

PHARE/2005/017-553.03.03

**Amendment 2005
for**

The Multi-Annual Programme 2004 – 2006

SECTOR ENVIRONMENT

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1. Basic Information

The sector programme will be funded from EU resources of the budgetary years 2004 to 2006. Allocations to tasks and projects described in this programme fiche amendment for 2005 will be subject of the Financing Agreement 2005 containing also indicative allocations to this programme for the year 2006. Contracting deadlines for projects under this programme and deadline for execution of contracts will be determined in the FA as well.

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|----------------|---|---|
| CRIS Nr | PHARE/2005/017-553.03.03 | Country: Romania |
| Title | IMPLEMENTATION AND ENFORCEMENT OF THE ENVIRONMENTAL ACQUIS COMMUNAUTAIRE | |
| Sector | Priority sector ENVIRONMENT | Evaluation sector ENV |
| Budget | Total [€Mio] 21.59 | Phare contribution [€Mio] 17.50 |

Summary

The overall objective of the sector programme is to prepare Romania to accomplish the environmental protection criteria, through implementation and enhancement of the environmental Acquis, in order to be prepared for accession to the European Union foreseen for 2007.

The main programme's priorities were structured in two directions:

*1. Strengthening the **institutional capacities** of the environmental structures by supporting them to perform responsibilities in the following fields of activity:*

- *IPPC - preparation of guidelines and reference documents for the compliance control of the IPPC and LCP operators as prescribed by integrated environmental permits planning – corresponding public access to environmental information;*
- *WASTE – support for reaching best solutions on recycling/use of waste coming from end-of-life vehicles and adequate solutions for temporary storage of hazardous and non-hazardous waste;*
- *WATER – training for the staff involved in operating the purchased equipment under Investment component;*
- *GIS – preparation of environmental related GIS maps and supporting database system; training of staff who will be operating it.*

*2. The **Investment support** (through supply projects amounting at **16.33 MEuro**) was conceived for enhancing the technical capabilities of the environmental structures and to support decision-making process through reliable data:*

- *Equipment for monitoring the water resources quality;*
- *Endowment of laboratories with waste monitoring equipment;*
- *IT equipment to sustain the environmental GIS related maps.*

*The expected results in the sector are mainly related to the achievement of the goals regarding the development of relevant environmental structures and associated human resources and management skills, intensively supported by **training courses** and relevant investments on high performance equipment.*

2. Objectives

The sector programme aims to strengthen the administrative, monitoring and enforcement capacities and capabilities at all levels (local, regional and central level) in order to implement environmental legislation and to fulfil the EU requirements regarding the environmental acquis.

2.1 The Needs

The Romanian Strategy for the Environment 2004 – 2010 takes the Roadmap 2002 as the basis for analysing future needs for change. This document considers that the short-term objectives of the Roadmap are attained, or that they will be implemented through 2001, 2002, 2003 and 2004-2006 Phare programmes. Therefore focus is placed on the medium term objectives, stated as:

- Continue with the complete transposition of legislation in all remaining areas.
- Ensure progress with the implementation of the transposed *acquis*, including through securing the necessary financial resources.
- Enhance the administrative structures necessary for full implementation of the *acquis*, following commitments made during the negotiations.

These requirements have then been elaborated into the Romanian 7 objectives for the period 2004 – 2010 regarding the environmental sector as follows:

- 1. Finalize the full transposition of the EU environmental acquis in all remaining areas and promote legal provisions for its implementation, allowing for full consultation with stakeholders, and giving full consideration to the implementation requirements including a thorough assessment of the implementation costs and securing the necessary financial resources;**
- 2. Strengthen the capacity and capability of the government environmental institutions in order to effectively implement and enforce the new environmental legislation and standards, ensuring that necessary resources are available at local and regional level to include the improvement of the status of existing staff;**
- 3. Develop and implement a full environmental monitoring system supporting the elaboration of effective environmental policy plans and complying with EU monitoring and reporting requirements;**
- 4. Realize integration of environmental policy in other sectoral policies, and improved co-ordination between Ministries;**
- 5. Public-awareness raising and public involvement in the decision-making process, and involvement of stakeholders in the planning phase of the implementation documents;**
- 6. Implementation plans should be kept under review to take into account available resources and institutional strengthening, and further elaborate mechanisms to monitor effective implementation;**
- 7. Environmental protection, conservation and sustainable use of natural resources.**

Important progress has been achieved so far with transposition of the environmental Acquis (about 98%). In order to ensure the completion of the approximation process, there is now a need for implementation and enforcement.

At the end of 2004, the negotiation for Chapter 22 -Environment was provisionally closed.

The first part of the negotiations of chapter 22-Environment was approved to be closed, with the acceptance of all five requested transitional periods by Romania: dangerous substances

discharged into aquatic environment, waste incineration, waste electric and electronic equipment, packaging and packaging waste, volatile organic compounds (VOCs) emissions resulting from the storage of petrol and its distribution from terminals to service stations.

The closure of the second part of the negotiations of Chapter 22 was approved, with the acceptance of other additional six transitional periods for the implementation of the environmental acquis on: landfill of waste, supervision and control of shipments of waste within, into and out of the European Community, quality of drinking water; urban wastewater treatment, limitation of emissions of certain pollutants into the air from LCP, integrated pollution prevention and control.

An analysis of commitments arose from negotiations of Chapter 22 identified new needs/measures to be financed under Phare assistance, additional to be added to those already enclosed in the Phare multiannual sector fiche 2004-2006. The envisaged environmental sectors envisaged are: IPPC, waste management, water quality and GIS

Integration of environmental policy in the elaboration and implementation of sectoral and regional policies - (4th objective) - represents one of the main priorities of the Romanian Government for 2005-2008 regarding the policy on environmental protection. The Ministry of Environment and Water Management coordinates the integration of environmental policy in other sectoral policies in accordance with the European and international requirements for sustainable development, according to art. 3 (1), (3) of GD No. 408/2004.

In February 2005, the representatives of Ministry of Environment and Water Management updated the Environmental Chapter of the **“Pre-accession Economic Programme 2004”**, according to negotiation results for Chapter 22 and the priorities established by the **Government Programme 2005-2008**.

In January 2005, on the basis of all programmatic documents, on the specific reporting documents to the European Commission, on the EC 2004 Report on the Chapter 22-Environment and according with the commitments assumed during the negotiation process of Chapter 22, the **2005 Plan of priority measures for European integration** was established, including for Chapter 22-Environment. This Plan is monitored and its status is reported every two weeks within the meeting of the Romanian Government. At the same time, the *Implementation Plan of the legislation and for the strengthening of the institutional capacity at local level in 2005*, including for environmental issues, was also established and quarterly monitored.

Progresses registered on the strengthening of the institutional and administrative capacity for the implementation of environmental legislation at national, regional and local level - (2nd objective).

During 2005 Peer Review Mission of EU experts (31 May – 2 June 2005) on environmental protection, was evaluated the preparation status (administrative and institutional aspects)) on the management and the legislation harmonization process with the environmental Community acquis. The analysed sectors Mission addressed were: water management, nature protection and industrial pollution control.

In this respect, measures have been taken to accelerate the filling-process of the vacancy public positions within the environmental public authorities and institutions involved in the implementation of the commitments assumed during the negotiations for accession of Romania into European Union (Emergency Governmental Ordinance No. 15/2005 approved by the Law no. 130/2005).

Next to the quantitative aspect, the quality of staff is of at least even importance. Continuous training and capacity building will be required to make the environmental staff fully aware of all

aspects of EU environmental requirements, as well as of the strengthening of the absorption capacity of the future structural and cohesion funds in environmental sector.

2.2 Contribution to National Development Plan

The country has a coherent and integrated overall strategy, which takes into account the need both to promote competitiveness and to reduce internal disparities. **The National Development Plan** has been approved by the responsible national authorities to serve as the basis for multi-annual planning in this domain, until a draft Structural Funds Development Plan would be available.

The Plan constitutes the key steering document for programming PHARE Economic and Social Cohesion measures. The National Development Plan includes:

- (1) An analysis of the country's current situation, identifying the critical development gaps between its regions and between itself and the EU.
- (2) The identification of the key development priorities in the area of Economic and Social Cohesion, which need to be addressed during the pre-accession period.
- (3) A general financial perspective for government and Community co-financing (PHARE, ISPA, SAPARD) in this area for a defined period.

The Plan also contains an assessment of the environmental situation and will introduce over time, the environmental impact assessment requirements of the Structural Funds. In addition to the national authorities, the regional and local authorities are increasingly involved in the process. PHARE Institution Building support, through the regional twinning projects, supports these three levels to play their intended role, in line with the institutional arrangements.

One of the main objectives of the National Development Plan 2004-2006 will be to ensure the convergence process towards accession to the EU by fostering progressive compliance with the environmental standards Romania will have to fully comply with by 2017. Environmental component is involved within the two of the 5' NDP Priorities, as follows below.

Priority 2: – Improving and developing transport and energy infrastructure and ensuring environmental protection

The proposed programmes are supporting the integration of environmental protection policy into sectoral policies. Thus, taking into account that the number of ready and well prepared investment and institution capacities is low, especially at regional level, and that the regional authorities are increasingly being required to deal with substantial amounts of money through structures which only recently have been put in place, this support aims also to increase their absorption capacity by developing long-term strategic and financial planning capacity, especially at the regional level.

Priority 5: Promoting a balanced participation of all Romania's regions to the socio-economic development process

The projects designed to be implemented at regional level will contribute in preparing and implementing the strategies in the target region by strengthening the capacity to identify, prepare and evaluate investment projects in the environmental field and by assisting the implementation of environmental policies within other sectors.

The regional orientation of most of the projects will also support to address social deficits and promoting balanced regional development, recognising that the concentration of investment in

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sectoral priorities will tend to exacerbate rather than reduce regional disparities in the medium term.

