

EUROPEAN UNION COMMON POSITION
(Replaces doc. 20548/01 CONF-BG 51/01)

Subject : Chapter 22: Environment

This position of the European Union is based on its general position for the Accession Conference with Bulgaria (CONF-BG 2/00), and is subject to the negotiating principles endorsed by the Conference (CONF-BG 14/00), in particular:

- "- any view expressed by either party on a chapter of the negotiations will in no way prejudice the position which may be taken on other chapters;
- agreement – even partial – reached during the course of the negotiations on chapters to be examined successively may not be considered as final until an overall agreement has been established".

The EU underlines the importance for Bulgaria of compliance with the Europe Agreement as well as the Accession Partnership, which constitute basic elements of the enhanced pre-accession strategy. The EU points out that, according to the Council conclusions of 24 September 1998 on Accession Strategies for the Environment, all new investment should comply with the environmental *acquis*.

The EU underlines that transposition of the environmental *acquis* into the national legal order and its implementation are major tasks, to be tackled with priority. Legal transposition should be completed at the latest by accession. First priority should be given to Community framework legislation (including access to information and environmental impact assessment) and measures relating to international conventions to which the Community is a party. Full implementation of these measures should be ensured as soon as possible, in order to allow for alignment of the sectoral legislation deriving from them.

In parallel, industry related legislation, reduction of global and trans-boundary pollution, as well as nature protection legislation (aimed at safeguarding bio-diversity), need early attention. In adopting the *acquis*, priority should also be given to those elements affecting the functioning of the internal market, including full compliance with product standards. Directive-specific implementation plans with timetables and milestones need to be prepared, including financing strategies and plans for securing public and private investments into infrastructure and technology. The implementation of these plans should start immediately. The EU also emphasises that early attention must be given to the building of a strong and well-equipped administration which is required for the application and enforcement of the environmental *acquis*. In addition Bulgaria is invited, in line with Article 6 of the EC Treaty, to consider how early application of the principle of integration of environmental protection requirements in other policy areas can be achieved in order to contribute to sustainable development, in accordance with the Göteborg European Council conclusions.

The EU recalls that Bulgaria, in its position CONF-BG 13/01 accepts the *acquis* under chapter 22 as in force on 31 December 1999 while requesting some transitional measures. The EU takes further note that Bulgaria, in its positions CONF-BG 40/02, 46/02 and 48/02 and 6/03, accepts the *acquis* as in force on 31 December 2002.

The EU takes note of Bulgaria's additional information provided (CONF-BG 64/01, 40/02, 46/02, 48/02, 2/03, 4/03, 6/03, 7/03 and 11/03). The EU notes the progress made by Bulgaria in this chapter, in particular that the schedule for transposition has been further clarified, implementation plans have been prepared, and the number and scope of requests for transitional periods have been reduced. The EU draws Bulgaria's attention to the importance of ensuring adequate strengthening of the administrative capacity and overall co-ordination.

As an overall response to Bulgaria's remaining requests for transitional periods, the EU recalls its general position that transitional measures are exceptional, limited in time and scope and accompanied by a plan with clearly defined stages for application. They must not involve amendments to the rules or policies of the Union, disrupt their proper functioning or lead to significant distortions of competition. They must be accompanied by a plan which clearly defines stages for application of the *acquis*, and which is based on a resource mobilisation and financing plan indicating the sources of financing and on an overall institutional development plan.

The EU notes Bulgaria's schedule for transposition of the environmental *acquis* as outlined in its negotiation position. The EU urges Bulgaria to pursue its efforts according to this schedule so that most of the *acquis* will be transposed well before the assumed date of accession, leaving some lead times to ensure effective implementation. In this context special attention should be given to ensure that the necessary administrative structure is in place to ensure an adequate implementation of Regulations and Directives which, according to the current schedule, will be transposed or implemented only by the date of accession.

Horizontal legislation

As regards Directives 85/337/EEC and 97/11/EC on environmental impact assessment, the EU takes note of the information provided by Bulgaria on transposition, implementation and administrative capacity, in particular that the Directives have been partially transposed through the adoption of environmental protection Act and Regulation on terms and conditions for carrying out environmental impact assessment, and that transposition will be completed by the end of 2004. As regards exempting certain projects from EIA, the EU takes note of the confirmation by Bulgaria that the exemptions in the environmental protection Act comply with the EIA Directives.

With regard to Directive 90/313/EEC on access to environmental information the EU takes note of the information provided by Bulgaria, according to which full transposition has been achieved. As regards implementation, the EU takes note that two orders have been adopted setting out internal and inter-institutional rules for collecting and providing access to environmental information, a national catalogue of environmental data sources has been prepared, six public information centres were set up, and that three pilot projects to inform the public on the state of the environment are ongoing.

With regard to reporting periods standardised by Directive 91/692/EEC, the EU takes note of the confirmation by Bulgaria that by the date of accession it will fulfil its reporting obligations as required by the *acquis* and that Bulgaria will consider providing available data on a voluntary basis as regards the respective periods prior to accession.

With regard to the Decision 93/389/EC, as amended by Decision 1999/296/EC on monitoring and reporting of CO₂ and other greenhouse gas emissions, the EU takes note of the overview of the policies and measures taken so far by Bulgaria and that a project is currently running to update the national action plan on climate change as well as that a greenhouse gas inventory for 2000 and 2001 will be completed by June 2003.

As regards Directive 2001/42/EC on strategic environmental impact assessment, the EU takes note that the Directive will be transposed by 1 July 2004.

Air quality

As regards Directives 98/70/EC and 2003/17/EC on quality of petrol and diesel fuels, the EU takes note of Bulgaria's implementation plan, and welcomes Bulgaria's confirmation that full implementation of these Directives will be achieved at the latest by accession. The EU also takes note that according to information provided by Bulgaria, Directive 98/70/EC has been transposed already and transposition of Directive 2003/17/EC will be completed by the end of 2004.

Regarding Directive 1999/32/EC relating to a reduction of sulphur content of certain liquid fuels, the EU welcomes that Bulgaria has revised its request and that it now relates to heavy fuel oils until 31 December 2011 (Article 3(1)) and to gas oils until 31 December 2009 (Article 4(1)). The EU takes note of the implementation plan covering costs and a financing strategy, as provided in Annex 4 of CONF-BG 2/03, as well as the justifications for the request, in particular the expected negative social implications related to price increases of fuels, as well as the level of investments needed for compliance. The EU considers that the normal construction time to commission and install the required facilities to meet the requirements of Articles 3(1) and 4(1) would allow achieving compliance earlier than 31 December 2011 and 31 December 2009 respectively. However, taking into account that the request relates only to fuels for local use and not to fuels for exports, and that a maximum 3% sulphur content of heavy fuel oils is set by Bulgaria to apply during the requested measure, which is the same level as the maximum content allowed under the derogation contained in Article 3(2), and that regarding gas oils a maximum sulphur content of 0,2% will apply as from 1 January 2007, which is the level allowed for Member States between 1 July 2000 and 31 December 2007, the EU considers that the request is sufficiently limited in scope and time. Taking into account that the scope of the request is for fuels for local use only, as well as the investments to be made, the request does not appear to lead to significant distortions of competition. The EU takes note of Bulgaria's confirmation that fuels intended for exports to the EU have to fully comply with the *acquis* already. In this context, the EU draws Bulgaria's attention to Article 6, according to which Member States shall take all necessary measures to check by sampling that the sulphur content of fuels used complies with Articles 3 and 4, and that sampling shall be carried out with sufficient frequency and in such a way that samples are representative of the fuel examined. Furthermore, the EU takes note of the confirmation provided by Bulgaria that a full quality control system for all fuels will be established at the latest by 1 January 2007. The EU can thus accept Bulgaria's request for transitional measures, provided that, the 3% sulphur content for heavy fuel oils and the 0,2% sulphur content for gas oils will be set as intermediate targets to apply from accession until the end of the transitional measures in order to limit the environmental impact. In this context, the EU takes note of Bulgaria's confirmation that it will comply with Gothenburg Protocol. In addition, the EU takes note that the Directive will be fully transposed by the end of June 2003. Finally, the EU underlines that these transitional measures are without prejudice to Bulgaria's obligation to fully comply with the other relevant Community environment *acquis* as recorded in this Common Position.

