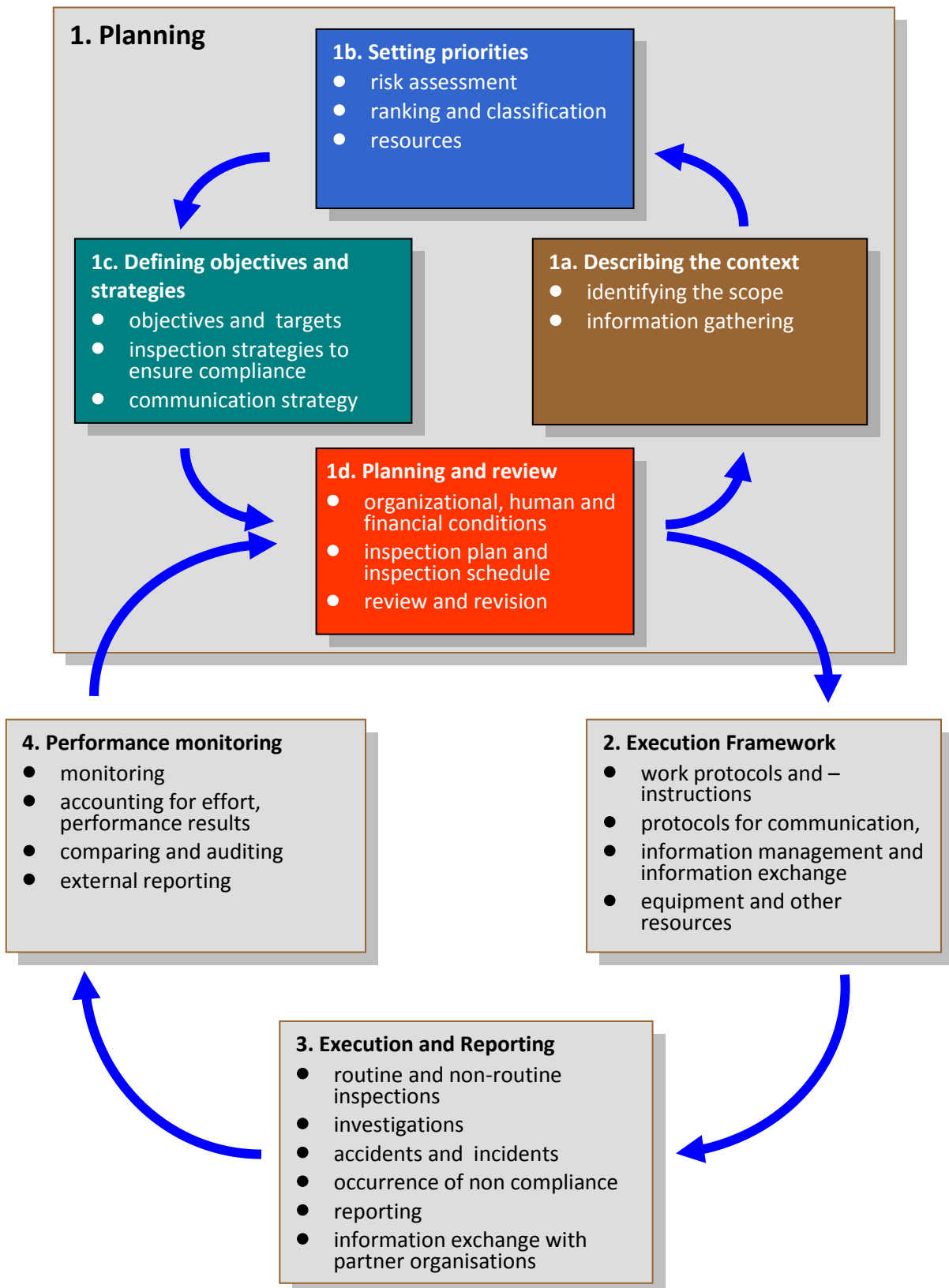
- Decision on the allowed quantity of waste tyres to be used for energy purposes in 2006 (OG 64/06)
- Regulation on supervision of trans-boundary movement of waste (OG 69/06, 17/07, 39/09)
- Ordinance on waste oil management (OG 124/06, 121/08, 31/09, 156/09)
- Ordinance on waste batteries and accumulators management (OG 133/06, 31/09, 156/09)
- Ordinance on the management of end-of-life vehicles (OG 136/06, 31/09, 156/09)
- Ordinance on waste management (OG 23/07, 111/07)
- Decision on the allowed quantity of waste tyres to be used for energy purposes in 2007 (OG 36/07)
- Ordinance on the method and procedures for managing waste containing asbestos (OG 42/07)
- Ordinance on methods and requirements for thermal treatment of waste (OG 45/07)
- Ordinance on medical waste management (OG 72/07)
- Ordinance on the management of waste electrical and electronic appliances and equipment (OG 74/07, 133/08, 31/09, 156/09)
- Decision on National target of share of returnable packaging in 2008 (OG 82/07)
- Waste Management Plan of the Republic of Croatia for 2007-2015 (OG 85/07,126/10, 31/11)
- Ordinance on the methods and conditions for the landfill of waste, categories and operational requirements for waste landfills (OG 117/07)
- Ordinance on construction waste management (OG 38/08)
- Ordinance on management of wastewater treatment sludge when used in agriculture (OG 38/08)
- Ordinance on management of waste from the titanium dioxide industry (OG 70/08)
- Instruction on handling waste containing asbestos (OG 89/08)
- Ordinance on the management of polychlorinated biphenyl and polychlorinated terphenils (OG 105/08)
- Ordinance on managing waste from research and mining of mineral raw materials (OG 128/08)