2.3 Specific Objectivew of the sector programme in 2005

The 2005 programme will contribute to implementing the following specific tasks:

| Tasks, to start with 2005 funds |
|---|
| Equipment acquisition for waste analysis |
| Assistance in the preparation for compliance with provisions regarding temporary storage of waste |
| Assistance in promoting solutions regarding recycling and use of recycled materials from End-of-Life Vehicles |
| Investment supporting the information system and database for water management |
| Water resources quality monitoring equipment acquisition |
| Technical assistance to develop the environmental related GIS maps |
| Investment support to assist the environmental protection decisions through GIS system |
| Further support for the IPPC and LCP Directives Implementation. |

2.4 Programme priorities and its impact on the sector

This multi-annual programme focuses on the following impacts:

| Phare priorities | Main tasks |
|--|--|
| Horizontal and noise related legislation | <p>Have sufficient institutional and technical capacity of the National Environmental Protection Agency (NEPA).</p> <p>Have secondary legislation in place to ensure necessary conditions for the Environmental Impact Assessment and the Strategic Environmental Assessment (EIA- and SEA) Directive to be fully implemented and enforced, and intensify training of staff in particular to support public awareness.</p> <p>Have a high technology informational system (software, data base, statistic analysis), comprising a database for reporting and train staff regarding reporting requirements;</p> <p>Have a National Noise Monitoring System</p> <p>Have adequate noise monitoring equipment and staff training</p> |
| Air quality | <p>Have sufficient institutional capacities at regional and local levels in implementing and enforcing air quality related legislation</p> <p>Have action plans and programmes for air quality management and reduction of emissions; improved acquisition, storage and reporting of relevant data; quality assurance and quality control procedures (QA/QC) in the air quality sector</p> <p>Have adequate air quality monitoring equipment and staff training</p> |
| Waste management | <p>Have adequate institutional capacities at regional and local levels in implementing and enforcement of domestic waste and industrial waste management related legislation,</p> <p>Have adequate administrative capacity at regional level for investment planning and elaboration of regional waste management plans</p> <p>Have adequate waste monitoring equipment</p> |

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| Phare priorities | Main tasks |
|------------------------|--|
| Water quality | Have the River Basin Management Plan for the Ialomita-Buzau river basin Have an investment methodology for Water Framework Directive (WFD) within a River Basin Have adequate supply of computers and software for data collection, processing and visualization; hardware and software for GIS applications in respect of river basin management plans, quality monitoring equipment and staff training |
| Nature protection | Have adequate institutional capacities at regional and local levels in implementing and enforcement of nature protection related legislation |
| GIS | Have and maintain Geographical Information System (GPS) techniques Have adequate institutional management and technical performance of the staff Have Environment related GIS maps, have adequate supply of IT equipment |
| IPPC & risk management | Have adequate institutional capacities at regional and local levels in implementing and enforcement of Industrial Pollution Prevention Control (IPPC) & risk management related legislation, Have good institutional management and technical performance of the staff Manage and update of Implementation Plans Have adequate supply of IPPC monitoring equipment and staff training. |

The priorities addressed by the **Accession Partnership (AP)** and **The National Plan for Adoption of the Acquis (NPAA)** for the environmental sector is as follow:

- Ensure progress with the implementation of the transposed Acquis, including through securing the necessary financial resources.
- Improve administrative capacity to implement the Acquis, through reinforcement of staffing both in the Ministry and in other relevant bodies. Particular attention needs to be paid to enforcing capacity of Environmental Protection Agencies at local and regional level as well as co-ordination between ministries.
- Ensure that sufficient resources are available at the local level to improve the status of existing staff, to recruit new inspectors, and to train them adequately.

In the Phare programming phase, the development directions indicated by the National Development Plan and the Environmental Strategy (focused on gap assessment and gap filling) have been taken into account.

The critical priorities identified in the reference programming documents (Accession Partnerships, National Programme for the Adoption of the Acquis and Regular Reports) also steered by the problems emerging from the Directives' implementation plans, remain the **two priorities** generally identified as main goals of the PHARE programmes: Institution Building and *Acquis*-related Investment.

- ***Institutional Building***

The first of these critical priorities is formulated in the list below as “strengthening institutional capacity” and means adapting and strengthening democratic institutions, public administration

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and organizations that have a responsibility in implementing and enforcing environmental Community legislation, in order to ensure their effective and efficient implementation. It includes the development of relevant structures, human resources and management skills, as well as assessment and re-designing management systems, supported by intensive training, and equipping a wide range of civil servants, public officials, professionals and relevant private sector actors.

- ***Acquis-related Investment***

The second priority covers the co-financing of investment in the country's regulatory framework, such as: IT equipment, including performing GIS system and related satellite use access, testing, sampling and measuring/analysis equipment for laboratories and control equipment in the field of inspection.

The support to both of these priorities should be focussed on the main sector-specific challenges, which become the priorities of the environmental sector, as follows:

- **Industrial pollution control and risk management:** this area needs special attention; there are numerous heavily-polluting industrial and energy production facilities falling under the IPPC Directive which need to be permitted by the end of 2006 and/or October 2007; in addition, all other emission related EU legislation has to be considered within the integrated permitting process;
- **Waste management:** steps for the transposition of legislation have been achieved, together with development of National Waste Management Plan and Strategy, including a national network of waste disposal facilities; however, investment planning is urgently required as well as regional waste management plans; strengthening environmental institutional capacity and regulatory framework investment (specifically for monitoring equipment) is also a need;
- **Water pollution:** The development of the capacity for the WFD implementation is a very important component for which significant financial resources, skilled human resources and adequate monitoring equipment are of major importance. Major investment programmes to improve drinking water quality and waste water management have been started;
- **GIS:** The introduction of GIS system until the accession will provide added benefits to environmental planning and decision-making in the period up to Accession, and provides improved data to other projects in this Sector Programme.

Consequently, each project/contract (technical assistance or investment) will be focussed on one of the main sector-specific challenges of those mentioned above.

TABLE OF PRIORITIES:

Strengthening institutional capacity to implement and enforce the EU environmental Acquis focussed on:

| <i>Priority Nr</i> | <i>Short title</i> | <i>Summary of expected results, when achieving them</i> |
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|------------|------------------------------|---|
| VI. | <i>IPPC & LCP</i> | <p>Task 3.4</p> <ul style="list-style-type: none"> • The technical working groups appointed to elaborate the national guidelines - based on the model of reference documents for the best available techniques - coordinated on compliance control with the requirements of the integrated permit; • Public access to environmental information and participation to decision-making process, at the regional development level, related the procedure of issuing the environmental integrated permit for activities/installations with transboundary impact ensured; • Interruptions in the functioning of emission reduction installations and control of its plausibility notified and the intervals when the emission reduction installations do not function supervised; • The compliance with provisions of the environmental integrated permits of the LCP operators assured on following items: <ul style="list-style-type: none"> - deadlines for attaining emission limits; - carrying out the continuous or discontinuous measurements, including the calibration of the installation /self-monitoring equipment; • Model for integrated permit for gas turbines with co-generation, with Pt > 50 MWe (LCP), including the ELVs for SO₂ and NO_x established. |
|------------|------------------------------|---|

| | | |
|--------------------|--------------------------------|--|
| <p>III.</p> | <p><i>Waste management</i></p> | <p>Task 4.4</p> <ul style="list-style-type: none"> • The equipment delivered and fully operational; • Procedures, techniques and manuals/documentation delivered; • Staff trained on using the equipment. <p>Task 4.5</p> <ul style="list-style-type: none"> • Analysis performed and solutions found with regard to temporary storage of waste by category; • A guideline establishing the best conditions for storage hazardous, respectively non-hazardous, waste to guarantee the protection of environment and human health, elaborated. <p>Task 4.6</p> <ul style="list-style-type: none"> • Concrete proposals for action in view of reaching the objectives established for recycling and reusing (80%), respectively recycling and power recovery (85 %) the ELVs component materials and/or elements prepared; • The best solutions identified for all ELVs' component materials' or elements recycling, reusing, capitalizing, or ecological treatment identified and promoted; • The best practices for dismantling ELVs' components without damaging the ones which can be reused, respectively of the way in which the reused ELVs' components are going to be managed so that the traffic's safety will not be affected identified and promoted; • The database for ELVs' related data collection and administration established; • The best and most accessible public information model identified and promoted. |
|--------------------|--------------------------------|--|

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|-------------|-----------------------------|--|
| IV. | <i>Water quality</i> | <p>Task 5.2</p> <ul style="list-style-type: none"> • All equipment in place and operational; • GIS software and hardware delivered, installed and fully operational; • The staff involved in operating the purchased equipment trained. <p>Task 5.3</p> <ul style="list-style-type: none"> • The laboratory equipment for the water resources quality monitoring purchased and fully operational; • The staff involved in using the equipment purchased trained; |
| VII. | <i>GIS</i> | <p>Task 7.2</p> <ul style="list-style-type: none"> • Environmental related maps elaborated; • Staff trained in operating the GIS system and the environmental related GIS maps; • The sources of datasets and the organizations that will update such data defined; • Validation systems established <p>Task 7.3</p> <ul style="list-style-type: none"> • GIS associated equipment delivered, tested and full operational; • Trained staff in operating the purchased equipment. |

3. Description

3.1 Background and justification:

During the year 2005, the Romanian authorities will finalise the transposition process – for the Acquis’ Directives comprised by the Position Paper - and set up necessary tools for its implementation.

The negotiation for Chapter 22 -Environment was provisionally closed.

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Within the 23th Meeting of the Intergovernmental Conference for the Accession of Romania to the European Union (Brussels, 23th September 2004), the first part of the negotiations of chapter 22-Environment was approved to be closed, with the acceptance of all five requested transitional periods by Romania: dangerous substances discharged into aquatic environment, waste incineration, waste electric and electronic equipment, packaging and packaging waste, volatile organic compounds (VOCs) emissions resulting from the storage of petrol and its distribution from terminals to service stations.

In 11 October 2004, the Complementary Position Paper for Chapter 22-Part II and the Implementation Plans of Directives for which Romania requested the transitional periods in the second stage were officially sent to the Intergovernmental Conference for the Accession of Romania to the European Union.