With regard to Directive 94/63/EC on the control of volatile organic compound (VOC) emissions resulting from the storage of petrol and its distribution from terminals to service stations, the EU welcomes that Bulgaria has reduced its request for transitional measures. The EU takes note of the implementation plan provided by Bulgaria, which contains information about installations, including their number, nature, location and degree of compliance, as well as cost assessments and sources of financing. According to it, by the end of 2005 compliance will be achieved for all 3 larger storage installations at terminals with a throughput greater than 50 000 tons per year. A further 6 installations at terminals > 25 000 tons per year will comply by the end of 2007, 6 small non-complying installations < 25 000 tons per year will be decommissioned at the latest by the end of 2005, and the remaining 19 small installations at terminals < 25,000t/year will comply by the end of 2009. As regards loading/unloading of mobile containers at terminals > 150 000 t/y, 1 equipment already complies and the other 5 equipment will comply by the end of 2005. 12 loading/unloading equipment of mobile containers at terminals > 25 000 t/y will comply by the end of 2007, and 29 equipment <25 000 t/y by the end of 2009. Furthermore, 12 small non-complying equipment will be decommissioned at the latest by the end of 2005. As regards service stations, Bulgaria indicates that there are 1615 existing service stations, of which 346 already comply. Further 261 will comply at the latest by end 2005. Bulgaria therefore requests a transitional measure until the end of 2007 for 355 service stations with a throughput of over 500 m³/year, and a transitional measure until the end of 2009 for 653 service stations with a throughput of less than 500 m³/year. As regards mobile containers, all 75 rail containers already comply. Of the 9 vessels, 7 will be decommissioned by the end of 2006 and 2 already comply. 48 road tankers are already in compliance. Of the 616 non-complying road containers at least 100 will be decommissioned by end 2005, and another minimum 50 by the end of 2007. Bulgaria's request therefore concerns 50 road tankers until the end of 2007 and a maximum of 466 road tankers until the end of 2009. The EU therefore considers the request sufficiently limited in time and scope, in particular since installations will be gradually adapted in line with the priorities set out in the Directive.

Taking into account its limited scope and the investment needed to ensure compliance the EU considers that the request does not appear to lead to significant distortions of competition. The EU takes note that Bulgaria has already completed the transposition of the Directive. The EU can therefore accept the requested transitional measures in accordance with Annex 1 to this position, until 31 December 2009.

As regards Directive 1999/30/EC on limit values for sulphur dioxide, nitrogen dioxide, oxides of nitrogen, particulate matter and lead, the EU takes note of the information provided by Bulgaria as regards implementation, in particular that a preliminary assessment of ambient air quality has been carried out, with the exception of PM₁₀ which will be finalised by the end of 2003, and that the monitoring network will be in full compliance by the end of 2005. The EU also takes note of that preparation of programmes for reducing levels of pollutants has started and will be completed by the end of 2005, as well as that compliance of PM₁₀ and PM_{2,5} measurement methods will be ensured by the same deadline.

As Regards Directive 2002/3/EC on air pollution by ozone, the EU takes note that the Directive will be fully transposed by the end of June 2004. The EU also takes note of Bulgaria's statement that the preliminary assessment will be completed by the end of 2004 and that full compliance will be achieved by the end of 2005.

With regard to Directive 2000/69/EC on limit values for benzene and carbon monoxide in ambient air, the EU takes note that the Directive will be fully transposed by the end of 2003 and that full compliance with the Directive will be achieved by the end of 2005.

Waste management

As regards Directive 75/442/EEC on waste the EU takes note that the Directive will be transposed by mid-2003, and that a national waste management programme will be updated at the latest by the end of 2003. The EU also takes note of Bulgaria's confirmation that the programme will comply with Article 7 of the Directive and that Bulgaria will notify to the Commission the waste management plans covering the full territory of the country and complying with Article 7 at the latest by the accession date.

With regard to Directive 94/62/EC on packaging and packaging waste, the EU takes note that Bulgaria has modified its request for transitional measures, and that the Directive will be fully transposed by the end of June 2004. The EU takes also note of the implementation plan provided by Bulgaria as well as of the calendar with intermediate targets to achieve the requirements of the *acquis* for recovery and recycling in line with the distinctions of the Directive. The EU welcomes that Bulgaria is already anticipating the ongoing revision of the Directive 94/62/EC in that it aims to achieve the recovery target mainly through recycling of packaging waste. The EU therefore encourages Bulgaria to continue to take all possible measures to ensure timely compliance with the revised directive once adopted.

The EU welcomes that Bulgaria has specified its request under Article 6 as invited by the EU and that Bulgaria plans to have in 2007 an overall recovery rate of 38,9%. The 25% overall recycling target will be met before accession. Also, the 15 % target for each packaging material will be met for paper, metals and glass before accession. For plastics, it will be met in 2009. Therefore the request as regards Article 6 is limited to the 15% recycling target for plastics and to the 50% overall recovery rate. Therefore, the EU considers the request as sufficiently limited in time and scope. Moreover, the EU considers that it does not appear to lead to significant distortions of competition, taking into account the recovery and recycling rates to be achieved by accession date, volumes of packaging put on the market in Bulgaria and the costs to achieve the recovery and recycling targets. The EU can therefore accept the requested transitional measures until 31 December 2011 for the overall recovery target and until 31 December 2009 for the recycling target for plastics in accordance with the progression of recovery and recycling targets presented by Bulgaria in document CONF-BG 2/03 (as included in Annex 2 to this position, the targets being understood as giving the average results for each considered year). The EU will monitor closely the fulfilment of these targets.

The EU takes note the revised transposition schedule as regards Directive 96/59/EC on PCB/PCT and that transposition will be completed by the end of June 2004. The EU also takes note that an inventory on contaminated equipment will be completed by the end of 2004 and that Bulgaria's plan for decontamination and disposal of inventoried equipment will include measures applicable to non-inventoried equipment.

With regard to Directive 86/278/EEC on sewage sludge, the EU takes note of the information provided by Bulgaria as regards implementation measures and timetables, in particular that a draft national plan for sewage sludge management has been prepared. The EU also takes note that a summary report on the use of sludge in agriculture will be prepared by the end of 2005.