#### **Act on the Environmental Protection and Energy Efficiency Fund (OG 107/03)**

- Statute of the Environmental Protection and Energy Efficiency Fund (OG 193/03, 73/04, 116/08, 101/09)
- Regulation on unit charges, corrective coefficients and detailed criteria and benchmarks for determination of the special environmental charge for motor vehicles (OG 2/04)
- Ordinance on the method and terms for calculation and payment of the special environmental charge for motor vehicles (OG 20/04)
- Ordinance on the form, content and method of keeping the register of parties subject to payment of the special environmental charge for motor vehicles (OG 44/04)
- Regulation on unit charges, corrective coefficients and detailed criteria and benchmarks for determination of the charge for emission into the environment of sulphur oxides, in the form of sulphur dioxide, and nitric oxides, in the form of nitric dioxide (OG 71/04)
- Regulation on unit charges, corrective coefficients and detailed criteria and benchmarks for determination of charges for burdening the environment with waste (OG 71/04)
- Ordinance on the method and terms for calculation and payment of charges for emission into the environment of sulphur oxides, in the form of sulphur dioxide, and nitric oxides, in the form of nitric dioxide (OG 95/04)

- Ordinance on the method and terms for calculation and payment of charges for burdening the environment with waste (OG 95/04)
- Ordinance on the form, content and method of keeping the register of parties subject to payment of the charge for emissions into the environment of sulphur oxides, in the form of sulphur dioxide (OG 120/04)
- Ordinance on the form, content and method of keeping the register of parties subject to payment of the charge for emissions into the environment of nitric oxides, in the form of nitric dioxide (OG 120/04)
- Ordinance on the form, content and method of keeping the register of parties subject to payment of the charge for burdening the environment with waste (OG 120/04)
- Ordinance on the requirements to be met by users of funds from the Environmental Protection and Energy Efficiency Fund (OG 183/04)
- Ordinance on the requirements for and method of granting funds from the Environmental Protection and Energy Efficiency Fund, and criteria and benchmarks for the evaluation of applications for funds from the Fund (OG 183/04)
- Ordinance on the tendering procedure and decision-making on the selection of users of funds from the Environmental Protection and Energy Efficiency Fund (OG 183/04)
- Ordinance on the manner of monitoring the purposeful use of funds from the Environmental Protection and Energy Efficiency Fund and of the contracted rights and obligations (OG 183/04)
- Ordinance on requirements and manner of allocation of funds from the Environmental Protection and Energy Efficiency Fund, and criteria and standards for evaluation of applications for fund allocation by the Fund (OG 18/09)

**Annex I - Environmental Inspection Cycle**  
*from the IMPEL “Doing the right things” Guidance Book*





## Annex I - Legislation

### SEVESO, *Legal basis*

- **Convention on the Transboundary Effects of Industrial Accidents (ratified 1999)**
- **Environmental protection act (official gazette no. 110/07)**
  - Regulation on the prevention of major accidents involving dangerous substances (Official Gazette no. 114/2008)
  - Ordinance on the register of installations in which dangerous substances have been identified and on the register of reported major accidents (official gazette no. No.113/08)
  - Ordinance on measures for remediation of environmental damage and restoration programmes, (og 145/08)
  - Regulation on the manner of establishing environmental damage(og 145/08)