Within the 24th Meeting of the Intergovernmental Conference for the accession of Romania to the European Union (Brussels, 26th November 2004), the closure of the second part of the negotiations of Chapter 22 was approved, with the acceptance of other additional six transitional periods for the implementation of the environmental acquis on: landfill of waste, supervision and control of shipments of waste within, into and out of the European Community, quality of drinking water; urban wastewater treatment, limitation of emissions of certain pollutants into the air from LCP, integrated pollution prevention and control.

During recent years, the assistance requested from various donors, among whom the European Union is obviously the most important, has been focussed on specific needs, according to the priorities mentioned in various programming documents such as the **Accession Partnership** and the **Regular Reports on Romania towards Accession**.

The last Regular Report on Romania toward Accession (2004) states the following in the environmental field:

“Implementation of the transposed acquis remains a key challenge and, therefore, requires enhanced efforts. It is of utmost importance that the environmental administration at all levels obtains sufficient resources in order to cope with the increasing recruitment, training and equipment needs.

Strategic planning, adequate investment and financing plans also have to remain in the focus of the public services in the field of environment.

Particular attention also needs to be given to the establishment and completion of the necessary implementing structures, including further strengthening of their administrative capacity at national, regional and local levels as well as the coordination between the different administrative levels and with other relevant authorities

.....

Adequate investment and financing plans must be developed and implemented as a matter of priority.

Romania needs to make continued efforts to ensure that sufficient budgetary resources are allocated to the environment sector in order to finalize preparations for accession, including the strengthening of administrative capacity. Considerable investments need to be secured, including in the medium term, to ensure implementation of the environment acquis.

In the field of waste management, legislation needs to be completed, in particular as regards landfill of waste, end of life vehicles and waste electrical and electronic equipment. With regard to enforcement, there is a need to strengthen administrative capacity at regional and municipal level and to ensure coordination between authorities. National and regional waste management plans need

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to be adopted. Waste collection systems and facilities for recovery and disposal need to be set up and enhanced.

With regard to water quality, transposition remains to be completed, in particular as regards discharges of dangerous substances into surface water. With regard to implementation, preparation of inventories, programmes, permits and monitoring need to be completed.

As regards industrial pollution control and risk management, transposition remains to be completed, in particular with regard to incineration of waste, large combustion plants and volatile compounds due to the use of organic solvents. Continued efforts are needed to ensure permitting. A national programme for emission ceilings needs to be drawn up.

More efforts are required in relation to awareness raising and the involvement and participation of stakeholders in implementation. Administrative capacity needs to be enhanced with a view to preparing the protection measures to be applied by accession. Training is needed.”

Taking into account the conclusions of the 2004 Regular Report and the commitments in negotiations of the Chapter 22, the present ‘**Phare programme fiche amendment 2005**’ addresses the need to strengthen the institutional capacity at central, regional and local level through 4 Technical Assistance projects and 4 Investment projects on IPPC, waste management, water management and GIS priorities.

3.2 Sectoral rationale

The overall objectives for the Romanian Environmental Strategy 2004 – 2010 are detailed further below.

Finalise full transposition:

During recent years and mainly through the Phare Environment programmes for 1998 to 2002 most EU Directives have already been transposed into Romanian law. A number of Romanian Laws and Governmental Decisions need further revision and improvement. Consultations with Romanian stakeholders, the EU and other relevant organisations will be organised, in most cases as part of EU or bilateral projects aimed at supporting the Romanian accession process.

No real problems are foreseen in transposing the EU environmental Acquis. The main challenge will be to strengthen the capacity and capability of the Ministry and NEPA to effectively transpose and subsequently to implement the new environmental legislation.

Strengthen national, regional and local governmental institutions

A Strategy has been drawn up in order to increase the personnel numbers in the environment field, which proposes to increase the personnel involved in the activity of environment protection (both at central level and regional and local level) to 1,656 job positions by the end of 2006. This increase will be fully financed by the Romanian state budget. It is expected that this increase will be sufficient to effectively transpose, implement and enforce the environmental Acquis. However MEWM will pay close attention to possible capacity problems in its central and regional organisations and will take the necessary measures to ensure a smooth transition process.

Next to the quantitative aspect of staff, the quality is of at least equal importance. Continuous training and capacity building will be required to make the government environmental staff fully aware of all aspects of EU environmental requirements. Capacity building has already been initiated and continues to be provided through earlier EU Phare and other multilateral and

bilateral projects, but further and more intensive training activities are required for effective implementation.

Develop and implement full environmental monitoring

Especially in the fields of air quality and water management a number of projects have aimed at developing and implementing monitoring systems complying with EU requirements. In the other environmental sectors like IPPC, waste management, nature protection, GIS and water resources management however, Romania is still at the beginning of developing monitoring programmes and database networks that will provide reliable and detailed information on the status of environment and also, will provide a sound basis for environmental policy development.

Realise integration of environmental issues in other sectoral policies

Environmental policy should be an integral part of all national economy and territories' development strategies. In order to achieve sustainable and consistent development, environmental protection measures must become an intrinsic part of the whole process, so that they cannot be separated.

Some initial steps have been made towards integrating environmental policy by establishing the Inter-ministerial Committee. A supporting aspect for the integration of environmental aspects into other sectors policies will be the transposition of the Strategic Environmental Assessment (SEA) Directive. This requires that the environmental consequences of certain plans and programmes be identified and assessed during their preparation and before their adoption. SEA will contribute to more transparent planning by involving the public and by integrating environmental considerations. This will help to achieve the goal of sustainable development.

3.2.1 Identification of needs and necessary action

The main sector-specific challenges, as identified in the sections 2.3, relate to: waste management water management, industrial pollution prevention and control and GIS.

A gap filling, based on a gap analysis, which identifies the needs for each sectoral priority, is summarised below.

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Gap analysis/ filling

| Sector's Priority | Issues to be addressed for each priority | | | | |
|--|---|--|--|--|---|
| | Legislation | Human resources | Procedural system | Equipment | Regulatory/enforcement |
| Waste management (Priority III) | <ul style="list-style-type: none"> - Additional regulations on End-of-Life Vehicles and WEEE, biodegradable waste, operations of pre-treatment for hazardous waste; - Other regulations to be amended such as those regarding packaging and packaging waste; - Data reporting procedure for packaging and packaging waste. | <ul style="list-style-type: none"> - Additional staff required; by the end of 2006, a total number of the 157 job positions (94 at LEPA's level; 21 at REPA's level; 25 at NEPA level and 17 job positions at the ministry); - Industry sectors responsible for establishing the institutional structure for implementation. | <ul style="list-style-type: none"> - Developing a data reporting system and databases management; - Developing the system of economic entities, which operate a scheme for certain types of waste; - Design procedures to ensure full and effective communication, reporting and cooperation. | <ul style="list-style-type: none"> - IT equipment (hardware, software and database) at central, regional and local level. - Monitoring/Laboratory equipment. | <ul style="list-style-type: none"> - A range of manuals, guidelines, procedures and plans to be developed to assist the environmental authorities in implementing the new legislation. |

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| Sector's Priority | Issues to be addressed for each priority | | | | |
|------------------------------------|--|--|--|--|--|
| | Legislation | Human resources | Procedural system | Equipment | Regulatory/enforcement |
| Water mgt (Priority IV) | Finalise transposition (amendment of the existing Water Act approved). | <ul style="list-style-type: none"> - Reorganization inside the administration "Romanian Waters" (NARW) required in order to increase the number of trained personnel; - By the end of 2006, the number of personnel has to increase at 93 job positions (NARW-83 and MAWFE-10) is envisaged. | <p>Procedures and systems improved or developed for:</p> <ul style="list-style-type: none"> - Water quality monitoring; - Information system in water field; - Existing system for public information and consultation; - Monitoring of nitrates from agricultural sources; - Control of drinking water facilities. | <p>Important amount of monitoring equipment including:</p> <ul style="list-style-type: none"> - equipment for dangerous substances and sediments monitoring; - equipment for biological monitoring; - equipment for the information system (including GIS technology) - automatic monitoring stations for in situ monitoring of water quality. | Increased number of inspectors at the level of ministry, NARW and number of specialists in the Health Inspectorates. |

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| Sector's Priority | Issues to be addressed for each priority | | | | |
|---|---|---|---|---|--|
| | Legislation | Human resources | Procedural system | Equipment | Regulatory/enforcement |
| Industrial pollution, prevention and control (Priority VI) | <ul style="list-style-type: none"> - Developing legal act for setting up administrative bodies | <ul style="list-style-type: none"> - Massive staff expansion (166 at central level – ministry plus NEPA; 72 at regional level; 342 at local level). - Training of existing and new recruited staff. | <ul style="list-style-type: none"> Secondary legal provisions on IPPC related procedures and trans-boundary effects, on information exchange related to BATs, public participation, establishment of an emission register, database and reporting system, procedures for administrative appeal and on BAT evaluation and ELVs. | <ul style="list-style-type: none"> - Appropriate equipment for emissions monitoring; - Monitoring trans-boundary effects. | <ul style="list-style-type: none"> - Measurements related to environment protection, planning and reporting formats, for pollution prevention, energy efficiency and waste minimization. - A national integrated plan for the emission reduction |

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| Sector's Priority | Issues to be addressed for each priority | | | | |
|-------------------------------|---|---|--|--|---|
| | Legislation | Human resources | Procedural system | Equipment | Regulatory/enforcement |
| GIS (Priority VII) | Data obtained and the system that is developed will support the public information and participation demanded by decision making process (Improvement of the Aarhus Convention and other EU legislation requirements) | About 100 people within MoEWM – Technical Directorate -NEPA, REPAs and LEPAs has to be trained to use GIS equipment, software, satellite images and maps. | System and procedures improved to: - better decision concerning environmental sector, EIA issuing ; - improving of the environmental reporting capacity. | The equipment needed for processing satellite images to develop GIS maps: - servers, plotters, GPS, scanners, workstations, image soft processing) and software/ hardware at central, regional and local level; | - The environmental authorities supported in decision-making process, in implementing environmental plans and programmes; - Empowerment of public participation to environmental decision process. |

3.2.2 Identification of tasks or projects

Project nr. 3 - Strengthening Institutional Capacity for the Implementation and Enforcement of IPPC and Air Quality Legislation

| <i>Task nr.</i> | <i>Title</i> | <i>Relates to priority nr.</i> |
|-----------------|--|--------------------------------|
| 3.4 | <i>Further support for IPPC and LCP Directives Implementation</i> | VI |

The project aims to strengthening institutional capacity and capabilities to further implement and enforce the IPPC and LCP legislation by facilitating adequate support to industrial operators in order to become compliant with the IPPC requirements.