With regard to Regulation (EEC) 259/93 on supervision and control of shipments of waste, the EU takes note of the information provided by Bulgaria that according to the draft waste management Act to be adopted by mid-2003, imports of waste for recovery through recycling will be allowed only if sufficient and adequate facilities, which have necessary permits, are available, and provided that they comply with the national waste management programme. Imports of waste for incineration, including with energy recovery, will be prohibited with this Act. The EU however draws Bulgaria's attention to the fact that national legislation and the waste management plan(s) will have to be aligned with the *acquis* by accession. The EU is concerned that Bulgaria might not have sufficient and adequate facilities by accession in order to deal with imported waste while fulfilling the requirements of the *acquis*. Therefore the EU considers that the following additional safeguards are needed, which allow to control waste shipments for recovery after accession This would give Bulgaria time to upgrade its waste management practices to the level required to ensure compliance with the *acquis*. The EU therefore proposes the following arrangement to Bulgaria:

Shipment for recovery of certain Amber List waste

The EU considers that in order to facilitate a gradual implementation of Directive 1999/31/EC on the landfill of waste, until 31 December 2009 shipments of wastes for recovery of certain Amber List wastes as specified in Annex 7 to this position shall be notified to competent authorities by using the consignment note as prescribed in Article 3 of Regulation (EEC) 259/93 and allowing the application of Article 4 by the Bulgarian competent authorities. The EU is prepared to consider the possibility after accession of extending this period until no later than 31 December 2012 according to the procedure defined in Article 18 of Directive 75/442/EEC on waste, as amended by Directive 91/156/EEC.

Shipment for recovery of Red List waste and unlisted waste

The EU considers that, until 31 December 2009, shipments of very hazardous wastes, i.e. Red List wastes and waste not listed under Annexes II, III and IV of Regulation (EEC) 259/93 (so-called "unlisted" waste) should also be controlled according to the procedures applying to shipments for disposal in order to safeguard the gradual implementation of Directive 1999/31/EC. Until that date, shipments of these wastes must be notified to competent authorities by using the consignment note as prescribed in Article 3 of Regulation (EEC) 259/93 and allowing the application of Article 4 by the Bulgarian competent authorities.

As regards imports of waste for disposal, Bulgaria states that it will continue in line with Article 7(3) of Directive 75/442/EEC on waste and Article 4(3)(a)(i) of the Regulation not to allow imports of waste for disposal.

With regard to Directive 1999/31/EC on landfill of waste, the EU welcomes that Bulgaria has limited its request for transitional measures, as invited by the EU. The EU takes note that Bulgaria's request relates now to prohibition of landfilling of liquid waste within 14 existing facilities for non-hazardous waste, and relates to the following provisions of the Directive: Article 5 (3)(a) on a ban of liquid waste from landfills, Article 5 (3)(b) on a ban of waste having certain properties (only the provision on the following properties: corrosive and oxidising), and on Annex I, point 2, second indent on prevention of water entering the waste (only the provision on the prevention of surface water entering the landfilled waste) until 31 December 2014. The EU takes note that Bulgaria's request does not relate to the requirements for landfills of hazardous waste (Article 14(d)) nor to the municipal landfills. The EU also takes note of Bulgaria's revised transposition schedule according to which transposition will be completed by the end of 2003.

The EU also takes note of the implementation plan, including cost assessments and financing strategies (Annex 9 of CONF- BG 2/03). With regard to municipal waste the EU takes note that regional landfills will be constructed until 2009 to ensure sufficient capacity in the context of stopping of operation of non-complying landfills at the latest by 16 July 2009 as confirmed by Bulgaria. As regards industrial non-hazardous waste landfills, the EU takes note that conditioning plans will be prepared by the end of 2004 to ensure sufficient capacity by the beginning of 2009. With regard to hazardous waste, the EU takes note of the information on steps to comply with the *acquis*, inter alia that a national centre for hazardous waste will be constructed, including a landfill for hazardous waste, a landfill for asbestos containing waste, an installation for physical and chemical treatment and an incinerator. Furthermore, the EU takes note that in addition other hazardous waste landfills will be built between 2005 – 2008 and that Bulgaria confirms that non-complying hazardous waste landfills will stop operation at the latest by accession. As regards mining waste, the EU takes note of Bulgaria's confirmation that all existing facilities will be aligned with the requirements of the existing *acquis* through development of plans by operators by the end of 2005 and approved by the competent authorities and that they will comply with the existing *acquis* at the latest by the date of accession. The EU also takes note of the information provided by Bulgaria that illegal dumpsites will be cleaned up by the end of 2009.

With regard to Bulgaria's request for a transitional period, the EU takes note of the information that there are 29 facilities with hydro-transportation of waste and that these do not, according to Bulgaria, comply at present with the Directive. The EU also takes note that Bulgaria requests a transitional period for 14 of these facilities until 31 December 2014, of which 12 are ashponds, one is a slugpond and one a combined ash-slugpond. Furthermore, the EU takes note of Bulgaria's confirmation (CONF-BG 7/03) that it will carry out by the end of 2004 risk assessments for each of the 14 facilities in order to assess their compliance with Article 4 of Directive 75/442/EEC on waste and to take subsequent measures to ensure that they will comply with Directive 75/442/EEC at the latest by accession, as well as that the best available technology will be used to reduce excess water entering the landfills as these facilities are subject to permitting under Directive 96/61/EC on integrated pollution prevention and control. As regards the 15 facilities for which a transitional measure is not requested, the EU takes note of Bulgaria's information for each facility whether it will stop accepting liquid waste or whether it will be closed, and whether new facilities will be constructed for temporary storage of less than one year of liquid waste destined for disposal or for temporary storage of less than three years of liquid waste destined for recovery. The EU also takes note of Bulgaria's confirmation (CONF-BG 7/03) that these facilities will stop accepting liquid hazardous waste at the latest by accession and liquid non-hazardous waste at the latest by 16 July 2009.

The EU considers that, given the investment needs and that more than half of the existing facilities will comply without a transitional measure, Bulgaria's request is sufficiently limited in time and scope. Moreover, the EU considers that the request does not appear to lead to significant distortions of competition, in view of the scope and length of the request and the investments needed to comply with the *acquis*. The EU can therefore accept the requested transitional period until 31 December 2014 regarding the application of Article 5(3)(a) on a ban of liquid waste from landfills, Article 5(3)(b) on a ban of waste having certain properties (only corrosive and oxidising), and on Annex I point 2 second indent on prevention of water entering the waste (only surface water entering the landfilled waste), in accordance with the intermediate targets set out in Annex 3 to this position. The EU underlines that the transitional period is without prejudice to full implementation of Article 6(c)(ii). In this context, the EU invites Bulgaria to submit a yearly report to the Commission by June of each year concerning the gradual implementation of the Directive and compliance with the intermediate targets, starting the first year after accession. Finally, Bulgaria is invited to notify the strategy referred to in Article 5(1) to the Commission by the date of accession and is encouraged to develop this strategy in parallel with the elaboration of the waste management plans in accordance with Article 7 of Directive 75/442/EEC on waste.

With regard to Directive 2000/53/EC on end-of-life vehicles, the EU takes note of Bulgaria's confirmation that the targets contained in Article 7(2)(a) will be achieved by accession and that the targets contained in Article 7(2)(b) will be reached at the date determined in the Directive, i.e. 1 January 2015. The EU also takes note that Bulgaria confirms that all the existing stockpiles will be managed within three years after accession in accordance with Article 6 of the Directive.

