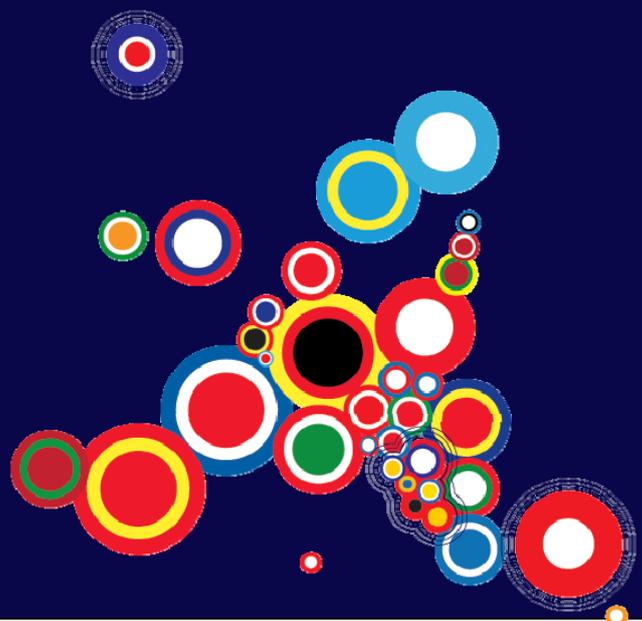




## INSTRUMENT FOR PRE-ACCESSION ASSISTANCE (IPA II) 2014-2020

**Kosovo\***

Construction of hazardous  
waste storage facilities



### **Action summary**

One of the main strategic priorities in Kosovo is the construction of a storage facility for Hazardous Waste Materials (HWM) resulting from the decommissioning process of Kosovo A power plant as well as from other industrial productions (past and present) in Kosovo, which quantities and locations have been already identified and surveyed. With the overall objective of guaranteeing a better protection of the environment in Kosovo, it is necessary to build a plant of optimal size and capacity where this hazardous waste can be stored, supervised and managed. The project "*Design Development for Storage of Hazardous Materials*" has been included in the Kosovo Environment Action Plan 2011-2020, in the Kosovo Strategy on Waste Management 2013-2022 and in the Medium term Expenditure Framework.

This action includes construction of the hazardous waste storage facilities based on the Kosovo Government's decision of 2009 and related works supervision services.

\* This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence

<b>Action Identification</b>	
<b>Action Programme Title</b>	2015 Annual Action Programme for Kosovo
<b>Action Title</b>	Construction of hazardous waste storage facilities
<b>Action ID</b>	IPA 2015/38066.5/Kosovo/Construction of HWS facilities
<b>Sector Information</b>	
<b>IPA II Sector</b>	Energy
<b>DAC Sector</b>	14050
<b>Budget</b>	
<b>Total cost</b>	12 000 000
<b>EU contribution</b>	100%
<b>Management and Implementation</b>	
<b>Method of implementation</b>	Direct Management
<b>EU Delegation in charge</b>	European Union Office in Kosovo
<b>Implementation responsibilities</b>	European Union Office in Kosovo
<b>Location</b>	
<b>Zone benefiting from the action</b>	Kosovo and neighbouring countries of Western Balkans
<b>Specific implementation area(s)</b>	Fushë Kosovë/Kosovo Polje, Goles Hill, Cadastral Zone Harilaq
<b>Timeline</b>	
<b>Deadline for conclusion of the Financing Agreement</b>	31 December 2016
<b>Contracting deadline</b>	3 years following the date of conclusion of Financing Agreement
<b>End of operational implementation period</b>	6 years following the date of conclusion of Financing Agreement

# 1. RATIONALE

## PROBLEM AND STAKEHOLDER ANALYSIS

According to the report on state of the environment in Kosovo the amount of waste increases continuously, while the waste management and infrastructure are far from being desirable with scarce available financial resources. The lack of a functional system for waste management has had negative effects on the environment; water, air, land and human health. Groundwater is the most endangered from the waste, including the hazardous waste, accumulated in the premises of different production companies. Large quantities of chemicals and industrial and mining leftovers with high content of heavy metals were inherited from the pre-war Kosovo industry of the socialist time, which were never treated. Due to old processing technologies, which failed to enable sufficient use of raw materials, there are huge amounts of mining waste in landfills, which are actually causing great damages to the environment where they are located, by polluting the air, land, surface water and groundwater. Industrial landfills present a big problem, especially landfills created for different mining, metallurgical and chemical activities, which comprise a considerable area. The amount of such hazardous mine waste containing significant quantities of heavy metals is estimated to be 60 million tons in Trepca only. These industrial landfills are constantly source of pollution of air, water and land. Ash dumps of the power company KEK in Obiliq/Obilić municipality and landfill of Ferronikeli-Gllgovc/Glogovac pose significant problems, so-called "hot spots" which are red signal to human health and flora and fauna. Other wild landfills, leftover chemicals from factories in the previous time, are repacked and temporarily stored in certain spots in Kosovo which pose a permanent danger to the environment. The following types of waste are generated at power plants (Kosovo A and Kosovo B power plants) in Obiliq/Obilić: sterols, ash, slit of ash, oils, gasoline, scoria (dross), furnace dust, chemical materials (chemicals, phenol, etc.) tires (tapes, other tires), metals (metallic parts), PCB oils transformers. The ash landfill of Kosovo A plant, together with wastelands and lagoon, covers an area of 234 ha. In average both power plants Kosovo A and B, produce over one million tonnes ash a year. From this quantity, about 700,000 tonnes are disposed on an existing ash landfill, while the remaining 300,000 tonnes are dispersed into the air. During the following years and until 2017 according to the Kosovo energy strategy in addition to the construction of the new power plant "Kosova e re", the decommissioning of Kosova A plant will start which will produce huge amounts of waste. Medical waste is a separate problem. For this reason, the Government of Kosovo (GoK) has invested in sterilization of infectious hospital waste in seven (7) regional hospital centres. Special wastes: batteries, used tires, animal waste, appliances and various apparatus, unused cars and used oils, are not adequately treated. In addition, post-war emergency aids have brought certain amounts of medicaments, pesticides and expendable products whose deadline have expired, and as such, have become hazardous waste (HW).

Until now, HW is not collected, stored and disposed in appropriate places and only few producers made their authorisation requests to store their HW in a safe and appropriate place. Hazardous waste is scattered everywhere, not collected and stored in safe places, their mishandle cause environmental pollution, health accidents, health problems.