Means required:

- Maximum one Service contract;
- Key experts and a pool of short term experts;

Project nr. 4 - Further Implementation of Waste Management Legislation

| <i>Task nr.</i> | <i>Title</i> | <i>Relates to priority nr.</i> |
|-----------------|--|--------------------------------|
| 4.4 | <i>Equipment acquisition for waste analysis</i> | III |

The project aims to ensure the technical capability of environmental authorities to undertake waste monitoring by endowing the 8 REPAs and NEPA with necessary equipment and train their staff to operate it.

Means required:

- Maximum one Supply contract;
- EU investment support will be 75% of the total amount;
- The national co-financing contribution (provided by MEWM) will be 25% of the project cost.

| <i>Task nr.</i> | <i>Title</i> | <i>Relates to priority nr.</i> |
|-----------------|---|--------------------------------|
| 4.5 | <i>Assistance in the preparation for compliance with provisions regarding temporary storage of waste</i> | III |

The project purpose is to enhance the institutional capacities of the Romanian environmental structures to prepare appropriate solutions (guidelines) for temporary storage of hazardous and non-hazardous waste so that, waste management legislation to become compliant with the EU provisions in this matter.

Means required:

- Maximum one Service contract;
- Key experts and a pool of short-term experts.

| <i>Task nr.</i> | <i>Title</i> | <i>Relates to priority nr.</i> |
|-----------------|---|--------------------------------|
| 4.6 | <i>Assistance in promoting solutions regarding recycling and use of recycled materials from End-of-Life Vehicles</i> | III |

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The project aims to assist the environmental responsible structures to set-up and promote best solutions for recycling and use of recycled- materials coming from end-of-life vehicles (ELV).

Means required:

- Maximum one Service contract;
- Key experts and a pool of short-term experts.

PROJECT NR. 5 - SUPPORT TO IMPLEMENT THE PROVISIONS OF THE WATER FRAMEWORK DIRECTIVE

| <i>Task nr.</i> | <i>Title</i> | <i>Relates to priority nr.</i> |
|-----------------|--|--------------------------------|
| 5.2 | <i>Investment supporting the information system and database for water management</i> | IV |

The project covers the procurement, installation and putting into operation of IT and GIS system that will manage the National Network of Data Transmission in Water Management. The staff involved in operate the equipment will receive adequate training.

Means required:

- Maximum one Supply contract;
- EU investment support to be 75% of the total amount;
- The national co-financing contribution (provided by NAAR) will be 25% of the project cost.

| <i>Task nr.</i> | <i>Title</i> | <i>Relates to priority nr.</i> |
|-----------------|--|--------------------------------|
| 5.3 | <i>Water resources quality monitoring equipment acquisition</i> | IV |

The project shall cover two aspects: procurement, installation and putting into operation of the laboratory equipment designed to monitoring the quality of water resources and training of staff involved in operate it.

Means required:

- Maximum one Supply contract;
- EU investment support to be 75% of the total amount, the national co-financing contribution (provided by NAAR) will be 25% of the project cost;

Project nr. 7 - Supporting the Environmental Protection Decisions through GIS

| <i>Task nr.</i> | <i>Title</i> | <i>Relates to priority nr.</i> |
|-----------------|--|--------------------------------|
| 7.2 | <i>Technical assistance to develop the environmental related GIS maps</i> | VII |

The project is conceived to strengthening institutional capacities of the Romanian environmental authorities (central, regional and local levels) and to improve the decision-making process by using GIS environmental related maps.

Means required:

- Maximum one Service contract;
- Key experts and a pool of short-term experts.

| <i>Task nr.</i> | <i>Title</i> | <i>Relates to priority nr.</i> |
|-----------------|--|--------------------------------|
| 7.3 | <i>Investment support to assist the</i> | VII |

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| | | |
|--|--|--|
| | <i>environmental protection decisions through GIS system</i> | |
|--|--|--|

In order to support the responsible environmental authorities in the decision-making process, the IT equipment associated to GIS information system will be purchased, installed and personnel will be trained.

Means required:

- Maximum one Supply contract;
- EU investment support to be 75% of the total amount;
- The national co-financing contribution (provided by MEWM) will be 25% of the project cost.

| Project Nr. | Title | # of tasks | Relates to priority | Total cost €Mio | Starts at DD/MM/Y Y | Ends DD/MM/Y Y | Implementation tools |
|-------------|--|------------|---------------------|--------------------|---------------------------|----------------------|----------------------|
| 3. | <i>Strengthening Institutional Capacity for the implementation and enforcement of IPPC and Air Quality legislation</i> | 1 | VI | 1.0 | 01/01/06 | 31/12/07 | TA |
| 4. | <i>Further implementation of waste management legislation</i> | 3 | III | 4.45 | 01/01/06 | 31/12/07 | INV, 2TA |
| 5. | <i>Support to implement the provisions of the Water Framework Directive</i> | 2 | IV | 9.34 | 01/01/06 | 31/03/07 | 2INV, |
| 7. | <i>Supporting the environmental protection decisions through GIS</i> | 2 | VII | 6.8 | 01/01/06 | 31/12/07 | INV, TA |

Project 3: "Strengthening Institutional capacity of the Implementation and Enforcement of IPPC and Air Quality Legislation" has 1 task (TA).

Project 4: "Further implementation of waste management legislation" has 3 tasks (2 TA, INV).

Project 5: "Support to implement the provisions of the Water Framework Directive" has 2 tasks (2 INV).

Project 7: "Supporting the environmental protection decisions through GIS" has 2 tasks (TA and INV).

3.3 Linked Activities

- **WASTE MANAGEMENT**

Phare 1998: *“Strengthen the Institutional and Administrative Capacity to Manage Environmental Policy in Romania in conformity with the Acquis Communautaire”* – twinning in the waste sector aimed at transposing the Acquis into Romanian law (Directives 75/442/EEC amended by 96/350/EC, 75/439/EEC, 91/689/EE, 91/157/EEC, Regulation 259/93, 94/67/EC, 96/59/EC, 99/31/EC), and making a contribution in relation to the Romanian **waste policy**, waste management **strategy**, **action plan**, and **data base on waste**. Economic and financial aspects were considered and training sessions were provided.

Under Phare 2000 Programme - “Implementation of the Environmental Acquis”- the twinning component developed an environmental strategy with particular reference to financial mechanism. The results achieved were: implementation plans and for 9 selected directives in the field of air, water, waste and IPPC, cost assessment for the 9 implementation plans, economic instruments and financial strategy for implementation. The selected directives in the waste sector were 75/442 – waste framework, 86/278 – sewage sludge and 94/62 – packaging waste.

Phare 2000: *“Technical Assistance for strengthening the Local Environmental Protection Agencies (LEPAs) and developing Regional Environmental Protection Agencies (REPAs)”*

The general objectives of this project have been to assist MEWM in the implementation of the environmental Acquis, and to support environmental institution building, in particular at the local and regional levels. Its specific objectives were to:

- strengthen the institutional capacities of Local Environmental Protection Agencies (LEPAs), set-up the Regional Environmental Protection Agencies (REPAs);
- improve the communication between LEPAs, REPAs, NEPA, MEWM and other stakeholders;
- increase environmental planning capacity in counties and the regions established. The project has included the elaboration of **3 regional environmental action plans**, based on local (county level) plans developed at the same time.

Under Phare 2001 Programme: the project *“Twinning to further assist Romania in the transposition and implementation of legislation on Waste Management”*.

This project was a follow-up of the activities developed under the Phare 1998 twinning on waste management and some of the achievements are listed below:

- Improved and updated National Waste Management Strategy (NWMS) and National Waste Management Action Plan (NWMAP);
- Improved Waste management planning;
- A Regional Waste Management Plan for the Region 7 Centre (it has considered only municipal waste and is to be completed with the hazardous waste component);
- Guidelines for Regional Waste Management Plans.

Phare 2001: *“Compliance of Romanian Environment Statistics with European Statistical System”*. This project has achieved the following results:

- *Unitary and coherent data collection* on composition of municipal wastes, methods and facilities for municipal waste transport, treatment and disposal, production of hazardous wastes, methods and facilities for treatment and disposal of hazardous wastes;
- *Database (register of waste producers)* with the units that perform activities related to waste production and management.

Phare 2002 Programme - “Twinning to assist Romania in the implementation of the VOC’s, LCP and Seveso II Directives” (RO-2002/000-586.04.12.01) – project under progress. Some of the projects assets are: inventory of the installations falling under the provisions of these

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Directives, register of transferred and emitted pollutants, internal and external plans for the emergency cases, emissions management strategy and training of the personnel.

Phare Multi-country project “Capacity Building in Implementation of the Environmental Acquis at the Local and regional Level”

The objective of the project is to strengthen the capacity among regional and local authorities through training of employees dealing with Environmental Impact Assessment (EIA) and Integrated Pollution Prevention and Control (IPPC). Romania identified 7 pilot areas for the implementation of the project: Arges, Bacau, Olt, Bistrita, Sibiu, Galati and Valcea.