The EU takes note of Bulgaria's statement that the Directive has been partially transposed in 2001 and that transposition will be completed by the end of 2004. The EU also notes Bulgaria's statement that economic operators are responsible for the organisation of the national system for collection and treatment of end-of-life vehicles, and that producers and importers have to pay a fee for placing vehicles on the market. The EU further takes note that the delivery of a vehicle to an authorised treatment facility will occur as from 1 January 2007 without cost to the last holder and/or owner of a vehicle (free take back principle) in accordance with Article 5 (4) and 12 (2) of the Directive, and that the legislation will be aligned to that effect by the end of 2004.

The EU takes note of the implementation plan provided by Bulgaria, including cost assessments and sources of financing, timetables and milestones for the physical implementation. The EU takes note that Bulgaria has already initiated the implementation of the requirements of the Directive, including measures for identification and permitting of existing dismantling centres and auto-morgues. With regard to technical measures for treatment of end-of-life vehicles, the EU takes note that Bulgaria will use the capacity of the existing small dismantling centres during 2003 – 2010 and construct two new national dismantling centres by the end of 2005. The EU also takes note that Bulgaria will require vehicle importers and producers to install new capacity by 2005 or ensure exports in case of insufficient capacity. Gradual introduction of energy recovery will take place from 2005 and construction of temporary storage within municipalities from 2003. Furthermore, the EU takes note of the information that temporary storage sites will be constructed at municipalities in order to store vehicles before they are transported to treatment, and of Bulgaria's confirmation that no vehicle destined for recovery and reuse is kept in temporary storage for longer than 3 years.

Water quality

As regards the water framework Directive 2000/60/EC, the EU takes note that the Directive will be fully transposed by the end of 2005 and that implementing guidelines are under preparation.

The EU takes note of the additional information provided by Bulgaria as regards the request for transitional measures for implementation of Directive 91/271/EEC on urban waste water treatment. The EU also takes note that Bulgaria has reviewed its request until 31 December 2010 for implementation of the requirements of the Directive for agglomerations with over 10 000 population equivalent and until 31 December 2014 for agglomerations with 2 000 to 10 000 population equivalent. As regards Article 13 of the Directive on industrial waters, the EU takes note of Bulgaria's confirmation in CONF-BG 7/03 that permits will be issued by the end of 2003 and full compliance will be achieved ensured by the end of 2006 regarding industrial waters discharged into the public sewer.

As regards identification of sensitive areas, the EU takes note that the Danube River and the Black Sea will be declared sensitive by an Order of the Minister of Environment and Water by the end of 2003, and that all agglomerations above 10 000 population equivalent discharging directly into them or to their catchment areas will be subject to more stringent treatment.

Having carefully examined Bulgaria's request, the EU considers this request sufficiently limited in time, taking into account the necessary adaptations of infrastructure and the investment costs. The EU also considers that the request is sufficiently limited in scope, given that it relates to collecting systems and treatment plants, not to industrial waste waters. Moreover, the EU considers that the request does not appear to lead to significant distortions of competition, given the scope of the Directive and the fact that industrial waste waters are not subject to the request. In addition, the EU notes that Bulgaria has provided a plan with clearly defined stages for the application of the Directive, covering costs and financing strategies. The EU can therefore accept the requested transitional measures with the following intermediate targets (see Annex 4 to this Position): Collecting systems in line with Article 3 and waste water treatment in line with Article 5 of Directive 91/271/EEC will be provided for 87,8% of the overall population equivalent of 10 226 351 by the end of 2010 and for 100% by the end of 2014.

With regard to Directive 91/676/EEC on nitrate pollution from agricultural sources, the EU takes note that vulnerable zones will be proposed by the Minister of Environment and Water by the end of 2003 and will be approved by Ministerial Order by mid-2004. Furthermore, the EU takes note that rules for good agricultural practice for each specific region will be prepared by mid-2004 and approved by the Ministry of Agriculture and Forests by 24 October 2004, that action programmes will be elaborated by the end of 2004 and that by the end of 2004 information on the capacity of the farms for storage of manure will be presented to the Commission.

With regard to Directive 76/464/EEC and "daughter" Directives 82/176/EEC, 83/513/EEC, 84/156/EEC, 84/491/EEC and 86/280/EEC, as amended by 88/374/EEC and 90/415/EEC on discharges of dangerous substances into surface water, the EU takes note that the Directive and its "daughter" Directives have been transposed by Bulgaria. The EU also takes note of the implementation plan provided in Annex 11 to CONF- BG 2/03. The EU particularly takes note that Bulgaria has identified the competent authorities, established the system of prior authorisation for discharges of List I and II substances, that all permits for discharges of waste waters containing List I substances into water bodies and into the sewage will be issued until mid-2003 at the latest and that for discharges into water bodies the deadline for achieving compliance with the emission standards set out in the permits is the end of 2004, and for discharges into the sewage system this deadline is the end of 2005. Furthermore, the EU takes note that all permits for discharges of waste waters containing List II substances will be issued by the end of 2004 and that the deadline for achieving compliance with the emission standards, set out in the permits, is the end of 2006.

Furthermore, the EU takes note of Bulgaria's statement that a preliminary inventory of List I substances has been completed, that the inventory of non-point sources of discharges of List I substances will be finalised in June 2004 and that the identification of all sources of discharges of List II substances will be completed in June 2005. The EU also takes note of the quality objectives reported for certain list II substances, and draws the attention of Bulgaria to that these quality objectives may need a review within the context of the implementation of the water framework Directive 2000/60/EC. As regards pollution reduction programmes, the EU takes note of that the Ministry of Environment and Water will approve a national program for reduction of the pollution of waters with certain dangerous substances by mid-2003 and that the pollution reduction programme for List II substances will be approved at the latest by accession and will be implemented within six years after approval. Bulgaria is invited to provide information about the transition from Directive 76/464/EEC to 2000/60/EC, by taking into account the European Commission's guidelines on pollution reduction programmes. Finally, the EU takes note of the information provided by Bulgaria that the monitoring network will be updated by the end of 2004 and that annual plans for inspection and control of enterprises involved in discharging List I and II substances will be developed.

With regard to Directive 86/280/EEC on limit values and quality objectives for discharges of certain dangerous substances included in List I of the Annex to Directive 76/464/EEC, the EU takes note that Bulgaria has withdrawn its request for a transitional period that Bulgaria will implement the Directive upon accession.

With regard to Directives 80/778/EEC and 98/83/EC on the quality of water intended for human consumption, the EU takes note that the Directives have been transposed and that some of the limit values are already applied, while others will apply as from 1 January 2005 and from 1 January 2007. The EU also takes note that by the end of 2006 Bulgaria will introduce the necessary measurement methods for analysing drinking water to fully meet the requirements of the Directive.

With regard to Directive 75/440/EEC on quality of surface water intended for the abstraction of drinking water, the EU takes note that the Directive has been transposed according to Bulgaria.

With regard to the Convention on the Protection and Use of Transboundary Watercourses and International Lakes, the EU takes note that a proposal for ratification of the Convention will be submitted to Parliament in the first half of 2003.

Nature protection

With regard to Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora, the EU takes note of the information provided by Bulgaria on transposition and implementation, including that transposition will be completed by the end of June 2003. Furthermore, the EU takes note of the confirmation by Bulgaria that a list of proposed sites of Community importance will be prepared by 2006 and submitted to the Commission and that Bulgaria will apply the protection measures foreseen in Article 6(2), (3), and (4) of the Directive on the day of accession for all sites included in the national lists.