In general, for a more sustainable protection of environment from HW in Kosovo, it is necessary to define a location and build a plant with optimal size and capacity where the HW could be placed, supervised and managed until reaching the sufficient quantities to justify from a financial point of view the transport to appropriate authorised disposal plants that have been built or will be built in Kosovo and neighbouring countries in the next 6 years.

The "State of the environment in Kosovo" report 2008-2010 published in the year 2011 by the Ministry of Environment and Spatial Planning/Kosovo Environment Protection Agency (MESP/KEPA) ranks the construction of Hazardous Waste Temporary Storage as number one priority project. Since 2007 the MESP has carried out some initial activities and developed a detailed project for the storage of HW in 2 phases: (1) an initial assessment and selection of the most appropriate location through an analysis of potential alternatives done by a specific Working Group (WG) composed by technical experts appointed by different stakeholder institutions. This WG identified the Golesh Hill as the most appropriate site through the environmental impact assessment (EIA) procedure; (2) the drafting of the technical documentation for designing, building, development, extension and functioning of a new infrastructure or rehabilitation, modernization, extension and functioning of the existing infrastructure. A project design, including the EIA,

was funded by the Government of Kosovo and was finalised in 2010. However, this design needs to be updated and revised to take into consideration the change of the conditions during the last years (new laws approved, new HW generated, etc.) as well as the Best Available Technologies as defined in the Integrated Pollution Prevention and Control (IPPC) Directive and in the Kosovo law on IPPC that should be taken into consideration for similar plants.

The beneficiary of this IPA II action is the Ministry of Environment and Spatial Planning (MESP) established since the year 2002. The MESP is responsible for the preparation and implementation of environmental laws and for the approval of the Environmental Impact Assessments and for issuing environmental permits for industrial projects, including the Hazardous Waste Storage (HWS) projects. The Ministry has set up departments, institutes and the Environmental Protection Agency, in order to fulfil its mandate. The Ministry gets support by 38 municipalities established by the Law on Administrative Municipal Boundaries (n.03/L-041). The main stakeholders in the monitoring and management of the hazardous waste will be KEPA and relevant line Ministries (Ministry of Economic Development, Ministry of Trade and Industry, Ministry of Agriculture, Forestry and Rural Development, Ministry of Local Government Administration). All these stakeholders will receive needed support to upgrade their capacities to properly deal with their specific roles in the management process through complementary technical assistance.

The Government of Kosovo will establish a public company in charge of operating and managing the HWS. The company will be responsible for safe collection, shipment, and proper storage of the waste ensuring that hazardous waste is dealt with in the safest way possible. Furthermore, the company will be in charge of classification and labelling, record keeping, monitoring and control obligations from the "cradle to the grave", i.e., from the waste producer to the final disposal or recovery. Categorisation is done based on the properties which render waste hazardous, laid down in the EU relevant directives.

All key sectoral Ministries, in particular the Ministry of Economic Development (responsible for the implementation of Energy policies), the Ministry of Trade and Industry, the Ministry of Agriculture, Forests and Rural Development and the Ministry of Health will be the main stakeholders of this project in relation of the sectoral sources originating the above mentioned HWMs.

## **RELEVANCE WITH THE IPA II STRATEGY PAPER AND OTHER KEY REFERENCES**

The Government of Kosovo is committed to a process of full EU membership. The EU has provided financial assistance to Kosovo under the Instrument for Pre-accession Assistance (IPA) for 2007-13, with a total allocation of EUR 673.9 million. An additional EUR 38.5 million was provided through IPA in 2013 to support the Pristina-Belgrade dialogue, normalisation and integration processes in Kosovo, including the visa dialogue. Under IPA II, Kosovo will continue to benefit from pre-accession assistance for 2014-20, with a total indicative allocation of EUR 645.5 million.

Under IPA 2014 (which is part of IPA II programme 2014-2020) the EU has committed EUR 3 million for the preparatory work concerning a) decommissioning of Kosovo A power plant and b) compliance of the Kosovo B power plant with EU directives (Large Combustion Plants [LCP] and Industrial Emissions Directive [IED]) as required by the SEE Energy Community Treaty. Within the IPA II programme, as part of the Sector planning document for IPA 2015 - 2017 prepared by the Government of Kosovo, one of the priorities is the Construction of hazardous waste storage facility which will be used for the hazardous waste resulting from the process of Kosovo A power plant decommissioning but also for other hazardous waste in Kosovo. The construction of hazardous waste storage facilities is an environmental project priority for Kosovo and the project "*Design Development for Storage of Hazardous Materials*" has been included in the "*Kosovo Environment Action Plan 2006-2010*", in the draft "*Strategy on Waste Management 2013-2022*" elaborated on 2012 and in the "*Medium term Expenditure Framework*".

## **SECTOR APPROACH ASSESSMENT**

Kosovo has established the basic institutions in the energy sector, including the Ministry of Economic Development, the Energy Regulatory Office and the Independent Commission for Mines and Minerals. Key energy enterprises in the sector are: Kosovo Energy Corporation (KEK), Kosovo Electricity System, Transmission and Market Operator (KOSTT), Kosovo Electricity Distribution and Supply Company (KEDS), Central Heating Utility (Termokos, Gjakova, Mitrovica and Zvecan), Hydropower Plants (HP) Ujmani, Lumbardhi, Radavci, Dikanci and Burimi.

The Environment related issues at central level are dealt by the Ministry of Environment and Spatial Planning, including KEPA, Hydrometeorological Institute and Municipal Inspectorates at the local level. The main documents related to hazard waste management are:

- Waste Management Strategy and action plan 2013-2022 of Kosovo which is to develop a sustainable management practices based on the relevant EU directives.
- Environmental Protection Strategy 2013 – 2022, which derives from the Law on Environmental Protection. The strategy objectives among other relates to measures for waste, chemical management and energy efficiency as well as the development of an environmental information system.
- Waste Management Master Plan (in draft version) for Kosovo for the upcoming 10 year period prepared, including investment programs and geographical distribution of infrastructure. The WMMP will update and integrate the 'Action Plan' under the Government approval and will include but not limited to the following outputs:
  - Scenarios for reduction, categorisation/separation, reuse and recycling of waste and other waste treatment practices alternative to landfilling;
  - An investment hierarchy and investment programme specifying the technological process for waste management in accordance with the National Waste Management Plan and EU standards, Best Available Technique (BAT) principles and relevant directives;
  - Lists of priority projects that are expected to be implemented in the upcoming 10 years period;
  - Monitoring framework providing feedback on investment progress over time including mechanisms and protocols among key actors for regular review;
  - Criteria for selection of sites and construction of storage facilities for industrial and toxic waste prepared and presented to the IPA II beneficiary.