### **ANNEX 3 - Horizontal agreement between Croatian Ministries**

**Ministry of Environmental Protection, Physical Planning and Construction**, represented by Minister Marina Matulović Dropulić  
and

**Ministry of Culture**, represented by Minister Božo Biškupić,

**Ministry of the Sea, Tourism, Transport and Development**, represented by Minister Božidar Kalmeta,

**Ministry of Agriculture, Forestry and Water Management**, represented by Minister Petar Čobanković,

**Ministry of the Interior**, represented by Minister Ivica Kirin,

**Ministry of Health and Social Welfare**, represented by Minister Neven Ljubičić, and

**State Inspectorate**, represented by Chief Inspector Kruno Kovačević,

have concluded the following

## **AGREEMENT ON CO-OPERATION BETWEEN INSPECTION SERVICES IN THE FIELD OF ENVIRONMENT**

### Scope

#### Article 1

Co-operation between the Ministry of Environmental Protection, Physical Planning and Construction; Ministry of Culture; Ministry of the Sea, Tourism, Transport and Development; Ministry of Agriculture, Forestry and Water Management; Ministry of the Interior; Ministry of Health and Social Welfare, and the State Inspectorate (hereinafter referred to as: Agreement) within the scope of their inspection services shall be regulated by this Agreement.

### Subject of Co-operation

#### Article 2

(1) The Parties to the Agreement agree to co-operate, each within the scope of their activities, in the implementation of co-ordinated inspection controls related to the environment, or individual environmental components and burdens.

(2) The Parties to the Agreement agree to jointly perform, in line with the plan and programme referred to in Article 9 below, co-ordinated inspection controls of installations for which mandatory environmental impact assessment and obtaining of integrated environmental requirements is stipulated by law; of installations involving hazardous substances which may cause major accidents; and other legal and natural persons, as necessary, whose activity may have an impact on the environment and human health.

(3) Co-ordinated inspection controls shall be jointly performed by environmental inspectors, nature protection inspectors, maritime safety inspectors, water inspectors, forestry inspectors, veterinary inspectors, agricultural inspectors, livestock inspectors, sanitary inspectors, fire protection and explosives inspectors, economic inspectors, labour and occupational safety inspectors, electricity inspectors, mining inspectors and pressure vessels inspectors, within their respective authorities and depending on the subject of control and the occurrence referred to in Article 7 below.

### Modality of Co-operation

#### Article 3

(1) The Parties to the Agreement shall develop a manual on the implementation of co-ordinated inspection controls in line with recommendations from EU acts on setting minimum criteria for environmental inspections (*RECOMMENDATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 4 April 2001 providing for minimum criteria for environmental inspections in the Member States, 2001/331/EC*).

(2) During co-ordinated inspection controls, inspectors shall prepare separate minutes and take measures in line with their authorities as established by pertinent regulations.

(3) The Parties to the Agreement shall co-operate by exchanging data which have an impact on environmental protection, particularly on the preparation and performance of co-ordinated inspection controls, and by using services of authorised persons (professional institutions, laboratories, agencies, etc.) for purposes of inspection control, remediation of consequences of major accidents and other activities within the scope of international co-operation of inspection services.

### Joint International Co-operation

#### Article 4

The Parties to the Agreement shall jointly co-operate in all international activities and projects significant/relevant for inspection services in the field of environmental protection and human health, in line with the assumed commitments.

### Co-ordination of Procedures

#### Article 5

The Parties to the Agreement shall pay particular attention to the co-ordination of the procedures under their responsibility, at all organisational levels, as well as to co-operation with other inspection services.

## Implementation of Regulations

### Article 6

The Parties to the Agreement agree that, in cases of overlapping environmental responsibilities, they shall jointly propose the manner of proceeding and other issues relating to regulation implementation that have an impact on the preparation and carrying out of co-ordinated inspection controls and other activities within the framework of joint co-operation between inspection services.

## Major Accidents

### Article 7

(1) The Parties to the Agreement agree that, in cases of major accidents which have caused or may cause environmental pollution and damage, the contingency and remediation procedure shall be co-ordinated by the environmental inspection, unless otherwise stipulated in paragraph 3 below.