With regard to Directive 79/409/EEC on wild birds, the EU takes note of the information provided by Bulgaria on transposition and implementation, including that transposition will be completed by the end of June 2003. Furthermore, the EU takes note of the confirmation by Bulgaria that special protection areas will be designated by 2006.

As regards amendments to the annexes of both Directives, the EU recalls the importance of these Directives for a balanced and sustainable development. The EU will come back to this issue at a later stage in the negotiations, when the examination of the scientific data has been completed and, in view of technical adjustments to be inserted in the Treaty of Accession.

Industrial pollution control and risk management

With regard to Directive 96/61/EC on integrated pollution prevention and control, the EU notes that Bulgaria has reduced its request and now requests a transitional period for 5 existing installations until 31 December 2008, for 1 existing installation until 31 December 2009 and for 35 existing installations until 31 December 2011. The EU takes note of the information provided on transposition and implementation, including the implementation plan with cost assessments and sources of financing, as well as that the Directive has been transposed. Furthermore, the EU takes note that Bulgaria has designated the competent authorities for issuing the permits, that it has already started preparations for permitting and that guidance documents to permitting authorities will be adopted by the end of 2003. Regarding the preparation of guidelines for best available techniques, the EU takes note of the confirmation that these and future guidelines will be fully compatible with the BAT reference documents published by the Commission. The EU also takes note of Bulgaria's gradual sector-by-sector schedule for deadlines for applying for permits between 1 January 2003 and 31 January 2007 and of the schedule for issuing permits, according to which permits will be issued from the second half of 2003 until the second half of 2007, as well as of the information that a large majority of the installations will be permitted already before the end of 2006. The EU stresses that the following conditions will apply to all installations subject to transitional measures: fully coordinated permits will be issued for these installations before 30 October 2007, containing individually binding timetables for the achievement of full compliance; the general principles governing the basic obligations of the operators as set out in Article 3 of Directive 96/61/EC will be complied with by 30 October 2007. As regards new and substantially changed installations within the meaning of the Directive, the EU takes note of Bulgaria's confirmation that these will operate in accordance with the Directive requirements by the accession date at the latest, or by start of operation where this takes place after accession. The EU also takes note of Bulgaria's confirmation that all existing IPPC installations will operate in accordance with the requirements of the Directive by October 2007, or by the end of the requested transitional measures.

The EU takes note that 29 of the 41 installations subject to the request for transitional measures are situated in agglomerations and zones for which the preparation of programmes under air quality Directives to ensure that limit values are attained has started and will be completed by end 2005. The EU takes note of Bulgaria's confirmation that regardless of the request, compliance with the air quality Directives will be ensured by the end of 2005, through taking measures where necessary, including in relation to industrial, household and traffic emissions.

Having carefully examined Bulgaria's request, the EU considers that the request is sufficiently limited in time taking into account the differentiated timetables for compliance. The EU also considers the request is sufficiently limited in scope, given that it relates to 41 out of the total existing 330 IPPC installations, and thus to no new installations. Moreover, the EU considers that the request does not appear to lead to significant distortions of competition, given the necessary investments to be made. The EU can therefore accept the requested transitional period until 31 December 2008 for 5 existing installations, until 31 December 2009 for 1 existing installation and until 31 December 2011 for 35 existing installations as listed by Bulgaria in accordance with Annex 5 to this position. Finally, the EU invites Bulgaria to confirm that all existing installations not subject to the transition measure request will operate in accordance with the requirements of the Directive as of 30 October 2007.

With regard to Decision 2000/479/EC on the pollutant emission register, the EU takes note of the information provided by Bulgaria, including that Bulgaria will provide reports to the Commission according to the Directive deadlines.

As regards Directive 2001/80/EC on the limitation of emissions of certain pollutants into air from large combustion plants, the EU notes Bulgaria's request for transitional measures until 31 December 2014 for implementation regarding the emission limit values at the following plants:

- TPP Varna: SO₂ and dust: Unit 1 until 31 December 2009, Unit 2 until 31 December 2010, Unit 3 until 31 December 2011, Unit 4 until 31 December 2012, Unit 5 until 31 December 2013 and Unit 6 until 31 December 2014;
- TPP Bobov dol: SO₂ and dust: Unit 2 until 31 December 2011 and Unit 3 until 31 December 2014;
- TPP Rousse East: SO₂ and dust: Units 3 and 4 until 31 December 2009, and Units 1 and 2 until 31 December 2011;
- TPP Lukoil Neftochim Bourgas: SO₂, NO_x and dust: Units 2, 7, 8, 9, 10 and 11 until 31 December 2011.

The EU also takes note that Directive 88/609/EEC on the limitation of emissions of certain pollutants into air from large combustion plants has been transposed already, and that Directive 2001/80/EC will be fully transposed by the end of 2003, with an entry into force on 1 January 2004.

The EU notes the justification for this request, in particular the need to upgrade or replace the large combustion plants in Bulgaria, expected impact on electricity prices and that the investments will coincide with the end of operation of certain existing nuclear power units. The EU also takes note of Bulgaria's confirmation that it will comply, regardless of the request, with air quality Directives by the end of 2005, as well as with Gothenburg Protocol and Directive 2001/81/EC on national emission ceilings.

The EU notes that the units for which transition measures are requested within the four plants subject to the request represent currently approximately 23 % of the overall rated thermal input of large combustion plants sector in Bulgaria. The compliance dates for different units within these plants range from 31 December 2009 to 31 December 2014 thereby ensuring that the non-complying share of the capacity decreases over time. In view of the above, and since all other combustion plants will comply in accordance with the deadlines of the Directive, the EU considers the request sufficiently limited in scope.

Having carefully examined Bulgaria's request, the EU considers that the requested transitional periods are sufficiently limited in time and scope, that the necessary investment costs are high and need to be spread over time, that the request would not lead to significant distortion of competition in the internal market, in particular when taking into account the necessary future investments and that the request is accompanied by a plan with clearly defined stages for the application of the *acquis*. As regards environmental effects, it results from the information on the emission forecasts that important improvements will be reached by 2008 when the other large combustion plants will comply with the Directive requirements. In view of the above, the EU can accept the requested transitional period until 31 December 2014 and according to the intermediate targets as set out in Annex 6 to this position. The EU underlines that these transitional measures are without prejudice to Bulgaria's obligation to fully implement the Directive 96/61/EC on integrated pollution prevention and control.

The EU furthermore notes that with a view to limiting potential distortion of competition, safeguard mechanisms such as the reciprocity clause of Directive 92/96/EEC, may have to be applied.

Furthermore, the EU invites Bulgaria to present to the Commission, by 1 January 2011, an updated plan, including an investment plan, for the gradual alignment of the remaining non-compliant plants with clearly defined stages for the application of the *acquis*. The EU considers that the expected overall economic development in Bulgaria, the resulting possibilities to finance further investments earlier than currently scheduled, and the foreseen changes in the energy sector should allow further emission reductions per unit of electricity produced. The EU therefore expects that these plans should ensure a further reduction of the emissions to a level significantly below the intermediate targets defined in Annex 6 to this position, in particular for emissions in the period 2012 to 2014. If the Commission, having regard in particular to the environmental effects and to the need to reduce distortions of competition in the internal market due to the transitional measures, considers that these plans are not sufficient to meet these objectives, it shall inform Bulgaria. Within the subsequent three months, Bulgaria shall communicate the measures it has taken in order to meet these objectives. If subsequently the Commission, in consultation with the Member States, considers these measures are not sufficient to meet these objectives, it shall start an infringement procedure under Article 226 of the EC Treaty.