Kosovo has developed a considerable number of laws and other bylaws regulating the energy sector. Laws are mainly drafted in accordance with the EU energy acquis.

As Kosovo is an Energy Community Treaty (ECT) contracting party, it has adopted policies for the development of the energy sector on the basis of obligations arising from ECT. An important role in this regard lies with the treatment of environmental impact of the power plants and remedy measures to be undertaken in order to reduce the GHG emissions to the limit values set in the LCP Directive and the IED Directive.

The main document which sets the energy sector development policies in Kosovo is the Energy Strategy 2009-2018. The final draft Strategy 2013-2022 is currently under review. The Heating Strategy 2011-2018, the National Action Plan for Renewable Energy Sources 2011-2022 and the National Energy Efficiency Action Plan (NEEAP) 2010-2018 are all developed on the basis of this key policy document for the energy sector. The European Commission encourages Kosovo's participation in existing environmental regional initiatives such as the Regional Environmental Reconstruction Programme for South East Europe (REReP) and the Environmental Compliance and Enforcement Network for Accession (ECENA). As such, the association with the EU is a government high priority and with it, the harmonisation of legislation. Kosovo is continuously strengthening its alignment with EU environmental legislation, institutions and standards and to make progress in several areas of which the Waste Management, Water Management and Environmental Impact Assessment represent the most important aspects. The European Partnership priorities provide a basic framework for Kosovo's efforts towards approximation to EU environmental legislation. Kosovo has pursued approximation to EU environmental standards, with important advances in legislation concerning air, water qualities, IPPC, EIA and waste. The new Law on Waste was enacted in 2012. Harmonization of

EU Directives with Kosovo's legislation is estimated to be near complete for the Directive on Waste (2006/12/EC), and advanced for the Directive on Hazardous Waste (91/689/EC), for the Directive on Packaging Waste (94/62/EC), for the Directive on Landfills (99/31/EC), and for the Directive on the Incineration of Waste (2000/76/EC). In addition the adoption of new environmental laws, in particular the approval on 2009 of the Environmental Protection (Law n.3/L-025) and IPPC (Law n.3/L-043) laws, the approval on 2010 of the EIA (Law n.3/L-214) and SEA (Law n.3/L-230) laws, the promulgation of 8 new municipalities (Law n.3/L-041), the approval on 2013 of the Water Law (Law n.4/L-147) and the further recruitment of staff at both central and local level (in particular the environmental and inspection officials) are positive steps forward.

## **LESSONS LEARNED AND LINK TO PREVIOUS FINANCIAL ASSISTANCE**

Considerable technical assistance projects financed by international donors that were affecting the strengthening of the waste management sector were implemented in the last years in Kosovo. In particular, three main categories project were implemented: 1) the projects regarding the institutional strengthening and the capacity building, mainly addressed to the Kosovan institutions that are involved in the management of environmental and waste management policies (MESP, MED; 2) the specific TA projects regarding the waste management; 3) the specific infrastructure projects regarding the realisation of urban waste landfills.

Although the impact made with the previous assistance<sup>1</sup> is satisfactory overall, a number of challenges remain:

- *Staffing*: Often project implementation is hampered by either a lack of staff and resources or a lack of funds in the budget to allow appropriate implementation. In particular, the adoption of waste BAT and infrastructures in Kosovo is still not sustainable without the support of international donors as a high tariff that should take into consideration the amortization of high investment costs will be not payable by local waste producers.
- *Cross-cutting issues*: There is more need to institute formal checks that cross cutting themes are respected in all dimensions of project activities to enhance relevance and impact.
- *Flexibility*: Recurring reference is made to the importance of flexibility in planning and projects to accommodate needs at the time; and the importance of avoiding duplication.
- *Coordination*: Close consultation among the many stakeholders involved in the project and a collaborative approach are essential to ensure that all stakeholders are fully informed and are supportive of the project to be carried out.

The Government will need to build on the lessons learned, specifically in relation to monitoring and control of the hazardous waste. Further support will be needed in training the staff directly engaged in the monitoring and management of the hazardous waste, including the staff of the operating company.

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<sup>1</sup> Previous assistance financed by donors is presented in the annex 1 to this document.

## 2. INTERVENTION LOGIC

### LOGICAL FRAMEWORK MATRIX

OVERALL OBJECTIVE	OBJECTIVELY VERIFIABLE INDICATORS	SOURCES OF VERIFICATION	
Safe management of toxic and industrial waste.	Progress made towards meeting Copenhagen criteria – Compliance with EU waste acquis related to hazardous waste	<ul style="list-style-type: none"> <li>• Kosovo Progress Report</li> </ul>	
SPECIFIC OBJECTIVE	OBJECTIVELY VERIFIABLE INDICATORS	SOURCES OF VERIFICATION	ASSUMPTIONS
<ul style="list-style-type: none"> <li>• To construct the hazardous waste storage facility for storing the hazardous waste generated during the decommissioning of Kosovo A power plant and from other industrial activities in Kosovo in compliance with the Kosovo legislation and with acquis on IPPC.</li> </ul>	<ul style="list-style-type: none"> <li>• Storage of HWM is constructed in compliance with Kosovo legislation and the EU acquis standards and requirements.</li> <li>• Hazard waste at Kosovo A site ( concentrated phenols, phenol water, hydroxide sodium, acid chlorine, radioactive sources) is completely removed and stored;</li> <li>• Industrial hazard waste (chemical waste, different acids, used oils, plastic waste, arsenic, vitriol, radioactive waste) , medical hazard waste, electric and electronic waste, is collected, transported and stored;</li> </ul>	<ul style="list-style-type: none"> <li>• National Waste Management Plans, Strategy and official documents</li> <li>• Survey Report including the inventory and classification of HWM produced and stored in Kosovo.</li> <li>• MESP website indicating the list of environmental permits;</li> <li>• National Waste Management Information System.</li> <li>• Supervisors reports on the progress of construction works.</li> </ul>	<ul style="list-style-type: none"> <li>• KEPA monitors the management process of hazardous waste transport and storage.</li> <li>• Waste generated from decommissioning of the Kosovo A power plant is properly stored and secured.</li> <li>• The HW storage facility constructed and operational.</li> </ul>
RESULTS	OBJECTIVELY VERIFIABLE INDICATORS	SOURCES OF VERIFICATION	ASSUMPTIONS
<p><b>Result 1: Supervision of Construction Works and complementary support activities</b></p> <ul style="list-style-type: none"> <li>• Supervision of the 'Works' contract for construction of the HWS completed with handover of the facilities to the public operating company.</li> <li>• Risk and Safety Manual and Guidelines for the Storage of HWM finalised and training of company staff to handle the waste completed through the complementary technical support.</li> </ul>	<ul style="list-style-type: none"> <li>• Supervisors progress reports and other relevant project documents indicating the percentage of works completed.</li> </ul>	<ul style="list-style-type: none"> <li>• MESP and EUOK documents and records</li> <li>• Advertisement and MoM for Public Debates published on local media</li> <li>• Project progress reports</li> </ul>	<ul style="list-style-type: none"> <li>• Adoption of the operating costs of the HW Storage.</li> <li>• Government has completed the legal framework governing the management of hazardous waste.</li> </ul>