(2) Upon learning of an accident posing a threat to the environment and human health, the inspectors responsible for individual environmental components shall perform joint inspection control within the shortest possible time after the notification by the competent service or any other person.

(3) In the cases referred to in paragraph 2 above, the procedure shall be carried out in line with the Environmental Emergency Response Plan (Official Gazette No. 82/99), National Plan for Water Protection (Official Gazette No. 8/99) and the Contingency Plan for Accidental Marine Pollution in the Republic of Croatia (Official Gazette No. 8/97).

## Public Information

### Article 8

(1) The Parties to the Agreement agree that in the cases referred to in Article 7 above information to the public media shall be provided by the Ministry of Environmental Protection, Physical Planning and Construction on the basis of a joint report on the activities carried out and the environmental impact of the accident, prepared on the basis of individual reports of inspection services and the persons referred to in Article 3, paragraph 3 above, which participated in the inspection control.

(2) Public information on specific co-ordinated or targeted inspection controls and other activities within the framework of joint co-operation of

inspection services shall be carried out through the web site of the Ministry of Environmental Protection, Physical Planning and Construction.

## Annual Work Plan and Programme

### Article 9

(1) Co-ordinated inspection controls shall be carried out on the basis of a mutually co-ordinated annual work plan for the following year to be published at the web site of the Ministry of Environmental Protection, Physical Planning and Construction, and a work programme.

(2) The Parties to the Agreement shall, by 31 July 2007, jointly establish a co-ordinated work plan and programme for the second half of 2007, and the annual work plan and programme not later than mid-January of the following year.

## Reporting

### Article 10

(1) The Parties to the Agreement shall prepare joint annual reports on the performed co-ordinated inspection controls and on other activities within the framework of joint co-operation.

(2) The joint annual report referred to in paragraph 1 above shall form a constituent part of the annual work report of the environmental inspection, which shall be submitted by the Ministry of Environmental Protection, Physical Planning and Construction to the Government of the Republic of Croatia.

(3) The Parties to the Agreement shall prepare semi-annual operational reports to improve their joint work and co-ordination in the interest of environmental protection, and to implement the regulations under their responsibility more effectively; the reports shall be submitted to the responsible Minister or Chief Inspector.

## Agreement Implementation

### Article 11

The following directorates and services are in charge of implementing this Agreement: the Directorate for Inspection on behalf of the Ministry of Environmental Protection, Physical Planning and Construction; the Directorate for Nature Protection on behalf of the Ministry of Culture; the Directorate for Maritime Safety on behalf of the Ministry of the Sea, Tourism, Transport and Development; the Directorate for Water Management, the Directorate for Veterinary Science, the Directorate for Agriculture and the Directorate for Forestry on behalf of the Ministry of Agriculture, Forestry and Water Management; the Directorate for Inspection and Administrative Affairs on behalf of the Ministry of the Interior; the Directorate for Sanitary Inspection on behalf of the Ministry of Health and Social Welfare, and the Service for Labour and Occupational Safety Control, the Service for Control in the field of

Electrotechnics; Mining and Pressure Vessels, and the Service for the Sale of Goods and Services on behalf of the State Inspectorate.

#### Person Responsible for Agreement Implementation

##### Article 12

(1) The Parties to the Agreement shall, within 15 days from signing the Agreement, appoint a person responsible for agreement implementation and a person who shall act as his/her substitute.

(2) Parties to the Agreement shall, without delay, submit data on the persons referred to in paragraph 1 above to the Ministry of Environmental Protection, Physical Planning and Construction, which shall inform thereof the other Parties to the Agreement.

#### Text of the Agreement

##### Article 13

This Agreement has been made in fourteen identical copies, two for each Party.

#### Coming into Force

##### Article 14

This Agreement shall come into force on the day of its signature.

Ministry of Environmental Protection,  
Physical Planning and Construction

Minister

Marina Matulović Dropulić

Ministry of Culture

Minister

Božo Biškupić

Ministry of the Sea, Tourism, Transport  
and Development

Minister

Božidar Kalmeta

Ministry of Agriculture, Forestry and  
Water Management

Minister

Petar Čobanković

Ministry of Health and Social Welfare

Minister

Neven Ljubičić

Ministry of the Interior  
Minister  
Ivica Kirin

State Inspectorate  
Chief Inspector  
Kruno Kovačević

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Zagreb, 12 July 2007