The EU underlines that shipments of waste to non-complying installations should be avoided in order to facilitate the implementation of Articles 4 and 5 of Directive 75/442/EEC on waste. The EU therefore considers that by way of derogation from Article 7 (4) of Regulation (EEC) 259/93, competent authorities should object to shipments of waste for recovery listed under Annexes II, III and IV of the Regulation and shipments of waste not listed under those Annexes destined to a facility benefiting from a temporary derogation from certain provisions of Directive 96/61/EC and Directive 2001/80/EC during the period the temporary derogation is applied to the facility of destination. Additionally, during the period of this transitional measure all shipments to Bulgaria of waste for recovery listed in Annex II, III and IV of Regulation (EEC) 259/93 and shipment of waste for recovery not listed in these Annexes should be notified to competent authorities and processed in conformity with Articles 6, 7 and 8 of the Regulation.

With regard to Directive 96/82/EC on control of major accident hazards, the EU takes note of the information provided by Bulgaria as regards transposition and implementation, including that the Directive has been transposed with an entry into force for new installations on 1 January 2004 and on 1 January 2006 for existing installations. The EU also takes note of the deadlines for the elaboration of notifications, and submission of safety reports and emergency plans (internal and external), i.e. that for new establishments the deadline is prior to application for building permission, and for existing establishment by 1 January 2006.

The EU welcomes that Bulgaria has withdrawn its request for a transitional measure related to Directive 1999/13/EC on emissions of volatile organic compounds due to the use of organic solvents in certain activities and installations. The EU also takes note that all existing installations will be in compliance with the Directive by 31 October 2007 and new and substantially changed installations at the latest by accession. Furthermore, the EU takes note of the implementation programme, containing information on the number, characteristics, location and the present level of compliance of the existing installations, as well as information on timetables and costs and their financing. Finally the EU takes note that the Directive will be fully transposed by the end of June 2003.

With regard to Directive 2000/76/EC on incineration of waste, the EU takes note of the information provided by Bulgaria, including that the Directive has been partially transposed and that transposition will be completed by mid-2004 as well as that competent authorities have already been designated.

With regard to Directive 2001/81/EC on national emission ceilings, the EU takes note of the information provided by Bulgaria on transposition and implementation, including that full transposition will be achieved by the end of 2005 and that competent authorities have been designated. Furthermore, the EU takes note of the information provided by Bulgaria that a study on possibilities for further limitation of the national emission ceilings falling into the scope of the Directive will be finalised in 2003 and of the information on national emission ceiling projections for atmospheric pollution provided in CONF-BG 2/03. The EU underlines that it will come back to this issue at a later stage in the negotiations, when the examination of the scientific data has been completed and in view of technical adjustments to be inserted in the Treaty of Accession. The EU draws Bulgaria's attention to the fact that the emission ceilings to be agreed within the context of technical adaptations will be temporary and are without prejudice to the 2008 review according to Article 10 of the Directive. Finally, the EU takes note that Bulgaria will prepare a national programme by the end of 2005.

Chemicals and genetically modified organisms

The EU takes note of the information provided by Bulgaria on administrative and institutional resources and invites Bulgaria to pursue with its efforts to implement the *acquis* in this sector. It should be noted that most of the *acquis* on chemicals is product-related and is thereby relevant for the functioning of the internal market. The EU will monitor the development of implementation efforts, which are indispensable in the chemical sector.

As regards Directive 98/8/EC on placing on the market of biocidal products, the EU takes note of the revised transposition schedule, according to which transposition will be completed by the end of 2003. The EU also takes note that a detailed plan for the implementation of the Directive will be prepared by the end of 2003, including measures needed for strengthening of the administrative capacity.

With regard to Regulation (EC) 2037/2000 on ozone depleting substances, the EU takes note of Bulgaria's confirmation that all controlled substances have been covered in the implementation plan. The EU also takes note that, according to the information provided by Bulgaria, it does not foresee difficulties in implementing the requirements of the Regulation on quotas as from accession, since it has already set up a national system. The EU takes note that the use of HCFCs will be ceased for production needs (production of refrigerators, deep freezers, air conditioners and foaming agents) by the end of 2006, for service activities (use of fresh HCFCs) by the end of 2009, for the use of virgin HCFCs for maintenance and service of refrigerating and air-conditioning equipment by the end of 2009 and for all other HCFCs by the end of 2014 and that the use of methylebromide will be ceased by the end of 2004 (for purposes other than quarantine and preshipment).

With regard to Regulation (EEC) 2455/92 on export and import of certain dangerous chemicals, the EU takes note that the requirements of the Directive are implemented in Bulgaria by a 2002 Regulation on import and export of certain dangerous substances, preparations and products and that it will enter into force in 2004 for imports and in 2007 for exports.

With regard to Directive 86/609/EEC on the protection of animals used for experimental and other scientific purposes, the EU takes note of the revised transposition schedule provided by Bulgaria, according to which transposition will be completed by mid-2003, with an entry into force on 1 January 2004. The EU also takes note of the information provided by Bulgaria on competent authorities responsible for the implementation of the Directive.

With regard to Directive 90/219/EEC as amended by Directive 98/81/EC on contained use of genetically modified organisms and Directive 2001/18/EC repealing Directive 90/220/EEC on deliberate release into the environment of genetically modified organisms, the EU takes note that transposition will be completed by the end of 2004 and that a consultative body on genetically modified organisms will be set up by 1 January 2004, consisting of experts of the interested state institutions and scientific organisations.

Noise

With regard to Directive 86/594/EEC on airborne noise emitted by household appliances, the EU takes note that the Directive will be transposed by the end of 2003 with a Regulation, drafted on the basis of the consumer protection and commerce rules Act. With regard to implementation, the EU takes note of the information provided by Bulgaria that the controls on the implementation will be assigned to the Commission on Commerce and Consumer Protection within the Ministry of Economy and that the need for additional staff and training of the experts will be addressed during the drafting of the above mentioned Regulation.

With regard to Directive 2000/14/EC on noise of outdoor equipment, the EU takes note that the Directive will be transposed in 2003 by Bulgaria and that the Committee of Users Protection within the Ministry of Economy will be the national competent authority for the implementation of the Directive.

With regard to Directive 2002/49/EC on assessment and management of environmental noise, the EU takes note that the Directive will be transposed by the end of 2004 and that a plan for the implementation, including the necessary administrative measures and financial assessment, is being developed by Bulgaria.

Nuclear safety and radiation protection

The EU recalls the General EU Position and the importance of the objective of a high level of nuclear safety and environmental protection.

With regard to application of Article 35 of Euratom Treaty, the EU takes note of the information provided by Bulgaria, including that the Article has been transposed, and that monitoring of radiation in water, soil, food and air is organised by the Ministry of Environment and Water, the State Civil Protection Agency, the Ministry of Health, the Ministry of Agriculture and Forests, the State Agency on Standardisation and Metrology and the Kozloduy nuclear power plant. The EU also takes note of the clarification provided by Bulgaria that all the measurement systems are able to work in a permanent mode of operation and are included into the national emergency plan and that in case of deviations in the dose rate indications, conditions are created for starting express measurements over the whole territory of the country for radioactive isotope content in, *inter alia*, air, water and soil.