<ul style="list-style-type: none"> <li>• Training of KEPA staff to monitor the hazardous waste and keep records completed.</li> <li>• National Plan for Management of Hazardous Waste updated and finalised.</li> </ul>			
<ul style="list-style-type: none"> <li>• Result 2:</li> <li>• The hazardous waste storage facilities are constructed and operated.</li> </ul>	<ul style="list-style-type: none"> <li>• Progress in the construction of the hazardous waste storage facility</li> <li>• Statistic showing reduced HW pollution at Kosovo A power plant and other polluters.</li> </ul>	<ul style="list-style-type: none"> <li>• Works' Manuals</li> <li>• Progress Technical Reports</li> <li>• Project Financial Reports and invoices</li> <li>• Final Report (conclusion of works)</li> <li>• DLP Reports</li> </ul>	
ACTIVITIES	MEANS	OVERALL COST	ASSUMPTIONS
<p><b>Activities to achieve Result 1:</b></p> <p><u>Component 1: Technical support to MESP on issuing the environmental permit and on public awareness campaign about the project.</u></p> <p>1.1 Operational guidelines for waste classification, utilisation and handling, including the Risk and Safety operational manual for workers employed by the operating company of the storage facility.</p> <p>1.2 If necessary Assistance to EUO during the procurement of Works tender procedure</p> <p>1.3 Works Supervision</p>	<ul style="list-style-type: none"> <li>• Service Contract</li> </ul>	EUR 12 million	<ul style="list-style-type: none"> <li>• Continuous collaboration of MESP, Line Ministries, Municipality of Fushë Kosovë and Key Stakeholders;</li> </ul>
<p><b>Activities to achieve Result 2:</b></p> <p><u>Component 2: Works for the construction of an Hazardous Waste Material Storage in Kosovo</u></p> <p>2.1. Construction of warehouses and facilities for hazardous waste and substances</p> <p>2.2. Supply of necessary equipment for safe storage of hazardous waste.</p> <p>2.3. Revision and finalisation of all the risk and safety operational manual for workers</p>	<ul style="list-style-type: none"> <li>• Works Contract</li> </ul>		<ul style="list-style-type: none"> <li>• Continuous collaboration of MESP, Municipality of Fushë Kosovë and Key Stakeholders</li> <li>• The Government of Kosovo allocates funds for any additional activities that are critical for the operation of the storage HSW;</li> <li>• The MESP has approved the EIA and has issued the environmental permit for construction of the storage</li> </ul>

			<p>HWS;</p> <ul style="list-style-type: none"><li>• MESP has completed the consultation process for approval of EIA;</li><li>• The Government has established the operator of the hazard waste storage, and has allocated sufficient financial and human resources for the operation;</li></ul>
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## **ADDITIONAL DESCRIPTION**

At present there is no hazardous waste facility in Kosovo consequently there is no operator of hazard waste. The relevant legislation governing the management of hazardous waste is not completed, therefore support is needed to complete the legislation in accordance with the latest EU Directives.

The Government of Kosovo is committed to establish a public owned company that will operate the hazard waste storage (herewith the 'Operator'), prior to the start of work in the construction of the hazardous waste storage. The 'Operator' would need well trained staff to handle transport and safe storage of waste. In this context the EU Office in Kosovo is expected to hire technical assistance (TA) by November 2015 (funds under IPA 2014) that will help the Operator in conducting the Environmental Impact Assessment (EIA) as required by the Kosovo Law on EIA for construction of the hazard waste storage (HWS). This TA will support MESP on handling the public consultation process which is needed for approval of EIA. The Environmental Permit has to be issued by MESP before starting the construction works.

### **Component 1: Supervision of Construction Works and complementary support activities**

The TA team (Service Contract) will provide support to the MESP and to the operator of the storage facilities during the entire construction process and in the operation of the hazardous waste storage.

Considering that Kosovo has no experience in the management and operation of similar facilities, the consultant should prepare a programme for staff training for identification, transport and management of an operator of the storage facilities. This includes record keeping and update of the National Waste Management Plan. The TA team should draft the operational guidelines for waste classification, utilisation and handling, including the risk and safety manual for workers employed by the operating company of the storage facility.

### **Component 2: Works for the construction of an Hazardous Waste Material Storage in Kosovo**

Implementation of component 2 will be done through a Works Contract based on EuropeAid rules. The 'Works' contract will be of type 'Design and build'.

#### **Risks and preconditions:**

- The Government ensures that the project for construction of hazard waste storage in the village Harilaq as per Government Decision of 2010 mentioned above, is approved by the Municipal Assembly of Fushë Kosova/ Kosovo Polje;
- Government establishes the operator of the storage HWS in Q1 2016 and allocated budget for staff and necessary equipment for operation including the necessary funds for transport of hazard waste from different sites throughout Kosovo;
- The Government shall enact in 2015/2016 the legislation applicable to management of hazard waste including collection, transports and storage of the waste;
- The Government/MESP approves the EIA for construction of the hazard waste storage facility following a successful public debate involving civil society;
- MESP issues the Environmental Permit for the Construction of the hazard waste storage facilities by mid-2016 at the latest and prior to starting the construction works. The contract for construction works will not be signed by EUO as Contracting Authority prior to issuance of the environmental permit;
- The final design of the hazard waste storage is prepared in compliance with requirements of the EU acquis;
- Effective intern institutional cooperation between Governmental institutions and other stakeholders;

### 3. IMPLEMENTATION ARRANGEMENTS

#### ROLES AND RESPONSIBILITIES

The main beneficiary of the IPA II action will be the Ministry of Environment and Spatial Planning of Kosovo, who is the responsible institution to implement the environmental and waste management policies and to monitor the corresponding actions.