Phare 2003: RO03/IB/EN/01 “*Support to the Design of a Multi-Annual 2004-2006 Environmental Scheme and Support to the Implementation of the 2003 Waste Grant Scheme*”

This twinning project is in progress and supports the MEWM in developing a multi-annual programming concept for financing local environmental projects through the grant schemes opportunity. The twinning will also be responsible for the evaluation of applications submitted under the Phare 2003 “pilot” programme, prepare and finalize contracts, and for defining guidelines for potential projects to be financed under the Phare 2004 expansion phase. Finally, the twinning assignment will define a selection mechanism and training methodology for so-called “waste-advisors”. These are expected to be trained and based within REPAs and LEPAs in the eight regions to provide local public authorities and operators with first hand information on environmentally related issues

Under Phare 2004

- The twinning project RO/04/IB/EN/06 “*Implementation and Enforcement of the Environmental Acquis Focused on Domestic Waste Management - Phase I*” - support to REPA Bacau. The specific aim of this twinning is to consolidate the capacity of the REPA Bacău and its subordinated LEPAs (Suceava, Botoșani, Iași, Neamț, Bacău and Vaslui) in the implementation and enforcement of the environmental legislation focused on urban and rural waste management related requirements;
- The twinning project RO/04/IB/EN/07 “*Implementation and Enforcement of the Environmental Acquis Focused on Industrial Waste Management - Phase I*” – support to REPA Galati. The specific aim of this twinning is to consolidate the capacity of the REPA Galati and its subordinated LEPAs in the implementation and enforcement of the environmental legislation focused on industrial waste management and related EU directives’ requirements;
- The project “*Further implementation of waste management legislation*” has 3 technical assistance components as follows:
 - “*Technical Assistance for Elaborating the Regional Waste Management Plans*”. The project aims to elaborate 7 Regional Waste Management Plans, update the existing one for Region 7-Centre, to have a mandate for implementation of the RWMPs in all regions and to train the staff on monitoring their implementation;
 - “*Education and Information Campaigns on the Waste Management Issues*” The project aims to design and implement public awareness and information campaigns concerning: selective collection of waste packaging, waste oil and used batteries, collection and recycling used tyres, collection of bulky waste, to prepare and deliver seminars, workshops and training sessions for the stakeholders;
 - “*Waste from Electrical and Electronic Equipment (WEEE) Directive Implementation*”
The project aims to strengthen capacity and capabilities at the local/regional and central level for the enforcement of the environmental legislation on waste within the appropriate legal framework for ensuring the full implementation of the Waste from

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Electrical and Electronic Equipment (WEEE) Directive. It also aims to estimate the costs, treatment possibilities and necessary action regarding the WEEE management.

“The study on Master Plan for Hazardous Waste Management in Romania” developed with the assistance of Japan International Cooperation Agency (JICA) has as main objective strengthening the hazardous waste management system in Romania at both governmental and private level. The major activities developed referred to: formulation of a national hazardous waste management master plan and action plan, implementation of pilot projects and transfer of technology and strengthening of awareness.

- **WATER QUALITY**

Under **Phare 1998** project *“Strengthening the Institutional and Administrative Capacity to Manage Environmental Policy in Romania in conformity with the Acquis Communautaire”*, was developed a twinning for the water sector which has been focused on the following Directives: 91/676/EEC, 91/271/EEC, 80/68/EC, 76/464/EEC and 2000/60/EC.

Phare 2001 Programme *“Assistance for the implementation of environmental policies in Romania”* had a component for the water sector entitled: *“Implementation of the new Water Framework Directive on pilot basins”*.

Phare 2002 Programme had a sub-project entitled *“Establishment of an information system and a database for water management field according to the requirement of the Water Framework Directive”* – in progress. The project evaluates the needs of information and available data, develops an Action Plan for the water survey (database and GIS maps) and setting up the financial strategy for the water related IT system.

Under **Phare 2004 programme** - *“Support for implementing the requirements of the WFD - Establishing Water Management Plans for the Ialomita-Buzau river basin”*. The project will assess the current status within the river basin, develop systems for groundwater quality assessment, improve the public and stakeholders participation in the decision making process and develop the River Basin Management Plan in accordance with the WFD requirements.

- **Industrial pollution**

Under **Phare 1998 Programme** *“Strengthening the Institutional and Administrative Capacity to Manage Environmental Policy in Romania in conformity with the Acquis Communautaire”* a TA component was developed focussed on the transposition of the IPPC Directive.

Under **Phare 1999 Programme**, the component *“Pre-accession impact studies”* performed by the European Institute in Romania developed the study *“Impact on EU environmental acquis on selected industrial sectors in Romania”*. The study presents the costs and benefits associated with the transposition of the environmental *Acquis* in five economic sectors: energy, mining, chemicals and petrochemicals, iron and steel, and building materials, namely the two directives that have the largest cost impact on these five sectors: 88/609 – Large Combustion Plants and 96/61 – IPPC.

Under **Phare 2000 Programme** *“Implementation of the Environmental Acquis”* the twinning project developed an environmental strategy with particular reference to financial mechanism. Implementation programme and cost assessment for the 9 selected directives have been developed. One of the 9 selected directives was 96/61 – IPPC Directive.

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The project “*Assistance for the implementation of the Environmental Impact Assessment (EIA) Directive*” developed activities related to the Council Directive 85/337/EEC amended by Council Directive 97/11/EC in close cooperation with the IPPC Directive.

Phare Multi-country project “*Capacity Building in Implementation of the Environmental Acquis at the Local and regional Level*” aims to strengthen the capacity among regional and local authorities through training of employees dealing with Environmental Impact Assessment (EIA) and Integrated Pollution Prevention and Control (IPPC).

Under the **Phare 2001 Programme**, the project “*Assistance for the implementation of the IPPC Directive*” will develop: norms and guidelines for industrial sectors (classified according to the Annex I of the IPPC Directive) to be used in the inspection activities within the EPAs (e.g. for steel industry and chemical industry); manual guide concerning the control methods; pilot implementation on 2 plants; equipment acquisition for 10 selected EPAs to support the integrated control activity.

Under **Phare CBC** projects such as: “*Joint Air Quality Monitoring System on the Romanian-Bulgarian Boundary Towns on Lower Danube*” and “*Protection of wetlands of the Danube*” Calarasi, Giurgiu, Teleorman and Giurgiu EPAs were equipped with the proper monitoring equipment.

Under **Phare 2002 Programme** the “*Twinning to assist Romania in the implementation of the VOC's, LCP and Seveso II Directives*” has the following guaranteed results: an inventory of the installations falling under the provisions of these Directives; register of transferred and emitted pollutants, according to the VOC, LCP and SEVESO II Directives provisions.

Under **Phare 2004 programme**

- The twinning project “*Implementation and enforcement of the environmental Acquis focussed on IPPC and Risk Management – Phase I*”- support to REPA Pitesti. The project helps to consolidate the capacity of the **REPA Pitesti**, its subordinated LEPAs and the National Environmental Guard (NEG) in the implementation and enforcement of the environmental legislation focussed on IPPC and Risk management;
- The twinning project “*Implementation and enforcement of the environmental Acquis focussed on IPPC –Phase I*” support to REPA Craiova. The project aims to support a newly created Regional Environmental Protection Agency (**REPA Craiova**), its subordinated Local Environmental Protection Agencies (LEPAs) and the National Environmental Guard (NEG) with their day-to-day responsibilities and functions related to the implementation, monitoring and enforcement of the transposed environmental legislation in accordance with their responsibilities established by law;
- The projects “*Technical assistance to support the integrated permitting process*” and “*Equipment acquisition for emission control at IPPC activities, to the regional level - needed investments*” were conceived to support the integrated permitting process and also, through equipment acquisition, to improve the capacity of the regional environmental authorities to control emission generated by IPPC activities.

- **GIS**

Within the **Corine Land Cover 1990** was made the first GIS national coverage database of the land cover based on satellite image interpretation.

Image 2000 Programme and Corine Land Cover 2000 is under development starting from 2002 and has as aims to correct and improve the CLC 1990 GIS database as well as to measure the changes in land cover during the 10 years period.

The project "**Conservation of Biological Diversity in Danube Delta**" (1994-2000), with a total budget of 4.8 million \$, was focused on capacity strengthening of the institutional capacity of the Danube Delta Management Authority, polder restoration, ecosystem restoration for sustainable use, as well as public awareness. Some of the main important activities carried out within the project were:

- strengthening of the Romanian warden's department for the Danube Delta;
- monitoring species and ecosystems and development of an integrated geographic information system (GIS) data base to assess management priorities;

One of the main objectives of the project, "Biodiversity Conservation Management" (1999-2004), with a total value of 8.8 million \$ (including 3.3 Million \$ Romanian co-financing and other sources) was:

- establishment of the Biodiversity Information Management System (BIMS) where many important data sources for biodiversity assessment at the national level and at the sites level were already collected in GIS databases. Medium resolution satellite images were used at the national level and Ikonos high-resolution images were used at the sites level in order to map species distribution.

The National Biodiversity Information Management System (BIMS) was established within the project and is collecting all available data coming from other biodiversity projects. BIMS was established in order to encourage the digital information exchange and partnerships. The data stored in BIMS is used also in order to support the decisional processes within the MAFWE.

Phare 2001 – RO 0107.15.03 - "Technical Assistance for Elaboration of the Environmental Cost Assessment and Investment Plan"

The project assesses the environment related costs and provides an investment plan, for each of the environmental sectors and covering all Romanian development regions. It also contributes to strengthening the environmental authorities to identify the investment needs asked by implementing the acquis's Heavy Directives (waste water, IPPC, Seveso II, landfill/ waste incineration).

Phare 2002 – RO 2002/000 –586.04.12.04 - "Establishment of an Information System and a Database for Water Management Field According to the Requirement of the Water Framework Directive"

The project main objectives are: assessment of basic needs for information and available data; development of an Action Plan for Water Cadastral numbering (database, GIS database and maps); financial strategy and informational system set-up; pilot applications at local level; establishing and implementation of the Quality Assurance procedure.