With regard to Article 36 of Euratom Treaty, the EU takes note of the information provided by Bulgaria, including that full scale monitoring will be applied upon accession and that the results of the monitoring control can be reported to the Commission on an annual basis.

With regard to Article 37 of Euratom Treaty, the EU takes note of the information provided by Bulgaria, including that the Article has been partially transposed and will be completed by July 2004. With regard to Directive 96/29/Euratom on basic safety standards, the EU takes note of the information provided by Bulgaria on transposition and implementation, including that full transposition will be ensured by the end of 2004 in Bulgaria.

With regard to Directive 90/641/Euratom on outside workers, the EU takes note of the revised transposition schedule provided by Bulgaria according to which full transposition will be ensured by the end of 2004. The EU also takes note of the information provided by Bulgaria concerning the internal procedures developed within Kozloduy nuclear power plant for all workers without distinction. The EU draws Bulgaria's attention in this context to that full implementation of the Directive requires taking of legislative measures of general scope as regards obligations for outside undertakings, the operators of controlled areas and the outside workers.

With regard to Directive 92/3/Euratom on shipments of radioactive waste, Directive 89/618/Euratom on informing the general public in case of radiological emergency and Directive 97/43/Euratom on medical exposure, the EU takes note that these Directives will be transposed by the end of 2004.

* * *

Subject to Bulgaria's acceptance of the above considerations, the EU notes that, at this stage, this chapter does not require further negotiations. Monitoring of the progress in the adoption and implementation of the *acquis* will continue throughout the negotiations. A final assessment on the conformity of Bulgaria's legislation and policies with the *acquis* and its implementation can only be made at a later stage of the negotiations. Particular consideration needs to be given to the links between the present chapter and other negotiation chapters, such as Free Movement of Goods, Agriculture, Transport Policy, Taxation, Energy (in particular the internal market in electricity), as well as Consumers and Health Protection. In addition to the information the EU may require for the negotiations on this chapter and which is to be provided to the Conference, the EU invites Bulgaria to provide regularly detailed, written information to the Association Council on progress in the alignment with and implementation of the *acquis*.

In view of the above considerations, the EU may return to this chapter at an appropriate moment.

Furthermore, the EU recalls that there will be new *acquis* between 1 January 2003 and the conclusion of the negotiations.

ANNEX 1: Intermediate targets under Directive 94/63/EC on control of volatile compound (VOC) emissions resulting from the storage of petrol and its distribution from terminals to service stations

Installation	Number	Transitional measure until
Storage installations at terminals > 50,000 t/y Article 3, Annex I	0	already comply
	3	31.12.2005
Storage installations at terminals > 25,000 t/y Article 3, Annex I	0	already comply
	6	31.12.2007
Storage installations at terminals < 25,000t/y Article 3, Annex I	0	already comply
	6	to be decommissioned by 31.12.2005
	19	31.12.2009
Loading/unloading of mobile containers at terminals > 150,000 t/y Article 4, Annex II	1	already comply
	5	31.12.2005
Loading/unloading of mobile containers at terminals > 25,000 t/y Article 4, Annex II	0	already comply
	12	31.12.2007
Loading/unloading of mobile containers at terminals < 25,000 t/y Article 4, Annex II	0	already comply
	12	to be decommissioned by 31.12.2005
	29	31.12.2009
Mobile containers	48 road tankers	already comply
	minimum 100 road tankers	to be decommissioned by 31.12.2005
	minimum 50 road tankers	to be decommissioned by 31.12.2007
	maximum 466 road tankers	31.12.2009
	75 rail tankers	already comply
	2 vessels	already comply
	7 vessels	to be decommissioned by 31.12.2006

Installation	Number	Transitional measure until
Loading into storage installations at service stations > 1000 m ³ /y Compliance with Annex III	56	already comply
	261	31.12.2005
Loading into storage installations at service stations > 500 m ³ /y Compliance with Annex III	272	already comply
	355	31.12.2007
Loading into storage installations at service stations < 500 m ³ /y Compliance with Annex III	18	already comply
	653	31.12.2009

(Source: compiled from Annex 6 of CONF-BG 2/03 and CONF-BG 7/03)

ANNEX 2: Intermediate targets under Directive 94/62/EC on packaging and packaging waste

Packaging	2003	2004	2005	2006	2007	2008	2009	2010	2011
Recycling targets, %									
Paper and cardboard	54,0	55,6	57,8	60,1	63,1	65,7	67,6	69,7	70,8
Plastics	3,3	4,3	5,4	7,6	12,0	14,5	17,1	18,6	19,7
Glass	15,6	18,0	21,6	26,4	33,0	39,7	45,6	51,3	55,2
Metals	53,3	54,8	56,5	58,2	59,9	61,7	63,6	65,5	66,5
Overall recycling target, %	27,6	29,2	31,4	34,2	38,4	41,8	44,8	47,4	49,1
Overall recovery target, %	27,6	29,6	31,8	34,7	38,9	42,4	45,6	48,3	50,0

(Source: compiled from Annex 6 of CONF-BG 2/03)

ANNEX 3: Transitional measures under Directive 1999/31/EC on landfill of waste

Holder	Appellation	Region	Municipality	Settlement
“Polimeri”	slugpond	Varna	Devnya	Devnya
“Solvey Sody” “Deven” “Agropolichim”	ash-slug-pond	Varna	Devnya – at the municipality of Varna	village of Padina
“TEPP Varna”	ashpond	Varna	Beloslav	village of Ezerovo
“Svilozha”	ashpond	Veliko Tarnovo	Svistov	Svistov
TEPP at “Zaharni zavodi”	ashpond	Veliko Tarnovo	Gorna Oriahovitsa	Gorna Oriahovitsa
“Vidachim v likvidatsia”	ashpond	Vidin	Vidin	Vidin
“Toplofikatsia-Ruse TEPP East	ashpond	Ruse	Ruse	Ruse
1. TEPP “Republika” 2. “COF-Pernik” 3. “Kremikovtsi-Rudodobiv”	ashpond	Pernik	Pernik	Pernik, district “Kalkas”
1. “Toplofikatsia Pernik” 2. “Solidus” Pernik	ashpond	Pernik	Pernik	Pernik, district “Kalkas”
TEPP “Bobov dol”	ashpond	Kyustendil	Bobov dol	village of Kamenik
“Brikel”	ashpond	Stara Zagora	Galabovo	Galabovo
Toplofikatsia Sliven	ashpond	Sliven	Sliven	Sliven
“TEPP Maritsa 3”	ashpond	Khaskovo	Dimitrovgrad	Dimitrovgrad
“TEPP Maritsa 3”	ashpond	Khaskovo	Dimitrovgrad	Dimitrovgrad

	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Landfilled liquid waste 1000 t	3 025	3 025	3 020	3 010	2 990	1 978	1 940	1 929	1 919	1 159	1 039
Liquid waste landfilled in the 14 facilities vs. year 2004, %	100,0	100,0	99,83	99,50	98,84	65,39	64,13	63,77	63,44	38,31	34,35

ANNEX 4: Transitional measures under Directive 91/271/EEC on urban waste water treatment WA I 3Waste water collection (Article 3)

Agglomeration	No.	p.e.	Foreseen implementation
Sensitive areas: agglomerations of >10 000 p.e.	112	8 666 351 (84,7%*)	end 2010
'Normal' areas: agglomerations of >15 000 p.e.	5	267 295 (2,6%*)	end 2010
'Normal' and 'sensitive' areas: agglomerations of 2 000-15 000 p.e.	313	1 292 705 (13,8%*)	end 2010 for agglomerations of 10000 – 15000 p.e. end 2014 for agglomerations of 2000 – 10000 p.e

Waste water treatment (Article 4, 5)

Agglomeration	No.	p.e.	Foreseen implementation
Sensitive areas: agglomerations of >10 000 p.e.	112	8 666 351 (84,7%*)	end 2010
'Normal' areas: agglomerations of >15 000 p.e.	5	267 295 (2,6%*)	end 2010
'Normal' areas: agglomerations of 10 000-15 000 p.e.	4	46 293 (0,5%*)	end 2010
'Normal' areas: agglomerations of 2 000-10 000 p.e.	309	1 246 412 (12,2%*)	end 2014

* Percentage covered by the Directive (agglomerations above 2000 p.e.)