Other beneficiaries will be the operators in the industry sector that are actually storing hazardous wastes and that will produce HWM in the future in Kosovo as well as the municipalities where these industrial activities and HWM stores are located.

The main stakeholders will be KEPA and the line Ministries (Ministry of Economic Development, Ministry of Trade and Industry, Ministry of Agriculture, Forestry and Rural Development, Ministry of Local Government Administration) that will receive the assistance in the assessment of the hazardous waste generated by the corresponding sectoral production activities and that will benefit of the corresponding solutions.

Another stakeholder will be the Municipality of Fushë Kosovë / Kosovo Polje where the HWM Storage will be located.

A Project Steering Committee (PSC) will be established to oversee the implementation of the project. Members of the PSC will be EUO in Kosovo, MESP/KEPA, MED, the Operator of the HW storage and contractors. This PSC will meet regularly to discuss the progress of the project, verify the achievement of the outputs and results and discuss actions to be undertaken in the following working period. The Project Steering Committee will also discuss the draft progress report submitted to it beforehand, recommend corrections.

#### IMPLEMENTATION METHOD(S) AND TYPE(S) OF FINANCING

The total amount allocated for the 'Construction of Hazardous Waste Storage Facility in Kosovo' is EUR 12 million. This Action Document will be implemented through one Service (Technical Assistance) and one Works Contract under direct management.

For the **Result 1 'Supervision of Construction Works and complementary support activities'** the most suitable implementation modality is a Service Contract. This Service contract will consist of works supervision services during the construction of the hazard waste storage facilities and will provide assistance to the operator of the storage in its first year or two of operation.

For **Result 2 'Construction of Hazardous Waste Storage facilities'** is a Works contract. The Contract will be 'design and build'. The technical specifications/tender dossier for the 'Works Contract' will be prepared under technical assistance provided under IPA 2014 so that the tender dossier will be ready in Q1 2016. The procurement process will be managed by EUO who has technical staff with previous experience in construction of waste landfills and related facilities.

### 4. PERFORMANCE MEASUREMENT

#### METHODOLOGY FOR MONITORING (AND EVALUATION)

Project monitoring will be conducted through direct participation in the project steering committee as well as regular reporting provided by the technical assistance hired in this project. The action further foresees monitoring from the EU Results Oriented Monitoring (ROM) team.

In addition, the Commission may carry out a mid-term, a final or an ex-post evaluation for this Action or its components via independent consultants, through a joint mission or via an implementing partner. In case a mid-term or final evaluation is not foreseen, the Commission may, during implementation, decide to undertake such an evaluation for duly justified reasons either on its own decision or on the initiative of the

partner. The evaluations will be carried out as prescribed by the DG NEAR guidelines for evaluations. In addition, the Action might be subject to external monitoring in line with the EC rules and procedures set in the Financing Agreement.

## INDICATOR MEASUREMENT

Indicator	Baseline (2010)	Milestone (2017)	Target (2020)	Final Target (beyond 2020)	Source of information
<ul style="list-style-type: none"> <li>Progress made towards meeting Copenhagen criteria – Compliance with EU waste acquis related to hazardous waste.</li> </ul>	<p>Progress report for Kosovo</p> <p>Legal/Regulatory framework on HW at early stage of drafting</p>	<p>Legal/Regulatory framework governing HW completed and harmonized with the EC Acquis.</p> <p>The inventory of hazard waste at Kosovo A site is updated to include the waste generated since 2010.</p> <p>The National Waste Management Plan is updated.</p>	<p>Updated Legal/Regulatory framework in compliance with the new developments in the EU Acquis.</p>	<p>Updated Legal/Regulatory framework in compliance with the new developments in the EU Acquis.</p>	<p>Kosovo Assembly official gazette/website</p> <p>MESP and EU Office in Kosovo documents and records</p> <p>MESP website indicating the list of environmental permits</p> <p>The inventory of public company operating the HW facility</p> <p>HW inventory regularly updated.</p> <p>MESP/KEPA monitoring reports on hazard waste management.</p>
<ul style="list-style-type: none"> <li>Hazardous waste pollution at Kosovo A power plant (concentrated phenols, phenol water, hydroxide sodium, acid chlorine, radioactive sources) and at other hotspots (Trepca, Zvecan,</li> </ul>	<p>1000m<sup>3</sup> concentrated phenols;</p> <p>15000m<sup>3</sup> phenol water</p> <p>35t hydroxide sodium</p> <p>57t acid chlorine</p> <p>12 Radioactive sources</p>	<p>Facilities under construction</p>	<p>Clean up of the Kosovo A power plant site (gasification plant, heating plant and nitrogen plant).</p>	<p>All hazardous waste which is generated by the industry and other polluters is regularly monitored, collected, transported and</p>	<p>Statistic showing reduced HW pollution at Kosovo A power plant (concentrated phenols, phenol water, hydroxide sodium,</p>

other industrial sites)	85t chemical waste at Trepca mining complex; Different acids 2700l Different salts 4300kg Used oils 1200l Lead dust 14000m <sup>3</sup> at Trepca mining complex; 3700kg arsenic at Lead factory Zvecan; 100t vitriol at Lead factory Zvecan;  Medical waste around 50t		All hazardous waste generated is stored at new hazardous waste storage facilities.	stored at new hazardous waste storage facilities	acid chlorine, radioactive sources) and at other hotspots (Trepca, Zvecan, other industrial sites) completely removed and safely stored;
<ul style="list-style-type: none"> <li>Storage facility of HWM is constructed in compliance with Kosovo legislation and the EU acquis standards and requirements.</li> </ul>	0%	Approximately 50% of works completed	100% of the works are completed	100% of the works are completed	Supervisors progress reports and other relevant project documents indicating the percentage of works completed.
<ul style="list-style-type: none"> <li>Progress in the operation of the storage facility: storage of hazardous waste from Kosovo A site and storage of industrial hazardous waste from sources other than Kosovo A site</li> </ul>	0%	Under construction, not operational in 2017.	100%: The hazardous waste storage is operating based on safety manual procedures.	100%: The hazardous waste storage is operating based on safety manual procedures.	