Phare 2004 – "Implementation of NATURA 2000 Network in Romania"

The project will develop: National list of SPAs and proposed pSCIs; GIS maps and related databases for all natural habitats and for all species of wild flora and fauna and their habitats; GIS maps with accurate delimitations, distribution of habitats and species, databases and standard

forms for all Romanian pSCIs and SPAs which will compose the Natura 2000 Network; A national-wide programme of awareness-raising events on Natura 2000 themes.

Under **Phare 2004** – “*Investment on ortho-rectified high resolution images at national level for developing GIS maps*” about 115 ortho-rectified high satellite images and geo-referenced maps for the entire country, at large scale, will be purchased.

3.4 Lessons learned

See also Annex 6

The review of evaluation reports of the PHARE programmes shows deficiencies previously encountered, as follows:

Interim Evaluation Report No. R/RO/ENV/02113 (Phare Programmes RO 0006.14 and RO 0107.15) - **findings:** “The objectives of the assessed programmes are relevant to the needs of the beneficiaries. However, in most cases, the design is too complex, given the time and resources available. Overall, there is scope for improving efficiency [...]. In general, coordination between stakeholders has not been satisfactory. However, flexibility of approach is evident, thereby assisting implementation.”

Interim Evaluation Report R/RO/ENV/03040 (Phare Programmes RO 0006.14, RO 0107.15 and RO-2002/000-586.04.12) - **findings:** “All programmes are *relevant* to the beneficiaries need to transpose and implement the environmental Acquis and are in-line with government policy and agreed priorities. The programmes are well structured, however, in most cases, the design appears ambitious, given the limited capacity of the environmental administration. In terms of *efficiency*, performance under Phare 2000 was adequate due to the efforts of individuals but this is expected to decline under Phare 2001 and 2002. With few exceptions, understaffing and lack of financial resources constrain efficiency.”

Regarding the programme’s *relevance*, it is mentioned: “Programme design is well structured with the output from one project being used as an input for another. Programme preparation is generally good but most programmes appear very ambitious considering understaffing, high staff turnover and subsequent limited absorption capacity across the environmental administration. The quality of the Indicators of Achievement and identification of risks and assumptions as given in the Project Fiches are variable; whilst for 2000 and 2001 they are poorly defined, for 2002 they are improved but still lack the necessary quantification.”

The experience of the MEWM from previous Phare projects implementation has shown that the most important is to prepare a logical project proposal: from the identification of the problems, setting realistic objectives, results and activities, establishing management organisation, to monitoring on the basis of objectively verifiable indicators. The preparatory works (drafting tender documents) should be done in time and all needs assessment regarding equipment acquisition ready before the project can actually start.

It should be noted that the development of the project fiche is taking into account the previous experience gathered from designing and implementing PHARE programmes fiches for 2001, 2002 and 2003.

The project fiche has been improved by virtue of better definition of actions, expected results, indicators of achievement, realistic and correct identification of risks and assumptions.

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The sector programme was designed based on the recommendations provided on PHARE programmes, such as:

- Programme's targets are achievable with the available and/or planned number of staff;
- Responsibilities and co-ordination mechanism are clearly defined;
- Actions are clearly defined and affordable within the planned budget.

Interim Evaluation No. R/RO/ENV/0410 - from Nov.2004 (Programmes covered: RO-0107.15, RO-2002/000-586.04.12 and RO 2003/005-551.04.11 - Author: Ecotec Research and Consulting) - Key achievements, findings: "All programmes are relevant to the beneficiary needs as they address the transposition of remaining legislation and the need to accelerate implementation of environmental directives. The majority of the programmes build on outputs from previous programmes and the selection of assistance instruments appears appropriate.

As a result of the corrective actions taken the majority of programmes have been or are expected to be *effective*. Progress has been made regarding legislative transposition. Administrative systems and structures are being defined, established and strengthened. However, questions remain as to operational matters regarding the execution of duties by the different authorities and agencies within the environmental administration and the transfer of responsibilities.

The programmes' *impact* will be realised in the long-term through improvements to the environment. Generally, the programmes represent the beginning of a process that will take considerable time. A key element is the concept of cost effectiveness and the implications this has for strategic planning. There is little evidence that environmental issues are given sufficient consideration or are integrated into other sector strategies."

4. Expected Results of the programme

The results expected from **Phare programme 2005** can be structured as follows:

Project 3 – “Strengthening Institutional Capacity for the implementation and enforcement of IPPC and Air Quality legislation”

- Strengthened institutional capacity and capabilities to implement and enforce the requirements of IPPC and LCP legislation by facilitating support to operators to reach compliance with IPPC requirements.
- Public access to information and participation to the procedure of issuing the integrated environmental agreement/permit for the activities/installations with transboundary impact (Espoo Convention) assured;

Project 4 – “Further Implementation of Waste Management Legislation”:

- Enhanced practical capacities to implement and enforce waste management legislation by ensuring the capability of environmental authorities to undertake waste monitoring with trained staff;
- Assured compliance with provisions regarding temporary storage of waste;
- Solutions regarding recycling and use of recycled materials from End-of-Life Vehicles (ELV) designed and promoted.
- Enhanced technical and practical capacities and capabilities of staff from 8 REPAs and the NEPA to implement and enforce waste management legislation by operating the purchased waste monitoring equipment.

Project 5 – “Support to implement the Provisions of the Water Framework Directive”

- Increased technical capability and capacity of the environmental structures to implement WFD requirements insured by supplied equipment for integrated monitoring of the water resources quality and management of the GIS based water database.

Project 7 – “Supporting the Environmental Protection Decisions through GIS”

- Strengthened institutional capacity of environmental authorities to establishing a system for decision support by using GIS
- Improved competence in environmental decision-making process through investment in GIS system/network stations.

The expected results for the **Phare programme 2006**, along stated priorities, are as follows:

Project 1 - “Strengthening the capacity of the Regional Environmental Protection Agencies (REPAs) and Local Environmental Protection Agencies (LEPAs) in implementing, monitoring and enforcement of the transposed environmental legislation” - 9 twinning projects – Phase II:

- NEPA, the 8 REPAs and the 42 Local Environmental Protection Agencies (LEPAs) and National Environmental Guard (NEG) supported in implementing, monitoring and enforcement of the transposed environmental legislation in accordance with their daily responsibilities and the technical focussed activities.

Project 2 - “Strengthening Institutional Capacity to implement horizontal and noise related legislation”

- Equipment for noise measurements and associated IT for data acquisition purchased and operational;
- Staff responsible for noise monitoring and management of database trained;

Project 3 - “Strengthening Institutional Capacity for the implementation and enforcement of IPPC and Air Quality legislation”

- Improved technical capability of the regional environmental authorities (within REPA Cluj) for enforcing air quality related legislation, supported by procurement of monitoring equipment for hot-spot areas where the air pollution limits are exceeded;

Project 6 - “Implementation of NATURA 2000 Network in Romania”

- Equipment needed for proper management of the Natura 2000 sites purchased and staff properly trained;
- Awareness among the local communities concerning the value of nature conservation and the purposes of Natura 2000 sites ensured.

5. Detailed Budget

Indicative budget for the budgetary years 2005

| Year 2005 | Indicative EU support | | | | |
|-------------------|------------------------------|-------------------------|---------------------|----------------------------|--------------|
| | Investment Support | Institution Building | Total EU (=I+IB) | National Co- financing* | TOTAL |
| Project 3 | | | | | |
| Contract 1 | - | 1.00 | 1.00 | - | 1.00 |
| Project 4 | | | | | |
| Contract 1 | 2.25 | - | 2.25 | 0.75 | 3.00 |
| Contract 2 | | 0.75 | 0.75 | - | 0.75 |
| Contract 3 | | 0.70 | 0.70 | - | 0.70 |
| Project 5 | | | | | |
| Contract 1 | 3.00 | - | 3.00 | 1.00 | 4.00 |
| Contract 2 | 4.00 | - | 4.00 | 1.34 | 5.34 |
| Project 7 | | | | | |
| Contract 1 | - | 2.80 | 2.80 | - | 2.80 |
| Contract 2 | 3.00 | - | 3.00 | 1.00 | 4.00 |
| Total 2005 | 12.25 | 5.25 | 17.50 | 4.09 | 21.59 |
| | | | | | |

* MEWM will provided the co-financing

Detailed allocation for Investment/Institution Building for 2005:

| | Phare support | Co-financing | | | Total Cost |
|--|---------------|---------------------------------|--------------------------|-------------------------------------|-------------|
| €M | | National Public Funds (*) | Other Sources (**) | Total Co-financing of Project | |
| Year 2005 -Investment support jointly co funded | | | | | |
| Project 4 | 2.25 | 0.75 | | 0.75 | 3.00 |
| Contract 1 | 2.25 | 0.75 | | 0.75 | 3.00 |
| Project 5 | 7.00 | 2.34 | | 2.34 | 9.34 |
| Contract 1 | 3.00 | 1.00 | | 1.00 | 4.00 |
| Contract 2 | 4.00 | 1.34 | | 1.34 | 5.34 |
| Project 7 | 3.00 | 1.00 | | 1.00 | 4.00 |
| Contract 2 | 3.00 | 1.00 | | 1.00 | 4.00 |

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| | | | | | |
|---------------------------------------|-----------------|-----------------|--|-------------|--------------|
| Investment support – sub-total | 12.25 | 4.09 | | 4.09 | 16.34 |
| <i>% of total public funds</i> | <i>max 75 %</i> | <i>min 25 %</i> | | | |

| | | | | | |
|---|-------------|--|--|--|-------------|
| Year 2005 Institution Building support | | | | | |
| Project 3 | 1.00 | | | | 1.00 |
| Contract 1 | 1.00 | | | | 1.00 |
| Project 4 | 1.45 | | | | 1.45 |
| Contract 2 | 0.75 | | | | 0.75 |
| Contract 3 | 0.70 | | | | 0.70 |
| Project 7 | 2.80 | | | | 2.80 |
| Contract 1 | 2.80 | | | | 2.80 |
| IB support | 5.25 | | | | 5.25 |

| | | | | | |
|---------------------------|--------------|-------------|--|-------------|--------------|
| Total project 2005 | 17.50 | 4.09 | | 4.09 | 21.59 |
|---------------------------|--------------|-------------|--|-------------|--------------|

(*) contributions from National, Regional, Local, Municipal authorities, FIs loans to public entities, funds from public enterprises

(**) *private funds, FIs loans to private entities*

6. Implementation Arrangements

6.1 Institutional Framework

The central Governmental environmental structure in Romania is the Ministry of Environment and Water Management, re-organised in March 2004 (Governmental Decision no.408/2004). The main responsibilities of the ministry relate to the development of environmental strategy, policy and legislation, focussed on the EU approximation. The current structure of the Ministry, as well as those of its new created subordinated bodies, as National and Regional Environmental Protection Agencies are seen as of considerable relevance to the proposed project, due to its key role as decision makers.