(Source: compiled from Annex 10 of CONF-BG 2/03 and CONF-BG 11/03)

ANNEX 5: Transitional measures under Directive 96/61/EC on integrated pollution prevention and control

Name and location	IPPC category	Transitional measure until
Jambolen – Jambol	4.1 h	31 December 2008
Verila – Ravno Pole	4.1	31 December 2008
Lakprom – Svetovrachane	4.1 b	31 December 2008
Orgachim – Ruse	4.1 j	31 December 2008
Neochim – Dimitrovgrad	4.1 b	31 December 2008
Elisejna Gara Elisejna	2.5 a	31 December 2009
TPP Rouse East – Rouse	1.1	31 December 2011
TPP Varna – Varna	1.1	31 December 2011
TPP Bobov Dol – Sofia	1.1	31 December 2011
TPP Lukoil Neftochim – Bourgas	1.1	31 December 2011
Lukoil Neftochim – Bourgas	1.2	31 December 2011
Kremikovci – Sofia	2.2	31 December 2011
Radomir Metali – Radomir	2.3 b	31 December 2011
Solidus – Pernik	2.4	31 December 2011
Berg Montana Fitingi – Montana	2.4	31 December 2011
Energoremont – Kresna	2.4	31 December 2011
Chugunoleene – Ihtiman	2.4	31 December 2011
Alcomet – Shoumen	2.5 b	31 December 2011
Start – Dobrich	2.5 b	31 December 2011
Alucom – Pleven	2.5 b	31 December 2011
Energia – Turgovishte	2.5 b	31 December 2011
Uspeh – Lukovit	3.5	31 December 2011
Keramika – Bourgas	3.5	31 December 2011
Strojkeramika – Mezdra	3.5	31 December 2011
Stradjia Ceramica – Stradjia	3.5	31 December 2011
Balkankeramics – Novi Iskar	3.5	31 December 2011
Shamot – Elin Pelin	3.5	31 December 2011
Ceramics plant – Dragovishtitza	3.5	31 December 2011
Faians – Kaspichan	3.5	31 December 2011
Solvey Sodi – Devnia	4.2 d	31 December 2011
Polimeri – Devnia	4.2 c	31 December 2011
Agropolychim – Devnia	4.3	31 December 2011
Neochim – Dimitrovgrad	4.3	31 December 2011
Agrija – Plovdiv	4.4	31 December 2011
Balkanpharma – Razgrad	4.5	31 December 2011
Biovet – Peshtera	4.5	31 December 2011
Catchup-fruit – Ajtos	6.4 b	31 December 2011
Bulgaricum – Bourgas	6.4 c	31 December 2011
Serdika 90 – Dobrich	6.4 c	31 December 2011
Ekarisage – Varna	6.5	31 December 2011
Ekarisage Bert – Bourgas	6.5	31 December 2011

(Source: compiled from CONF-BG 4/03)

ANNEX 6: Transitional measures under Directive 2001/80/EC on large combustion plants

Plant	Unit(s)	Transitional measure until	emissions of
TPP Varna	Unit 1	31 December 2009	SO ₂ , dust
	Unit 2	31 December 2010	SO ₂ , dust
	Unit 3	31 December 2011	SO ₂ , dust
	Unit 4	31 December 2012	SO ₂ , dust
	Unit 5	31 December 2013	SO ₂ , dust
	Unit 6	31 December 2014	SO ₂ , dust
TPP Bobov dol	Unit 1	to be decommissioned by 31 December 2007	-
	Unit 2	31 December 2011	SO ₂ , dust
	Unit 3	31 December 2014	SO ₂ , dust
TPP Rousse East	Unit 6	already decommissioned	-
	Units 5,7,8	full compliance by 1 January 2008	-
	Units 3,4	31 December 2009	SO ₂ , dust
	Units 1,2	31 December 2011	SO ₂ , dust
TPP Lukoil Neftochim Bourgas	Units 1,4,5,6	already decommissioned	-
	Unit 3	to be decommissioned by 31 December 2005	-
	Unit 12	full compliance by 1 January 2008	-
	Units 2,7,8,9, 10,11	31 December 2011	SO ₂ , NO _x , dust

Intermediate targets for pollutants from the large combustion plant sector

	2004	2008	2012	2015
SO ₂ emission				
thousand tons/year	1255,3	179,7	103,0	82,2
NO _x emission				
thousand tons/year	66,6	42,9	33,3	29,8
Dust emission				
thousand tons/year	33,0	8,9	6,0	4,0

(Source: compiled from Annex 15 of CONF-BG 2/03)

ANNEX 7: Transitional measures under Regulation (EEC) 259/93 on shipment of waste

AA. Metal Bearing Wastes

AA 090 ex 2804 80 Arsenic waste and residues

AA 100 ex 2805 40 Mercury waste and residues

AA 130 Liquors from the pickling of metals

AB. WASTES CONTAINING PRINCIPALLY INORGANIC CONSTITUENTS, WHICH MAY CONTAIN METALS AND ORGANIC MATERIALS

AC. WASTES CONTAINING PRINCIPALLY ORGANIC CONSTITUENTS, WHICH MAY CONTAIN METALS AND INORGANIC MATERIALS

AC 040 Leaded petrol (gasoline) sludges

AC 050 Thermal (heat transfer) fluids

AC 060 Hydraulic fluids

AC 070 Brake fluids

AC 080 Antifreeze fluids

AC 110 Phenols, phenol compounds including chlorophenol in the form of liquids or sludges

AC 120 Polychlorinated naphthalenes

AC 150 Chlorofluorocarbons

AC 160 Halons

AC 190 Fluff —light fraction from automobile shredding

AC 200 Organic phosphorous compounds from solvent recovery operations

AC 230 Halogenated or unhalogenated non-aqueous distillation residues arising from organic solvent recovery operations

AC 240 Wastes arising from the production of aliphatic halogenated hydrocarbons (such as aschloromethanes, dichloro-ethane, vinyl chloride, vinylidene chloride, allyl chloride and epichlorhydrin)

AC 260 Liquid pig manure, feces

AD 010 Wastes from the production and preparation of pharmaceutical products

AD 040 – Inorganic cyanides, excepting precious metal-bearing residues in solid form containing traces of inorganic cyanides

AD 050 – Organic cyanides

AD 060 Waste oils/water, hydrocarbons/water mixtures, emulsions

AD 070 Wastes from production, formulation and use of inks, dyes, pigments, paints, lacquers, varnish

AD 150 Naturally occurring organic material used as a filter medium (such as biofilters)

AD 160 Municipal/household wastes