## **5. CROSS-CUTTING ISSUES**

### **EQUAL OPPORTUNITIES AND GENDER MAINSTREAMING**

Equal opportunities and non-discrimination of women, minority and vulnerable groups (including children, disabled and elderly people) will find considerations in all aspects of the activities described in this fiche. Both components would promote them during their implementation phase and so it will be reflected in the contract arrangements.

The project will promote the participation of women in environmental protection issues and awareness raising for the public. Promoting a more diverse workplace (in terms of gender and ethnicity) will be a strong element in strengthening the capacity of the target institution. The project will ensure mainstreaming of gender and minority issues both (i) within the target institution and (ii) in outputs (services provided by the institution) by:

- addressing the barriers in the workplace that prevent gender equality and ethnic diversity; creating a workplace culture supportive of gender equality and ethnic diversity to improve gender/ethnic balance within the organisation. Opening up new opportunities for minorities as well as opportunities for women to work in non-traditional areas will, in turn, contribute to changing the policy, business and customer focus of these institutions.
- introducing concepts of equality and diversity in strategic planning and management, including the business case for equality and diversity, so as to make the workforce more representative of and responsive to the Kosovo customer base. A work culture that is respectful and accommodating of diversity will in turn contribute to the creation of an environment sector at the service of a multi-ethnic Kosovo.

The terms of reference will state the project's intended effects, impact, and opportunities on or for women and minorities. Data systematically disaggregated by sex and ethnicity will be produced to set a baseline and measure progress. Team of experts must possess relevant skills to ensure effective mainstreaming of gender equality and minority inclusion/participation.

### **ENVIRONMENT AND CLIMATE CHANGE (AND IF RELEVANT DISASTER RESILIENCE)**

Environmental considerations will be duly reflected in all IPA financed activities. Given that the main objective is to improve the state of the environment in Kosovo, the results of all projects are expected to have an environmental impact. The project will be consistent with environmental legislation and the Environment Protection Strategy.

### **ENGAGEMENT WITH CIVIL SOCIETY (AND IF RELEVANT OTHER NON-STATE STAKEHOLDERS)**

Civil society (including employers' organisations, trade unions, professional organisations as well a non-governmental organisations, etc.) plays a major role in transition societies.

Civil Society engagement in this sector is seen as very important. One of the focuses of different actions foreseen in this document will be to capitalise on the existing knowledge and experience of civil society organisations. There are number of civil society organisations that are very active in monitoring the developments, progress and challenges in the environment and energy sectors in Kosovo.

In addition to the above, some of the watchdog and advocacy functions are foreseen to be addressed with the Civil Society Facility 2015, which foresees the following actions and will likely cover areas addressed within this Action Document:

- CSO Coalitions: 3 grants to strategic coalitions of at least 4 CSOs to support their networking and advocacy efforts with regards to one of the priority areas of the Indicative Strategy Paper for Kosovo (Democracy and Governance, Rule of Law and Fundamental Rights, Energy, Competitiveness and Innovation, Education, Employment and Social Policies or Agriculture and Rural Development)

- a sub-granting scheme to support CSOs in their efforts to feed into decision-making processes, and thereby enhance CSO capacities and experience related to internal governance structures, strategic planning, communication, financial management, results monitoring and impact evaluation, networking and coalition-building, and advocacy, notably focusing on grass-root organisations.
- Grant scheme to provide operating grants to CSOs to enable advocacy activities and enhance profilisation, networking and coalition-building.

## **MINORITIES AND VULNERABLE GROUPS**

The project will promote the participation of minority communities in all its activities. The terms of reference will explicitly identify the project's intended effects, impact, and opportunities on and for minorities.

## **6. SUSTAINABILITY**

The implementation of these activities represent a good basis for the implantation of major energy and environmental projects in Kosovo with the aim of fulfilling the environmental criteria in line with relevant EU Directives.

Related to the decommissioning process, the implementation of the action will result in a cleaner environment and the action will also contribute to the implementation of the ECT and EU environmental standards. This will lay the foundations for future actions that would clear the area from energy production buildings and facilities that are no longer in use and which pollute the environment, in part due to hazardous materials used.

The economic sustainability of the project is guaranteed by the tariffs determined within the National HWM Plan for the different classified HWM that could cover the management costs of the HWM Storage and the following disposal costs of HWM in authorised plants. These tariffs will be collected from the commercial and industrial activities producing HWM. In addition, part of these costs will be also covered by the penalties applied by the Kosovan Inspectors to the businesses producing HWM that didn't inform the competent authorities in accordance with the Kosovan Laws (primary and secondary) on waste management and disposal.

## **7. COMMUNICATION AND VISIBILITY**

Communication and visibility will be given high importance during the implementation of the Action. The implementation of the communication activities shall be the responsibility of the IPA II beneficiary, and shall be funded from the amounts allocated to the Action.

All necessary measures will be taken to publicise the fact that the Action has received funding from the EU in line with the Communication and Visibility Manual for EU External Actions. Additional Visibility Guidelines developed by the Commission (DG NEAR) will have to be followed.

Visibility and communication actions shall demonstrate how the intervention contributes to the agreed programme objectives and the EU approximation process. Actions shall be aimed at strengthening general public awareness and support of interventions financed and the objectives pursued. The actions shall aim at highlighting to the relevant target audiences the added value and impact of the EU's interventions and will promote transparency and accountability on the use of funds.

It is the responsibility of the IPA II beneficiary to keep the EU Delegation and the Commission fully informed of the planning and implementation of the specific visibility and communication activities.

The IPA II beneficiary shall report on its visibility and communication actions in the report submitted to the IPA monitoring committee and the sectorial monitoring committee.