Recently, through (GD) no. 308/2005 (Of.J. no. 336/21.04.2005), a new chart of the MEWM was approved, according with the commitments assumed during the negotiation of Chapter 22-Environment. The new released structure of the MEWM is the following:

In accordance with the provisions of Article 12 of GD No 408/2004 and Article 1(1) of EO No 17/2005, as well as of the Article 2 align (1) of the GD no. 459/2005 on the reorganization and functioning of the National Environmental Protection Agency, MEWM has under its subordination, authority or coordination, depending on the case, the following bodies:

- The National Environmental Protection Agency;
- The National Environmental Guard;
- The Administration of “Danube Delta” Biosphere Reserve – Tulcea.

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The units under the authority of MEWM:

- The National Administration “Apele Romane”;
- The National Administration of Meteorology.

The units under the coordination of MEWM:

- The National Institute of Research and Development for Environmental Protection – ICIM Bucharest;
- The National Institute of Marine Research and Development “Grigore Antipa” – INCDM Constanta;
- The National Institute of Research and Development “Danube Delta” – INCDDD Tulcea;
- The Administration of the Environmental Fund.

The national executive level subordinated to the MEWM is the **National Environmental Protection Agency (NEPA)**. Specific functions of planning approvals and reporting control are also attached to NEPA, together with the development of secondary legislation for implementation and enforcement.

The National Environmental Protection Agency was reorganized through the GD no. 459/2005 on reorganization and functioning of NEPA (Of. J. no. 462/31.05.2005) as specialty body of the central public administration, with legal status, under the subordination of the Ministry of Environment and Water Management, with competencies in the implementation of environmental policies and legislation.

NEPA exercises, according to the law, attributions on the strategic planning, permitting of the activities with environmental impact, implementation of the environmental policies and legislation at national, regional and local level, established by the Ministry of Environment and Water Management through regulations on organization and functioning.

NEPA, as executive and implementing authority of the MEWM, has the following roles:

- Technical support for grounding the normative acts, sectoral environmental strategies and policies harmonized with the Community acquis and based on the sustainable development concept
- Implementation of environmental legislation
- Coordination of the implementing activities of the environmental strategies and policies at national, regional and local level
- Representation, in compliance with the mandate given by the MEWM, in internal and external environmental relations
- Permitting of the activities with environmental impact and assurance of the compliance with the legal provisions.

The main tasks NEPA is responsible for are listed below:

- Permitting of the activities with environmental impact and coordination of this process at national, regional and local level;
- Finding of the non-compliance with the issued permitting acts and information of the environmental authority for inspection and control on this aspect;
- Assurance of the technical support for elaboration of the environmental strategies and policies;

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- Coordination of the elaboration of the sectoral action plans and of the national environmental action plan;
- Monitoring of the achievement status of the environmental commitments assumed in the negotiated implementation plans within the Chapter 22 and periodical elaboration of reports on the progresses registered for the information of the central public environmental authority;
- Elaboration of the synthesis reports on environmental status;
- Training of the specific personnel of the environmental regional and local public authorities and of the National Environmental Guard, on the basis of the national programme approved by the central public environmental authority;
- Organization and coordination of the National Informational System for Environment and of the National System for Environmental Integrated Monitoring.

National reference laboratories for air, waste, noise, vibrations and radioactivity are organized and functioning within the structure of the National Environmental Protection Agency.

At the regional and local levels, the key executive bodies with respect to environmental implementation and enforcement are the **Regional and Local Environment Protection Agencies**.

The **Regional Environmental Agencies** (REPAs) were recently (2004) established within the boundaries of the existing development regions. The creation of REPAs reflects the application of the regionalization approach in the area of environmental protection. It has been considered necessary to create a legal-administrative-institutional framework allowing a new, regional, decision-making system to effectively apply (regionally and locally) environmental legislation. From the very beginning, a strong assumption has been that to match the creation of the eight Development Regions, eight Regional Environmental Protection Agencies should be created to coordinate the existing county-level environmental agencies (LEPAs) but also effectively cooperate with the regional development agencies.

The Regional Environmental Protection Agencies were reorganized as public institutions with legal status, under the subordination of the National Environmental Protection Agency, financed from the state budget.

According to the art. 10 of GD no. 459/2005, REPAs are fulfilling the tasks of the NEPA at the regional level in the field of implementation the environmental strategies and policies, legislation and regulations in force and coordinate the elaboration of the environmental action plans at regional level.

REPAs issue the environmental permitting acts, according to the competencies established by the NEPA, provided in the regulation acts. Also, REPA organize groups for the implementation of the structural instruments at regional level, which are directly coordinated by the central public environmental authority. The main tasks of the REPAs are:

- exercise, at regional level, the NEPA's tasks;
- participate at the elaboration and monitoring of the regional development plan;
- collaborate with the county Environmental Protection Agencies within the respective development region for the elaboration of the synthesis reports and establishment of the environmental data basis at regional level;

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- coordinate the elaboration and monitoring of the regional environmental action plans;
- annually evaluate and up-date, in cooperation with the National Environmental Guard and other public authorities, the own regional plans or environmental chapters integrated in other regional plans;
- assure specialty assistance to the county Environmental Protection Agency;
- collaborate with the National Environmental Guard in the enforcement process of the environmental legislation;
- manage and release, according to the law, the environmental information at regional level.

REPAs have assumed responsibilities in:

- development of regional environmental protection policies;
- carrying out environmental protection planning, in particular developing and continuously updating Regional Environmental Protection Action Plans, coordinated and integrated with regional development plans;
- providing technical support and laboratory services to other environmental authorities at all levels;
- fulfilling regulatory functions, in particular issuing IPPC permits;
- cooperating with other environmental authorities at all levels and other governmental institutions.

The **Local Environmental Protection Agencies (LEPAs)** number 42 at present, one for each County, plus the Biosphere Reserve Administration Danube Delta. The Local EPAs were established originally in 1990, but their responsibilities grew substantially after years.

The county Environmental Protection Agencies are reorganizing as public institutions with legal status, under subordination of the NEPA. They have the status of de-concentrated public services, financed from the state budget.

According to art. 20, Para (2) of GD no. 459/2005, the EPA from the respective county where a REPA is organized is reorganizing and is separating from the REPA's structure. The county Environmental Protection Agencies are fulfilling the tasks provided by the legislation in force for territorial environmental public authorities at county or Bucharest town level.

The LEPAs oversee most aspects of environmental enforcement at the local executive level, interfacing to many other county and municipal bodies that run certain of the environmental utilities. The key aspects of the Local EPA control over environmental impacts concern the use of Environmental Authorisations, these including both Environmental Impact Assessments and Integrated Environmental Permitting.

In addition, the **National Administration "Apele Romane" (ANAR)** is an economic entity for water-related services under the coordination of MEWM, having a headquarters in Bucharest and territorial branches located in each of 11 river basins. The ANAR is of a special importance for the integrated environmental permitting, due to its fully competencies to run the regulatory and control functions related to water supply and waste water discharges.

The National Administration "Apele Romane" (NAAR) was established through Government Emergency Ordinance no. 107/2002 and has as main objectives:

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- application of the national policy and strategy in the field of water management;
- application of the national programme for implementation of national legislation, which transposes the EU Directives;
- administration and exploitation of the National Water Management System infrastructure;
- administration and capitalisation of the water resources and of the national database.

The main responsibilities of the National Administration “Apele Romane” are:

- conservation, protection, capitalisation, restoration and make use of the water resources;
- elaboration of the framework-schemes for water administration and management, and of water management plans;
- prevention, control and mitigate flood effects through water management works;
- implementation of national legislation which transposes the EU Directives;
- commissioning of new works in the water management sector;
- providing inspection and application of the penalties.

MEWM is also coordinating the activities of other specialised bodies for engineering/ research of financial issues, such as:

The National Environmental Guard (NEG) has been set up as public institution with its own legal autonomy, financed by the state budget, which started to function on 29th April 2003. During September 2004 – 18th March 2005, NEG was functioning as a public institution, with legal status, subordinated to the National Authority for Control (public institution subordinated to the Romanian Government which applied its strategy and programme in the field of coordination of the activities of control authorities).

According to art. 5(4) of the GD no. 408/2004 (Of. J. No. 285/31.03.2004) on the organization and functioning of MEWM, the activity of the NEG was under methodological coordination of the Minister of Environment and Water Management, as related to implementation of the environmental strategies and policies.

For achievement of some organizational measures at the level of central public administration, the EGO no. 17/ 2005 was issued (Of.J. no. 229/18.03.2005).

Starting with 18 March 2005, according to the EGO no. 17/2005, NEG passed from the National Authority for Control to the subordination of the Ministry of Environment and Water Management, as a public institution for inspection and control and it is functioning as the specialized body of the public central administration, with legal status, financed integrally from the state budget.

National Environmental Guard has competence on governmental policy enforcement, to prevent, to establish and to apply legal penalties for the infringements of the legal provisions concerning the protection of the environment, waters, soil, air, biodiversity, as well as of the ones stipulated within the specific laws on the industrial pollution control and risk management, environmental fund and on the others fields stipulated by the current specific legislation in force, including the complying with the legal procedures on the issuing the environmental and waters administration permits by the competent authorities.