## **LIST OF ANNEXES**

**Annex 1** Previous donor funded projects in the sector

**Annex 2** List of hazard waste materials in Kosovo, 2010

### **List of relevant environmental legislation**

- Law on Environmental Protection OGRK, no. 03 / L-025 26.02.2009
- Law on Prevention and Integrated Control of Pollution OGRK, no. 03 / L-043 26.03.2009
- Law on Air Pollution, OGRK, no. 03 / L-160 12.03.2010
- Law on Environmental Impact Assessment, OGRK, no. 03 / L-214 23.09.2010
- Law on Strategic Environmental Assessment, OGRK, no. 03 / L-230 30.09.2010
- Law on Protection from Noise OGRK
- Law on Waste no. 04 / L-060, OGRK no. 17/29 June 2012
- Law on Chemicals No. 02 / L-116 OGRK No.18 / 26 March 2014
- Law on Biocides Products No. 03 / L-119 OGRK No. 55/2009 10:07
- Law on Nature Protection No. 03 / L-233 OGRK no. 85/09. 11. 2010.
- Law on National Park "Bjeshkët e Nemuna" No. 04 / L-086 OGRK no. 2/21. 01. 2013.
- Law on National Park "Sharri" No. 04 / L-087 OGRK no. 2/21. 01. 2013

### **List of relevant strategies:**

- Waste Management Strategy 2013-2022;
- Waste Management Plan 2013- 2017;
- Energy Strategy 2013-2022;
- Environmental Protection Strategy 2013 – 2022,
- Strategy and Action Plan for Biodiversity 2011 – 2020,
- Draft Climate Change Strategy for 2014-2023,

**ANNEX 1. PREVIOUS DONOR FUNDED PROJECTS IN THE SECTOR:**

Project Title	Implementing Period	Brief Description
EU PHARE: “ <i>Institutional support for environmental management for the Ministry of Environment and Spatial Planning, Kosovo</i> ”	Oct. 2003 March 2005	The overall objective of the project was to lay a strong foundation for MESP in particular, and for the government of Kosovo in general, to implement the EU environmental <i>acquis</i> . The project provided institutional support to outline and establish the strategies, policies, concepts, procedures and capacities required for managing, implementing, and enforcing environmental policy in Kosovo. This included strengthening environmental management and training officials and key staff.
EU CARDS: “ <i>Institutional strengthening and capacity building of all departments of MESP</i> ”	ended in Sept. 2007	This project provided practical assistance to the Water Resources Management Department mainly and focused on assisting drafting subsidiary laws, river basin management issues, flood management, and drinking water protection. One of the main outputs is provision of practical tools (GIS and hydraulic models) which will be compatible with the existing Information Management Systems (IMS) already installed in the MESP and KEPA.
BMZ-GIZ: “ <i>Modernization of Municipal Services</i> ”	2006 2014	This project provided practical support to the Kosovan Municipalities in their efforts to modernize their services more efficiently in order to address the needs and expectations of the citizens. The objective of this project in the period 2011-2013 was to achieve an harmonized legal framework that is in conformity with the European standards, to implement the newly transferred competencies in waste management, to improve the waste collection service for the people in Kosovo empower citizens and to include them in the process of planning and decision-making
EU CARDS: “ <i>Institutional support to the Ministry of Ministry of Environment and Spatial Planning, Kosovo</i> ”	ended Sept. 2007	The objective of this project was to broaden and deepen the environmental management capacity of the MESP mainly on the issues of permitting and pollution control at municipal level, nature conservation and environmental protection in the Ministry, and spatial planning for the Ministry. Under this project the capacity of local authorities was assessed, in terms of implementing environmental legislation. The assessment will identify those that can serve as pilots for the reinforcement of local control systems to be extended to all 30 in due course.
EU CARDS: “ <i>Further support to the Association of Kosovo Municipalities</i> ”	May 2006 July 2008	The scope of this project was to further strengthen the institutional capacity of the Association of Kosovo Municipalities as an effective forum to enhance inter-municipal cooperation and dialogue with central government in areas of municipal competence and the local government reform process.
EU CARDS: “ <i>Institutional Support to municipalities for the implementation of environmental Laws and Regulations</i> ”	Jan 2008 June 2009	The purpose of this project was to strengthen the institutional capacity of Kosovo’s municipalities and the Environment Ministry and to improve enforcement of environmental laws and regulations and to ensure better communication and cooperation between the central and local government (five regional offices/inspectors, municipalities, local councils, mayors’ offices).
KCB-MESP: “ <i>Design Development for</i>	2007 2009	The purpose of this project was to develop a financially and environmentally sustainable system for environment and waste

Storage of Hazardous Waste Materials”		management through the design of a Storage of Hazardous Waste (SHW) in Kosovo, including the related EIA
EU IPA 2007-TWANNING: “Strengthening the human resources and the institutional capacity of the Kosovo public administration – European Cooperation for Stronger Municipalities”	July 2011 July 2013	The purpose of this project was to support the development of a professional administrative capacity in Kosovo for the implementation of the European Partnership Action Plan towards a more effective and efficient service delivery and dialogue with citizens. The project is designed to make lasting improvements in the availability, efficiency and cost-effectiveness of services provided to citizens by Kosovo’s commitment to European partnership. In specific, the project provided support to Municipalities in Waste Management Planning in cooperation with the public operators.
EU IPA 2009-TAIEX: “Technical assistance on IPPC, Environmental Planning and Capacity Building”	Mar 2010 Jan 2011	The project aimed at assist the MESP in the identification of the administrative forms and in the finalisation of the secondary legislation and guidelines regarding IPPC.
EU-FRAMEWORK: “Monitoring the transposition and implementation of EU Environmental Aquis”	2009 2010	The main purpose of this project was the assessment of primary and secondary legislation already approved and drafted in Kosovo to monitor the transposition and implementation of EU Environmental Aquis, to check the gaps already existing between Kosovan laws and EU Directives and to prepare a list of recommendations to facilitate such transposition.
EU IPA 2010-TWANNING: “Support to the Environment Sector in Kosovo”	Nov 2010 Sep 2012	The purposes of this project were: a) strengthening the administrative capacity on legal, institutional and technical matters of environmental monitoring, especially air and water; b) support KEPA in meeting 30% of the reporting requirements to the European Environment Agency for priority dataflow indicators; c) drafting public awareness strategy and materials; and d) establish a modern data management system including database development
SIDA: “Support to preparation of Kosovo Environmental Strategy (KES) and the National Environmental Action Plan (NEAP) 2011-2015”	April 2011 May 2012	The purpose of this project was the update of the Kosovo Environmental Strategy (KES) and National Environmental Action Plan (NEAP) identifying the priority projects to be financed during the period of validity of the plan (2011-2015). The project outputs were: 1) a baseline report summarising the state of the environment in relation to current development plans and objectives; 2) a revision of the existing sector strategies to determine their relevance for the environment (agriculture, forestry, mining, industry, etc.); 3) a revision and update of the KES for the period 2011-2015; 4) the NEAP for the period 2011-2015. This project was important because it included the identification of the priorities to be implemented in all environmental sectors, waste management sector included. This strategy has been taken into consideration in the drafting of the “Waste Management Strategy” and related “Action Plan”.
EU IPA: “Further Institutional Strengthening Support to Water and Waste Regulatory Office	2011 May 2012	The purpose of this project was the development of the regulatory, management and planning capacities in the WWRO and the seven RWCs in order to create conditions for future improvements and sustainable development of the water and waste sectors.

(WWRO)”		
EU IPA 2010-TWANNING: “Institutional Support to the Ministry of Environment and Spatial Planning of Kosovo”	Dec 2011 Dec 2013	The purpose of this project was the strengthening the capacity of the MESP and stakeholders to complete and enforce the implementation of secondary legislation on water and river basin management, management of water infrastructure, including dams, waste management, spatial and urban planning management, nature protection and biodiversity. The focus was on (a) preparation of procedures and guidelines on drafting secondary legislation and regulations in accordance with EU Directives; b) draft implementation, licensing, permit, and control procedures in the fields of water quality, water resource and waste management, spatial urban planning and construction, biodiversity and environment protection; c) definition of nature-protected zones; d) preparation of construction standards and codes
EU-IPA: “Support to Waste Management in Kosovo”	2011 2013	The purposes of this project were: 1) to develop an effective information system throughout the entire waste sector in order to enable sustainable management of waste; 2) to assist the beneficiary institutions in the analysis, planning and implementation of effective measures that will introduce new concepts and practices in order to improve the management of waste; to improve the state of environment by supporting reduction, categorisation, effective collection and recycling activities for solid waste

## ANNEX 2 LIST OF HAZARD WASTE MATERIALS IN KOSOVO, 2010

Hazardous remainders	Amount/ Unit	Location	Municipality	Data obtained from:
Concentrated phenols	1 000 m3	Kosovo A	Kastriot	REC/MMPH
Phenol water	15 000 m3	Kosovo A	Kastriot	REC/MMPH
Hydroxide sodium	35 t	Kosovo A	Kastriot	REC/MMPH
Acid chlorine	57 t	Kosovo A	Kastriot	REC/MMPH
Radioactive sources	12 unit	Kosovo A	Kastriot	REC/KFOR/MMH
Xylol	3 400 l	Auto-parts factory	Peja	KFOR/MMPH
Organic acid	7 500 l	Auto-parts factory	Peja	KFOR/MMPH
Xylol toluene	1 440 l	Fab.autopjesëve	Peja	KFOR/MMPH
Hydroxide sodium	200 kg	Fab.autopjesëve	Peja	KFOR/MMPH
Diluted pesticides	7 680 l	Sanitary department	Podujeva	REC/MMPH
Wood sticks (obsolete)	500 kg	Wood factory	Podujeva	
Cyanide dissolution	2.3 m3	Metal holding	Janjeva	KFOR/MMPH
Other dissolutions	11 m3	Metal holding	Janjeva	KFOR/MMPH
Chrome dissolution	1.0 m3	Metal holding	Janjeva	KFOR/MMPH
Nickel dissolution	1.0 m3	Metal holding	Janjeva	KFOR/MMPH
Different dissolutions	136 m3	Metal holding	Janjeva	KFOR/MMPH
Unknown salts	1 050 kg	Metal holding	Janjeva	KFOR/MMPH
Solid waste	7.0 m3	Metal holding	Janjeva	MMPH/KFOR
Ammonia	5 000 l	Peja beerhouse	Peja	
Chemical waste	N/A	Auto-parts factory	Peja	REC
Chemical waste	85 t	Flotation-Trepçë	Leposaviç	KFOR
Photographs wastes	3 000 kg	IMK-Fabr.	Ferizaj	MMPH
Diluted dissolution HCl 2%	20 t	Fabrika e Këmb.	Ferizaj	MMPH
Chrome and nickel dissolutions	2.5 t	Tools factory	Ferizaj	MMPH
Expired medicaments ..... ..... ..... ..... ..... .....	10 t 15 t 5.0 t 15 t 3.0 t	Farmakos ..... Farmed .....	Shtime Prizren Dardana Prishtina Shtërpçë	MMPH – From Regional Coordinator
Textile color	9 100 kg	Sharrteks	Sharr	MMPH
Different acids	2 700 l	Sharrteks	Sharr	MMPH
Different salts	4 300 kg	Sharr-tex	Sharr	MMPH
Used oils	1 200 l	„Adi”	Lipjan	MMPH
Lead dust	13 395 m3	Melting plant Trepçë	Mitrovica	DANIDA/MMH
Plastic waste	1 100 m3	Shkriterja Trepçë	Mitrovica	DANIDA/MMH
Sulphuric acid	60 m3	Trepça	Mitrovica	DANIDA/MMH
Battery pieces	600 m3	Melting plant Trepçë	Mitrovica	DANIDA/MMH
Ferrous slag	50 m3	Melting plant Trepçë	Mitrovica	DANIDA/MMH
Copper sulphate materials	3 300 m3	Melting plant Trepçë	Mitrovica	DANIDA /MMPH
Oxidized wastes	7 000 m3	Melting plant Trepçë	Mitrovica	DANIDA/MMH
Calcium hypo-chlorine	6.5 t	Shipol	Mitrovica	MMPH/KFOR
Vanad pent oxide	165 power	Metallurgy	Mitrovica	PIM/MMPH
Vitriol	6300 t	Metallurgy	Mitrovica	PIM/MMPH
Muriatic acid	600 l	Metallurgy	Mitrovica	PIM/MMPH
Ammonia dissolution	2000 l	Chemical industry	Mitrovica	PIM/MMPH
Sodium cyanur	10.0 t	First tunnel	Mitrovica	PIM/MMPH
Radioactive materials	3 power	First tunnel	Mitrovica	PIM/TMK/MMH
TMTDS Vulkafil	500 kg	Industrial park	Mitrovica	
Cyanide dissolution	200 l	Industrial park	Mitrovica	
Dissolution HCL	2 500 l	Industrial park	Mitrovica	
Vitriol	15 000 t	Industrial park	Mitrovica	
Phosphorous acid	40 000 l	Industrial park	Mitrovica	
Cadmium	1 000 kg	Industrial park	Mitrovica	
Ammonia dissolution	200 l	Industrial park	Mitrovica	
Dissolution with chlorine	7 000 kg	Industrial park	Mitrovica	
Oils PCB	4 tanks	Lead factory	Zveçan	
Arsenic	3 650 kg (73 dr)	Lead factory	Zveçan	
Vitriol	100 t	Lead factory	Zveçan	