In the field of environmental protection, NEG has the following responsibilities:

- organizes, coordinates, guides and controls the regional and county commissariats activity of inspection and control, with a view to develop it unitary at the national level;

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- issues, promotes and up-dates, together with the central public authorities for environmental protection, guides, technical norms in the field of inspection and control activity, that represent internal documents;
- controls the activities with environmental impact and applies penalties in conformity with the environmental protection laws;
- controls the respecting of the environmental regulation acts provisions, inclusive the measures stipulated on the conformity programs, for economic and social activities and the respecting of the legal steps in issuing the environmental regulation acts;
- controls the import – export activities of the goods, products or other materials which have a special trade regime;
- controls the major accidents risk activities and/or the major environment trans-boundary impact activities to prevent and limit pollution risks;
- participates in the interventions for the elimination and limitation of major pollution effects, decides their causes and applies penalties stipulated in law;
- controls the environmental investments in all execution stages and it has the access to all documents;
- proposes to the issuing authorities the suspension and/or cancellation of the non-compliance issued regulation acts;
- identifies the offences actions and applies the penalties in the environmental protection field, reports the offences to the criminal prosecutor and collaborates with its in order to identify the actions that in conformity with the environmental legislation are considered offences;
- checks the complains in the environmental protection field;
- plays and active role in the international and European inspection networks;
- co-operates with all the environmental international bodies and participates at the projects and programs carried on the environmental protection field;
- controls the hazardous waste export and transit in conformity with the provisions of the international conventions that Romania is part, as well as the import of some waste categories which are allowed to be imported in conformity with law;
- checks the stage of the payment of the financial duties to the Environmental Fund Administration, according to the provisions of environmental fund law;
- provides the information regarding the environmental estate to the public, according to the public access to the environmental information law.

The NEG duties in the field of control of the natural habitats, biodiversity and protected areas are:

- controls the compliance with the environmental legislation concerning the natural protected areas, the maintenance of natural habitats, flora, wild fauna and fish breeding;
- checks the compliance with the environmental permit provisions;
- controls the works with the impact on natural habitat areas, for maintenance of ecosystems, flora, wild fauna and fish breeding;
- controls the compliance with the measures for preservation disposed, with the view to maintain or to rehabilitate certain natural habitats, on certain terrestrial and water areas, especially in the “Danube’s Delta”;

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- controls the activities of capturing, harvesting, acquisitioning and marketing on the internal and external market of the plants and animals in the wild flora and fauna;
- controls the way and means to capitalize the flora and wild fauna biological resources, the piscicultural fund of the natural waters and the wild animals of hunting importance;
- controls the respecting of the protected areas management plans by its wardens;
- checks the concordance between the customs acts and the export permits of the economical agents which market the natural resources from the spontaneous flora and the wild fauna;
- organizes the prevention and fighting actions against the destruction of the natural habitats in the protected areas;
- controls the compliance with the environmental legislation in the protected areas, parks and natural reservations, by organizing some common actions with its representatives in order to protect the natural habitats;
- maintains the permanent relationship with the bodies with activity in the field of flora and wild fauna's protection.

Internal Financial Instrument: AFM - Environmental Fund Administration

Research Institutes, elaborating studies for research-development and substantiating the strategy and policy in environmental protection and water management field, under the coordination of MEWM, as follows:

- **NAM** – National Administration for Meteorology
- **ICIM** Bucharest - The National Institute for Research & Development for Environmental Protection
- **INCDM** Constanta - The National Institute for Marine Research & Development “Grigore Antipa”
- **INCDDD** Tulcea - The National Institute for Research & Development “Delta Dunarii”

The Sector Programme will be managed and coordinated by a Steering Committee. The Steering Committee will be chaired by the State Secretary for European Integration within MEWM and will have as members the following: the Executive Directors of the 8 REPAs, the president of the NEPA, the General Director of NAAR, the General Director of the General Directorate for Management of the Structural Instruments within the MEWM, the Director of CFCU, the General Director for Accession Assistance within Ministry of Public Finances, Head of ISPA and Phare Infrastructure Section of the EC Delegation.

6.2 Implementing authority

The **Implementing Authorities** are as follows:

Project 3

The **Implementing Authority** will be the Ministry of Environment and Water Management (MEWM) through Impact Assessment, Pollution Control and Risk Management General Directorate.

Contact person:

Mrs. Angela FILIPAS, General Director

Phone: +40-21-411.02.98

e-mail: afilipas@mappm.ro

MEWM is responsible for the operational management of the project: preparation of Terms of Reference for the Technical Assistance component, evaluation criteria/grid, offers' evaluation during tendering session, concluding of contract and invoices for payment.

Project 4

The **Implementing Authority** will be Ministry of Environment and Water Management (MEWM) through Directorate for Waste and Dangerous Chemical Substances.

Contact person:

Mrs. Elena DUMITRU, Director

Phone: +40-21-410.02.98/410.02.15, extension 2194

e-mail: edumitru@mappm.ro

MEWM is responsible for the operational management of the project: preparation of the Technical Specifications for the Investment component and Terms of Reference for both Technical Assistance components, evaluation criteria/grid, offers' evaluation during tendering sessions, concluding of contract and invoices for payment.

Project 5

The **Implementing Authority** will be the Ministry of Environment and Water Management (MEWM) – Management of the Water Resources Directorate.

Contact person:

Mr. George CONSTANTIN, Director

Phone: +40-21-335.25.91/410.02.15 extension 1170

e-mail: gconstantin@mappm.ro

The beneficiary of the project is the National Administration “Apele Romane” as the responsible body for the implementation of provisions of the WFD. The owner of the equipment will be NAAR through its Water Management Units. The Water Management Units are expected to develop their capacity to run an integrated monitoring system and in order to fulfil the requirements of the WFD.

Contact person:

Mr. Aurel PANA, General Director

Phone: (40-21) 315.13.01

The MEWM together with NAAR are responsible for the operational management of the project: preparation of the Technical Specifications for the Investment components, of evaluation criteria, of evaluation of offers, of contracts and of invoices for payment.

Project 7

The **Implementing Authority** will be the Ministry of Environment and Water Management (MEWM) – Directorate for Nature Preservation, Biodiversity and Biosecurity

Contact person:

Mrs. Adriana BAZ, Director

Phone: +40-21-410.05.31/410.02.15 extension 2414

e-mail: baz@mappm.ro

MEWM is responsible for the operational management of the project: preparation of the Terms of Reference for the Technical Assistance component and Technical Specifications for the

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Investment component, evaluation criteria, offers' evaluation during tendering sessions, concluding of contract and invoices for payment.

6.3 Implementing agency

Central Finance and Contracts Unit (CFCU) / Ministry of Public Finance

Mircea Voda bvd, no. 44, sector 3, Bucharest, Romania.

Phone: +40 21 326.55.55 /105

Fax: +40 21 326.87.30

Email : carmenrosu@cfcu.ro

6.4 Implementation Schedule

Project 3

MEWM is responsible for the preparation of Terms of Reference for the Contract no.1.

Staff arrangements for the project implementation at the Implementing Authority: 2 persons (1 PIU membership and 1 technical counterpart from the Impact Assessment, Pollution Control and Risk Management General Directorate) who will develop the Terms of Reference and procurement documents according to PRAG rules/procedures.

Project 4

MEWM is responsible for the operational management of the project: preparation of the Technical Specifications for the Contract no.1 and the Terms of Reference for the Contracts no.2 and 3.

Staff arrangements for the project implementation at the Implementing Authority: 6 persons (3 PIU membership – 1 for each component - and 3 counterparts from the Directorate for Waste and Dangerous Chemical Substances – 1 for each component) to develop the Terms of Reference for Technical assistances, the Technical Specification for the supply component and all related contracting documents according to PRAG rules/procedures.

Project 5

MEWM is responsible for the preparation of the Technical Specifications for the Contracts no. 1 and 2.

Staff arrangements for the project implementation at the Implementing Authority: 4 persons (2 PIU membership – 1 per each component - and 2 technical counterparts from Management of the Water Resources Directorate – 1 per each component) to develop Technical Specifications for equipment and all related procurement documents according to PRAG rules/procedures.

Project 7

MEWM is responsible for the operational management of the project: preparation of the Terms of Reference for the Contract no.1 and the Technical Specifications for the Contract no.2.

Staff arrangements for the project implementation at the Implementing Authority: 4 persons (2 PIU membership – 1 per each component – and 2 technical counterparts from Directorate for Nature Preservation, Biodiversity and Biosecurity – 1 per each component) to develop the Terms

of Reference, Technical Specifications and all related procurement documents according to PRAG rules/procedures.

6.5 Monitoring

The monitoring of the programme will be assured by the Phare Project Implementation Unit (PIU) within MEWM (General Directorate for Management of the Structural Instruments). The frequency and structures responsible for project implementation monitoring are as follows:

- Phare Monthly Meetings – once each month;
- Project Steering Committees – quarterly per year;
- Sector Monitoring Sub-Committee no.9 (SMSC 9) – twice a year;
- Joint Monitoring Committee (JMC) – yearly monitoring.

The Phare PIU within MEWM will review the programming for 2005 based on the results of the 2004 programming and will ensure the timely preparation of the projects proposed for 2006 funding.

Projects' monitoring will be conducted according to the PHARE rules.

Taking into account the special importance of this PAHARE support due to the sensitive moment of the “last adjustments” in order to ensure the compliance with the country's commitments for accession, the indicators are established for each project in order to monitor the project's results strictly related to the performances of the assisted institutions. Thus, two categories of indicators are proposed for monitoring the projects. The first category of indicators is directly reflecting the efforts for strengthening institutional capacities (quantitative approach), while other indicators are established to reflect the performances of the strengthened institutional capacities (qualitative approach).

Annexes to programme fiche

1. A sector programme monitoring sheet
2. Detailed implementation chart
 - 2.1. Contracting and payment schedule as graphs
3. Reference list of relevant laws and regulations
4. Reference list of relevant strategic plans and studies
5. Logframe for all tasks or projects listed in the summary table
6. Lessons learnt